

National Park Service, Interior

§51.2

- 51.89 What happens if there is a default on an encumbrance approved by the Director?
- 51.90 How does the concessioner get the Director's approval before making an assignment or encumbrance?
- 51.91 What information may the Director require in the application?
- 51.92 What are standard proformas?
- 51.93 If the transaction includes more than one concession contract, how must required information be provided?
- 51.94 What information will the Director consider when deciding to approve a transaction?
- 51.95 Does the Director's approval of an assignment or encumbrance include any representations of any nature?
- 51.96 May the Director amend or extend a concession contract for the purpose of facilitating a transaction?
- 51.97 May the Director open to renegotiation or modify the terms of a concession contract as a condition to the approval of a transaction?

Subpart K—Information and Access to Information

- 51.98 What records must the concessioner keep and what access does the Director have to records?
- 51.99 What access to concessioner records will the Comptroller General have?
- 51.100 When will the Director make proposals and evaluation documents publicly available?

Subpart L—The Effect of the 1998 Act's Repeal of the 1965 Act

- 51.101 Did the 1998 Act repeal the 1965 Act?
- 51.102 What is the effect of the 1998 Act's repeal of the 1965 Act's preference in renewal?
- 51.103 Severability.

Subpart M—Information Collection

- 51.104 Have information collection procedures been followed?

AUTHORITY: The Act of August 25, 1916, as amended and supplemented, 16 U.S.C. 1 *et seq.*, particularly, 16 U.S.C. 3 and Title IV of the National Parks Omnibus Management Act of 1998 (Pub. L. 105-391).

SOURCE: 65 FR 20668, Apr. 17, 2000, unless otherwise noted.

Subpart A—Authority and Purpose

§51.1 What does this part cover?

This part covers the solicitation, award, and administration of concession contracts. The Director solicits,

awards and administers concession contracts on behalf of the Secretary under the authority of the Act of August 25, 1916, as amended and supplemented, 16 U.S.C. 1 *et seq.* and Title IV of the National Parks Omnibus Management Act of 1998 (Public Law 105-391). The purpose of concession contracts is to authorize persons (concessioners) to provide visitor services in park areas. All concession contracts are to be consistent with the requirements of this part. In accordance with section 403 of the 1998 Act, the Director will utilize concession contracts to authorize the provision of visitor services in park areas, except as may otherwise be authorized by law. For example, the Director may enter into commercial use authorizations under section 418 of the 1998 Act and may enter into agreements with non-profit organizations for the sale of interpretive materials and conduct of interpretive programs for a fee or charge in park areas. In addition, the Director may, as part of an interpretive program agreement otherwise authorized by law, authorize a non-profit organization to provide incidental visitor services that are necessary for the conduct of the interpretive program. Nothing in this part amends, supersedes, or otherwise affects any provision of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3101 *et seq.*) relating to revenue-producing visitor services.

§51.2 What is the policy underlying concessions contracts?

It is the policy of the Congress and the Secretary that visitor services in park areas may be provided only under carefully controlled safeguards against unregulated and indiscriminate use so that visitation will not unduly impair park values and resources. Development of visitor services in park areas will be limited to locations that are consistent to the highest practicable degree with the preservation and conservation of the resources and values of the park area. It is also the policy of the Congress and the Secretary of the Interior that development of visitor services in park areas must be limited to those as are necessary and appropriate for public use and enjoyment of