

115TH CONGRESS
2D SESSION

H. R. 6510

To establish, fund, and provide for the use of amounts in a National Park Service and Public Lands Legacy Restoration Fund to address the maintenance backlog of the National Park Service, United States Fish and Wildlife Service, Bureau of Land Management, and Bureau of Indian Education, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 25, 2018

Mr. BISHOP of Utah (for himself, Mr. GRIJALVA, Mr. SIMPSON, Ms. WASSERMAN SCHULTZ, Mr. STIVERS, Ms. HANABUSA, Mr. YOUNG of Alaska, Mr. KILMER, Mr. COOK, Ms. TSONGAS, Mr. LAMBORN, Mr. SCHRADER, Mr. WEBSTER of Florida, Ms. SINEMA, Mr. GIANFORTE, Mr. WELCH, Mr. CRAMER, Ms. KAPTUR, Mr. COLE, Mr. LYNCH, Mr. HURD, Ms. MENG, Mr. CURTIS, Mr. COSTA, Mr. REICHERT, Mr. KIND, Mrs. LOVE, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. AMODEI, Ms. FRANKEL of Florida, Mr. TIPTON, Mr. PANETTA, Mr. STEWART, Ms. SEWELL of Alabama, Mr. THOMPSON of Pennsylvania, Ms. DEGETTE, Miss GONZÁLEZ-COLÓN of Puerto Rico, Ms. NORTON, Mrs. HANDEL, Mr. GARAMENDI, Mr. UPTON, Mr. GONZALEZ of Texas, Mr. ROGERS of Alabama, Mr. BISHOP of Georgia, Mrs. COMSTOCK, Mr. VISCLOSKY, Mr. PAULSEN, Mr. TURNER, Mr. FITZPATRICK, Ms. BONAMICI, and Mr. NOLAN) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committees on Education and the Workforce, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish, fund, and provide for the use of amounts in a National Park Service and Public Lands Legacy Restoration Fund to address the maintenance backlog of

the National Park Service, United States Fish and Wildlife Service, Bureau of Land Management, and Bureau of Indian Education, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Restore Our Parks
 5 and Public Lands Act”.

6 **SEC. 2. NATIONAL PARK SERVICE AND PUBLIC LANDS LEG-**
 7 **ACY RESTORATION FUND.**

8 (a) IN GENERAL.—There is established in the Treas-
 9 ury of the United States a fund, to be known as the “Na-
 10 tional Park Service and Public Lands Legacy Restoration
 11 Fund” (referred to in this section as the “Fund”).

12 (b) DEPOSITS.—

13 (1) IN GENERAL.—Except as provided in para-
 14 graph (2), for each of fiscal years 2019 through
 15 2023, there shall be deposited in the Fund an
 16 amount equal to 50 percent of all energy develop-
 17 ment revenues due and payable to the United States
 18 from oil, gas, coal, or alternative or renewable en-
 19 ergy development on Federal land and water that
 20 are not otherwise credited, covered, or deposited
 21 under Federal law.

1 (2) MAXIMUM AMOUNT.—The amount deposited
2 in the Fund under paragraph (1) shall not exceed
3 \$1,300,000,000 for any fiscal year.

4 (3) EFFECT ON OTHER REVENUES.—Nothing
5 in this section affects the disposition of revenues
6 that—

7 (A) are due to the United States, special
8 funds, trust funds, or States from mineral and
9 energy development on Federal land and water;
10 or

11 (B) have been otherwise appropriated
12 under Federal law, including the Gulf of Mexico
13 Energy Security Act of 2006 (43 U.S.C. 1331
14 note; Public Law 109–432), the Mineral Leas-
15 ing Act (30 U.S.C. 181 et seq.), and chapter
16 2003 of title 54, United States Code.

17 (c) AVAILABILITY OF FUNDS.—Amounts deposited in
18 the Fund shall be available to the Secretary of the Interior
19 without further appropriation or fiscal year limitation.

20 (d) INVESTMENT OF AMOUNTS.—

21 (1) IN GENERAL.—The Secretary of the Inte-
22 rior may request the Secretary of the Treasury to
23 invest any portion of the Fund that is not, as deter-
24 mined by the Secretary of the Interior, required to
25 meet the current needs of the Fund.

1 (2) REQUIREMENT.—An investment requested
2 under paragraph (1) shall be made by the Secretary
3 of the Treasury in a public debt security—

4 (A) with a maturity suitable to the needs
5 of the Fund, as determined by the Secretary of
6 the Interior; and

7 (B) bearing interest at a rate determined
8 by the Secretary of the Treasury, taking into
9 consideration current market yields on out-
10 standing marketable obligations of the United
11 States of comparable maturity.

12 (3) CREDITS TO FUND.—The income on invest-
13 ments of the Fund under this subsection shall be
14 credited to, and form a part of, the Fund.

15 (e) USE OF FUNDS.—Amounts in the Fund shall be
16 used as follows:

17 (1) 80 percent of amounts in the Fund shall be
18 allocated to the Director of the National Park Serv-
19 ice for high-priority deferred maintenance needs, as
20 determined by the Director, of which—

21 (A) 65 percent shall be allocated for
22 projects that are not eligible for the funding de-
23 scribed in clause (i) or (ii) of subparagraph (B)
24 for the repair and rehabilitation of assets, in-
25 cluding—

1 (i) historic structures, facilities, and
2 other historic assets;

3 (ii) nonhistoric assets that relate di-
4 rectly to visitor—

5 (I) access, including making fa-
6 cilities accessible to visitors with dis-
7 abilities;

8 (II) health and safety; and

9 (III) recreation; and

10 (iii) visitor facilities, water and utility
11 systems, and employee housing; and

12 (B) 35 percent shall be allocated to road,
13 bridge, tunnel, or other transportation-related
14 projects that may be eligible for funding made
15 available to the Director of the National Park
16 Service through—

17 (i) the transportation program under
18 section 203 of title 23; or

19 (ii) any similar Federal land highway
20 program administered by the Secretary of
21 Transportation.

22 (2) 10 percent of amounts in the Fund shall be
23 allocated to the Director of the United States Fish
24 and Wildlife Service for purposes of addressing the
25 national wildlife refuge system maintenance backlog.

1 (3) 5 percent of amounts in the Fund shall be
2 allocated to the Director of the Bureau of Land
3 Management for the purposes of addressing the pub-
4 lic access and recreation backlog.

5 (4) 5 percent of amounts in the Fund shall be
6 allocated to the Assistant Secretary of the Bureau of
7 Indian Affairs for the purposes of addressing the
8 Bureau of Indian Education school construction and
9 deferred maintenance backlogs.

10 (f) PROHIBITED USE OF FUNDS.—No amounts in
11 the Fund shall be used—

12 (1) for land acquisition; or

13 (2) to supplant discretionary funding made
14 available for the annually recurring facility oper-
15 ations, maintenance, and construction needs of the
16 entities for which amounts from the Fund are allo-
17 cated under subsection (e).

18 (g) SUBMISSION OF ANNUAL PROPOSAL.—As part of
19 the annual budget submission of each entity for which
20 amounts from the Fund are allocated under subsection
21 (e), such entity shall submit a prioritized list of deferred
22 maintenance projects or backlog projects proposed to be
23 funded by amounts in the Fund during the fiscal year for
24 which the budget submission is made to the Committee
25 on Appropriations of the House of Representatives and the

1 Committee on Appropriations of the Senate (referred to
2 in this section as the “Committees”).

3 (h) CONGRESSIONAL APPROVAL.—After review of
4 each list submitted under subsection (g), the Committees
5 may provide for the allocation of amounts derived from
6 the Fund with respect to such list.

7 (i) PROJECT APPROVAL.—

8 (1) IN GENERAL.—Except as provided in para-
9 graph (2), if, before the beginning of a fiscal year,
10 the Committees do not alter the allocation of funds
11 proposed by the entity for that fiscal year, the list
12 submitted under subsection (g) for that fiscal year
13 shall be considered approved.

14 (2) CONTINUING RESOLUTION.—If, before the
15 beginning of a fiscal year, there is enacted a con-
16 tinuing resolution or resolutions for a period of—

17 (A) less than or equal to 120 days, each
18 entity for which amounts from the Fund are al-
19 located under subsection (e) shall not obligate
20 funds to any project contained in a list sub-
21 mitted under subsection (g) for that fiscal year
22 until the date of enactment of a law making ap-
23 propriations for such entity that is not a con-
24 tinuing resolution; or

1 (B) more than 120 days, each project con-
2 tained in a list submitted under subsection (g)
3 for that fiscal year shall be considered ap-
4 proved, unless otherwise provided in the con-
5 tinuing resolution or resolutions.

6 (j) PUBLIC DONATIONS.—

7 (1) IN GENERAL.—The Secretary of the Inte-
8 rior, the Director of the National Park Service, the
9 Director of the United States Fish and Wildlife
10 Service, the Director of the Bureau of Land Man-
11 agement, and the Assistant Secretary of Indian Af-
12 fairs may accept public cash or in-kind donations
13 that advance efforts—

14 (A) to reduce the deferred maintenance
15 backlog of the National Park Service, the na-
16 tional wildlife refuge system maintenance back-
17 log of the United States Fish and Wildlife Serv-
18 ice, the public access and recreation backlog of
19 the Bureau of Land Management, and the
20 school construction backlog of the Bureau of
21 Indian Education, respectively; and

22 (B) to encourage relevant public-private
23 partnerships.

1 (2) CREDITS TO FUND.—Any cash donations
2 accepted under paragraph (1) shall be credited to,
3 and form a part of, the Fund.

4 (3) REPORTING.—Each donation received under
5 paragraph (1) that is used for, or directly related to,
6 the reduction of the deferred maintenance backlog of
7 the National Park Service, the national wildlife ref-
8 uge system maintenance backlog of the United
9 States Fish and Wildlife Service, the public access
10 and recreation backlog of the Bureau of Land Man-
11 agement, and the school construction backlog of the
12 Bureau of Indian Education, shall be included with
13 the annual budget submission of the President to
14 Congress.

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