

Union Calendar No. 199

116TH CONGRESS
1ST SESSION

H. R. 1225

[Report No. 116–250, Part I]

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

FEBRUARY 14, 2019

Mr. BISHOP of Utah (for himself, Mr. KILMER, Mr. VELA, Mr. COOK, Ms. WASSERMAN SCHULTZ, Ms. CLARKE of New York, Mr. AGUILAR, Mr. BERGMAN, Mr. CONNOLLY, Ms. MENG, Mr. COOPER, Mr. TURNER, Mr. TIPTON, Ms. DEGETTE, Mr. ROONEY of Florida, Mr. MOULTON, Mr. JOYCE of Pennsylvania, Mr. GAETZ, Mrs. WALORSKI, Mr. CARTWRIGHT, Mr. HICE of Georgia, Mr. SCHWEIKERT, Mr. RODNEY DAVIS of Illinois, Mr. GALLEGO, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. NORTON, Ms. SCHAKOWSKY, Mr. FLEISCHMANN, Mr. ALLEN, Mrs. LESKO, Mr. JOHNSON of Georgia, Mr. LUJÁN, Ms. DELBENE, Mr. RESCHENTHALER, Mr. LOWENTHAL, Mr. KRISHNAMOORTHY, Mr. LAMB, Mr. PANETTA, Ms. WILD, Mr. MCGOVERN, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. PINGREE, Mr. CURTIS, Mr. LIPINSKI, Mr. ESPAILLAT, Mr. CUMMINGS, Mr. PETERS, Ms. BONAMICI, Mr. SIRES, Mr. STEWART, Ms. ESHOO, Mr. MOONEY of West Virginia, Mr. FITZPATRICK, Mr. PASCRELL, Mr. STIVERS, Ms. VELÁZQUEZ, Mr. ZELDIN, Mr. WELCH, Mr. CICILLINE, Ms. WILSON of Florida, Ms. LEE of California, Mr. MARSHALL, Mr. YOUNG, Miss GONZÁLEZ-COLÓN of Puerto Rico, Mr. AMODEI, Mr. GIBBS, Mr. WILSON of South Carolina, Mr. BIGGS, Mr. KATKO, Mrs. RADEWAGEN, Mr. GALLAGHER, Mr. HILL of Arkansas, Mr. CLEAVER, Ms. SCANLON, Mr. RUIZ, Mr. CLAY, Ms. DEAN, Ms. JAYAPAL, Mr. CISNEROS, Mr. ENGEL, Mr. SCHRADER, Mr. ROUDA, Ms. MCCOLLUM, Mr. SMITH of Washington, Mr. GIANFORTE, Mr. BUDD, Mr. COLE, Mr. HURD of Texas, Mr. LONG, Mr. DAVID P. ROE of Tennessee, Mr. SIMPSON, Ms. STEFANIK, and Ms. HOULAHAN) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the

Committee on Education and Labor, 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

OCTOBER 22, 2019

Additional sponsors: Mr. EVANS, Ms. LOFGREN, Mr. LARSEN of Washington, Mr. CARTER of Georgia, Mr. ARMSTRONG, Ms. SCHRIER, Mr. THOMPSON of California, Mr. POCAN, Mr. SEAN PATRICK MALONEY of New York, Mr. RYAN, Mr. KIND, Mr. QUIGLEY, Mrs. MILLER, Mr. MEADOWS, Mr. NEGUSE, Mrs. RODGERS of Washington, Ms. BARRAGÁN, Mr. LANGEVIN, Mr. SCHIFF, Mr. LAWSON of Florida, Mr. SABLAN, Mr. RUSH, Mr. COLLINS of New York, Mr. SARBANES, Mr. STAUBER, Mrs. WATSON COLEMAN, Mr. JOYCE of Ohio, Ms. KELLY of Illinois, Mr. LAMBORN, Mr. KILDEE, Mr. BABIN, Mr. WITTMAN, Mr. UPTON, Ms. HILL of California, Mr. BLUMENAUER, Mrs. MCBATH, Mrs. TORRES of California, Mr. RUTHERFORD, Mr. CUELLAR, Mr. TAKANO, Mr. LAHOOD, Mr. BISHOP of Georgia, Mr. LOEBSACK, Mr. PETERSON, Mr. MCHENRY, Mr. GOLDEN, Mr. CARTER of Texas, Mr. PERLMUTTER, Mr. KENNEDY, Mr. CROW, Mr. MALINOWSKI, Mr. SUOZZI, Mr. EMMER, Ms. GRANGER, Mr. GONZALEZ of Ohio, Ms. SEWELL of Alabama, Ms. JUDY CHU of California, Mr. GOODEN, Mr. WALDEN, Mr. VAN DREW, Ms. TITUS, Mr. O'HALLERAN, Ms. FRANKEL, Ms. SHALALA, Mr. MEEKS, Mr. NADLER, Ms. MATSUI, Mr. HIMES, Mr. RIGGLEMAN, Mr. NORCROSS, Mr. COHEN, Mrs. KIRKPATRICK, Mr. RUPPERSBERGER, Mr. ROSE of New York, Mr. WEBSTER of Florida, Ms. KUSTER of New Hampshire, Mr. HECK, Mr. COX of California, Mr. CÁRDENAS, Mr. JOHNSON of South Dakota, Mr. COMER, Mr. CARBAJAL, Mr. CALVERT, Mr. THOMPSON of Pennsylvania, Mrs. NAPOLITANO, Mr. WATKINS, Ms. SÁNCHEZ, Ms. PORTER, Mr. CASTEN of Illinois, Mr. BROWN of Maryland, Mr. GUTHRIE, Mr. HORSFORD, Mr. GARAMENDI, Mr. CASE, Mr. GARCÍA of Illinois, Mr. TRONE, Ms. MUCARSEL-POWELL, Ms. ROYBAL-ALLARD, Mr. RASKIN, Mr. PRICE of North Carolina, Mr. COSTA, Mr. TONKO, Mr. KIM, Ms. OMAR, Mr. WOODALL, Mr. KEVIN HERN of Oklahoma, Mr. DESAULNIER, Mrs. DINGELL, Ms. CRAIG, Mr. KHANNA, Ms. BROWNLEY of California, Mr. STANTON, Mr. MORELLE, Mr. FOSTER, Mr. LYNCH, Mr. MCCAUL, Mr. GOMEZ, Ms. BASS, Mr. HASTINGS, Mr. MCKINLEY, Mr. CORREA, Mr. BACON, Mr. WILLIAMS, Ms. CLARK of Massachusetts, Mr. AUSTIN SCOTT of Georgia, Mr. PAPPAS, Mrs. LURIA, Mr. BRINDISI, Mr. MCADAMS, Mr. GONZALEZ of Texas, Mr. YARMUTH, Ms. STEVENS, Mr. FLORES, Ms. TLAIB, Mr. FULCHER, Mr. DUNCAN, Mr. REED, Mr. SMUCKER, Mr. BURCHETT, Mr. NEAL, Mr. MULLIN, Mr. KING of New York, Mr. SHIMKUS, Mr. WALBERG, Mrs. HARTZLER, Mr. BILIRAKIS, Mr. PALLONE, Mr. HOLDING, Mr. ROGERS of Kentucky, Mr. THORNBERRY, Mr. RICE of South Carolina, Mr. WESTERMAN, Mr. FERGUSON, Mr. CHABOT, Mr. BUCSHON, Mrs. DEMINGS, Mr. JOHNSON of Ohio, Mr. HARDER of California, Mr. SENSENBRENNER, Mr. CONAWAY, Mr. BARR, Mr. DEUTCH, Mr. CRIST, Mr. LAMALFA, Mr. ROGERS of Alabama, Ms. SLOTKIN, Ms. CASTOR of Florida, Ms. SPEIER, Mr. SWALWELL of California, Mr. FORTENBERRY, Mr. DESJARLAIS, Ms. TORRES SMALL of New Mexico, Mr. SPANO, Mr. LARSON of Connecticut, Mr. MARCHANT, Miss RICE of New York, Mr. OLSON, Mr. WRIGHT, Mr. JEFFRIES, Ms. FINKENAUER, Mr.

COLLINS of Georgia, Mr. GOSAR, Mr. CASTRO of Texas, Mr. SOTO, Mr. HUNTER, Mr. WEBER of Texas, Mr. BRADY, Mr. COURTNEY, Mr. BUCHANAN, Mr. ROUZER, Mrs. AXNE, Ms. ESCOBAR, Ms. SHERRILL, Mr. DUFFY, Mr. HARRIS, Mr. GOTTHEIMER, Mr. PAYNE, Mr. NEWHOUSE, Mr. KELLY of Pennsylvania, Mr. DOGGETT, Mr. DEFazio, Mr. HUDSON, Mr. BUTTERFIELD, Mr. CRENSHAW, Mr. ALLRED, Mr. MCNERNEY, Mrs. FLETCHER, Ms. WEXTON, Mr. LUCAS, Mr. PHILLIPS, Ms. WATERS, Mr. BERA, Mr. CLINE, Mrs. DAVIS of California, Mr. PENCE, Mr. DELGADO, Mr. SCOTT of Virginia, Mr. ARRINGTON, Mr. GRAVES of Missouri, Ms. JACKSON LEE, Ms. KENDRA S. HORN of Oklahoma, Ms. SPANBERGER, Ms. DAVIDS of Kansas, Mrs. LEE of Nevada, Ms. ADAMS, Mr. CRAWFORD, Mr. TED LIEU of California, Ms. PRESSLEY, Mr. CUNNINGHAM, Mrs. CAROLYN B. MALONEY of New York, Mr. HIGGINS of New York, Mr. VISCLOSKY, Ms. GABBARD, Mr. LEVIN of Michigan, Mrs. MURPHY of Florida, Mr. DAVID SCOTT of Georgia, and Ms. JOHNSON of Texas

OCTOBER 22, 2019

Reported from the Committee on Natural Resources with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

OCTOBER 22, 2019

Committee on Education and Labor discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on February 14, 2019]

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 and*
5 *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 Treasury*
9 *of the United States a fund, to be known as the “National*
10 *Park Service and Public Lands Legacy Restoration Fund”*
11 *(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 2020 through 2024,*
15 *there shall be deposited in the Fund an amount equal*
16 *to 50 percent of all energy development revenues due*
17 *and payable to the United States from oil, gas, coal,*
18 *or alternative or renewable energy development on*
19 *Federal land and water that would otherwise be cred-*
20 *ited, covered, or deposited as miscellaneous receipts*
21 *under Federal law.*

22 *(2) MAXIMUM AMOUNT.—The amount deposited*
23 *in the Fund under paragraph (1) shall not exceed*
24 *\$1,300,000,000 for any fiscal year.*

1 (3) *EFFECT ON OTHER REVENUES.*—*Nothing in*
2 *this section affects the disposition under Federal law,*
3 *including the Gulf of Mexico Energy Security Act of*
4 *2006 (43 U.S.C. 1331 note; Public Law 109–432), the*
5 *Mineral Leasing Act (30 U.S.C. 181 et seq.), and*
6 *chapter 2003 of title 54, United States Code, of en-*
7 *ergy development revenues—*

8 (A) *to special funds, trust funds, or States;*

9 *or*

10 (B) *that have been otherwise appropriated*
11 *under Federal law.*

12 (c) *AVAILABILITY OF FUNDS.*—*Amounts deposited in*
13 *the Fund shall be available to the Secretary of the Interior*
14 *without further appropriation or fiscal year limitation.*

15 (d) *INVESTMENT OF AMOUNTS.*—

16 (1) *IN GENERAL.*—*The Secretary of the Interior*
17 *may request the Secretary of the Treasury to invest*
18 *any portion of the Fund that is not, as determined*
19 *by the Secretary of the Interior, required to meet the*
20 *current needs of the Fund.*

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

1 (A) with a maturity suitable to the needs of
2 the Fund, as determined by the Secretary of the
3 Interior; and

4 (B) bearing interest at a rate determined by
5 the Secretary of the Treasury, taking into con-
6 sideration current market yields on outstanding
7 marketable obligations of the United States of
8 comparable maturity.

9 (3) CREDITS TO FUND.—The income on invest-
10 ments of the Fund under this subsection shall be cred-
11 ited to, and form a part of, the Fund.

12 (e) USE OF FUNDS.—

13 (1) IN GENERAL.—Amounts in the Fund shall be
14 used as follows:

15 (A) Eighty percent of amounts in the Fund
16 shall be allocated for priority deferred mainte-
17 nance projects, including other infrastructure de-
18 ficiencies directly related to such deferred main-
19 tenance projects, as determined by the Secretary
20 of the Interior and the Director of the National
21 Park Service, with the goal of ensuring overall
22 parity between amounts allocated to transpor-
23 tation and non-transportation projects.

24 (B) Ten percent of amounts in the Fund
25 shall be allocated for purposes of addressing the

1 *national wildlife refuge system maintenance*
2 *backlog, as determined by the Secretary of the*
3 *Interior and the Director of the United States*
4 *Fish and Wildlife Service.*

5 *(C) Five percent of amounts in the Fund*
6 *shall be allocated for the purposes of addressing*
7 *the public access and recreation backlog on pub-*
8 *lic lands, as determined by the Secretary of the*
9 *Interior and the Director of the Bureau of Land*
10 *Management.*

11 *(D) Five percent of amounts in the Fund*
12 *shall be allocated for the purposes of addressing*
13 *the Bureau of Indian Education school construc-*
14 *tion and deferred maintenance backlogs, as deter-*
15 *mined by the Secretary of the Interior and the*
16 *Director of the Bureau of Indian Education.*

17 (2) *CONSIDERATION OF PROJECT LIFESPAN.—*
18 *The Secretary of the Interior shall take into consider-*
19 *ation the projected lifespan of any project under this*
20 *Act when prioritizing which such projects to fund*
21 *under paragraph (1).*

22 (f) *LIMIT ON USE OF FUNDS.—No more than 10 per-*
23 *cent of the amounts in the Fund may be used for adminis-*
24 *trative costs incurred in implementing this Act.*

1 (g) *PROHIBITED USE OF FUNDS.*—No amounts in the
2 *Fund shall be used—*

3 (1) *for land acquisition;*

4 (2) *to supplant discretionary funding made*
5 *available for the annually recurring facility oper-*
6 *ations, maintenance, and construction needs of the*
7 *entities for which amounts from the Fund are allo-*
8 *cated under subsection (e); or*

9 (3) *for performance awards for Federal employ-*
10 *ees who are employed in implementing this Act.*

11 (h) *SUBMISSION TO CONGRESS.*—The Secretary of the
12 *Interior shall submit to the Committees on Appropriations*
13 *and Natural Resources of the House of Representatives and*
14 *to the Committees on Appropriations and Energy and Nat-*
15 *ural Resources of the Senate, with the annual budget sub-*
16 *mission of the President, a list of projects for which the*
17 *amounts in the Fund are allocated under this section, in-*
18 *cluding a description of each such project.*

19 (i) *PUBLIC DONATIONS.*—

20 (1) *IN GENERAL.*—The Secretary of the Interior,
21 *the Director of the National Park Service, the Direc-*
22 *tor of the United States Fish and Wildlife Service, the*
23 *Director of the Bureau of Land Management, and the*
24 *Assistant Secretary — Indian Affairs may accept*

1 *public cash or in-kind donations that advance ef-*
2 *forts—*

3 *(A) to reduce the deferred maintenance*
4 *backlog of the National Park Service, the na-*
5 *tional wildlife refuge system maintenance back-*
6 *log of the United States Fish and Wildlife Serv-*
7 *ice, the public access and recreation backlog of*
8 *the Bureau of Land Management, and the school*
9 *construction backlog of the Bureau of Indian*
10 *Education, respectively; and*

11 *(B) to encourage relevant public-private*
12 *partnerships.*

13 *(2) CREDITS TO FUND.—Any cash donations ac-*
14 *cepted under paragraph (1) shall be credited to, and*
15 *form a part of, the Fund.*

16 *(3) REPORTING.—Each donation received under*
17 *paragraph (1) that is used for, or directly related to,*
18 *the reduction of the deferred maintenance backlog of*
19 *the National Park Service, the national wildlife ref-*
20 *uge system maintenance backlog of the United States*
21 *Fish and Wildlife Service, the public access and recre-*
22 *ation backlog of the Bureau of Land Management,*
23 *and the school construction backlog of the Bureau of*
24 *Indian Education, shall be included with the annual*
25 *budget submission of the President to Congress.*

Union Calendar No. 199

116TH CONGRESS
1ST Session

H. R. 1225

[Report No. 116-250, Part I]

A BILL

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