

116TH CONGRESS  
1ST SESSION

# S. 2783

To amend title 54, United States Code, to establish, fund, and provide for the use of amounts in a National Park Service Legacy Restoration Fund to address the maintenance backlog of the National Park Service, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

NOVEMBER 5, 2019

Mr. ENZI introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To amend title 54, United States Code, to establish, fund, and provide for the use of amounts in a National Park Service Legacy Restoration Fund to address the maintenance backlog of the National Park Service, 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 “Responsibly Enhancing  
5 America’s Landscapes Act”.

1 **SEC. 2. NATIONAL PARK SERVICE LEGACY RESTORATION**

2 **FUND.**

3 (a) IN GENERAL.—Chapter 1049 of title 54, United  
4 States Code, is amended by adding at the end the fol-  
5 lowing:

6 **“§ 104910. National Park Service Legacy Restoration**

7 **Fund**

8 “(a) DEFINITIONS.—In this section:

9 “(1) FUND.—The term ‘Fund’ means the Na-  
10 tional Park Service Legacy Restoration Fund estab-  
11 lished by subsection (b).

12 “(2) PROJECT.—The term ‘project’ means the  
13 overall plan of remediation of deferred maintenance  
14 for an asset, which may include resolving directly re-  
15 lated infrastructure deficiencies of the asset.

16 “(b) ESTABLISHMENT.—There is established in the  
17 Treasury a fund, to be known as the ‘National Park Serv-  
18 ice Legacy Restoration Fund’.

19 “(c) DEPOSITS.—

20 “(1) IN GENERAL.—Except as provided in para-  
21 graph (3), for each of fiscal years 2020 through  
22 2029, there shall be deposited in the Fund—

23 “(A) from fees collected under section  
24 803(e) of the Federal Lands Recreation En-  
25 hancement Act (16 U.S.C. 6802(e)), \$5 per en-  
26 trance fee (as defined in section 802 of that Act

1 (16 U.S.C. 6801)), adjusted annually for infla-  
 2 tion;

3 “(B) from fees collected under subpara-  
 4 graph (B)(i)(III) of section 217(h)(3) of the  
 5 Immigration and Nationality Act (8 U.S.C.  
 6 1187(h)(3)) for use of the electronic system for  
 7 travel authorization established under subpara-  
 8 graph (A) of that section, \$16 per travel au-  
 9 thorization, adjusted annually for inflation; and

10 “(C) from fees collected under section 22.1  
 11 of title 22, Code of Federal Regulations, for  
 12 visa applications submitted by nonimmigrants  
 13 seeking temporary admission to the United  
 14 States for businesses or pleasure under section  
 15 101(a)(15)(B) of the Immigration and Nation-  
 16 ality Act (8 U.S.C. 1101(a)(15)(B)) (commonly  
 17 referred to as B–1 and B–2 visas), \$25 per ap-  
 18 plication, adjusted annually for inflation.

19 “(2) INCREASE IN PARK ENTRANCE FEES.—

20 “(A) IN GENERAL.—Not later than June  
 21 1, 2020, the Secretary of the Interior shall in-  
 22 crease each entrance fee (as defined in section  
 23 802 of the Federal Lands Recreation Enhance-  
 24 ment Act (16 U.S.C. 6801)) established for a

1 unit of the National Park System under section  
2 803(e) of that Act (16 U.S.C. 6802(e)) by \$5.

3 “(B) ADJUSTMENTS FOR INFLATION.—

4 The Secretary of the Interior shall annually ad-  
5 just the increase in the amount of each en-  
6 trance fee required under subparagraph (A) for  
7 inflation.

8 “(d) AVAILABILITY OF FUNDS.—Amounts deposited  
9 in the Fund shall be available to the Secretary without  
10 further appropriation or fiscal year limitation.

11 “(e) INVESTMENT OF AMOUNTS.—

12 “(1) IN GENERAL.—The Secretary may request  
13 the Secretary of the Treasury to invest any portion  
14 of the Fund that is not, as determined by the Sec-  
15 retary, required to meet the current needs of the  
16 Fund.

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

20 “(A) with a maturity suitable to the needs  
21 of the Fund, as determined by the Secretary;  
22 and

23 “(B) bearing interest at a rate determined  
24 by the Secretary of the Treasury, taking into  
25 consideration current market yields on out-

1 standing marketable obligations of the United  
 2 States of comparable maturity.

3 “(3) CREDITS TO FUND.—The income on in-  
 4 vestments of the Fund under this subsection shall be  
 5 credited to, and form a part of, the Fund.

6 “(f) USE OF FUNDS.—Amounts in the Fund shall be  
 7 used for the priority deferred maintenance needs of the  
 8 Service, as determined by the Secretary, to carry out re-  
 9 pair, restoration, or rehabilitation projects as follows:

10 “(1) Not less than 65 percent of amounts in  
 11 the Fund shall be allocated for non-transportation  
 12 projects, including—

13 “(A) historic structures, facilities, and  
 14 other historic assets;

15 “(B) structures, facilities, and other non-  
 16 historic assets that relate directly to the visitor  
 17 experience, including—

18 “(i) access, including making facilities  
 19 accessible to visitors with disabilities;

20 “(ii) health and safety; and

21 “(iii) recreation; and

22 “(C) administrative facilities, water and  
 23 utility systems, and employee housing.

24 “(2) The remaining amounts in the Fund may  
 25 be allocated to road, bridge, tunnel, or other trans-

1        portation-related projects that may be eligible for  
2        funding made available to the Service through—

3                “(A) the transportation program under  
4                section 203 of title 23; or

5                “(B) any similar Federal land highway  
6                program administered by the Secretary of  
7                Transportation.

8        “(g) PROHIBITED USE OF FUNDS.—No amounts in  
9 the Fund shall be used—

10               “(1) for land acquisition;

11               “(2) to supplant discretionary funding made  
12               available for the annually recurring facility oper-  
13               ations, maintenance, and construction needs of the  
14               Service; or

15               “(3) for bonuses for employees of the Federal  
16               Government that are carrying out this section.

17        “(h) SUBMISSION OF LIST OF PROJECTS TO CON-  
18 GRESS.—As soon as practicable after the date of enact-  
19 ment of this section, the Secretary shall submit to the ap-  
20 propriate committees of Congress—

21               “(1) a list of each project that—

22               “(A) as of the date of enactment of this  
23               section, is identified by the Secretary as a high-  
24               est-priority deferred maintenance project of the  
25               Service; and

1 “(B) as of the date of the report, is ready  
2 to be commenced immediately; and

3 “(2) for any project identified under paragraph  
4 (1)(A) that is not ready to be commenced imme-  
5 diately, a schedule for the completion of all reviews  
6 with respect to the project (including the prepara-  
7 tion of any environmental documents and historic  
8 preservation analyses) that are necessary to com-  
9 mence the project immediately.

10 “(i) SUBMISSION TO CONGRESS.—The Secretary  
11 shall submit to the Committee on Energy and Natural Re-  
12 sources of the Senate and the Committee on Natural Re-  
13 sources of the House of Representatives, as part of the  
14 annual budget submission of the President—

15 “(1) a report that describes, and provides an  
16 explanation for, any cost overruns or delays relating  
17 to deferred maintenance projects carried out using  
18 amounts from the Fund for the previous fiscal year;  
19 and

20 “(2) a list of projects for which the amounts in  
21 the Fund are allocated under this section, including  
22 a description and cost-benefit analysis of each  
23 project, after considering the list and schedules sub-  
24 mitted under subsection (h).

25 “(j) PUBLIC DONATIONS.—

1           “(1) IN GENERAL.—The Secretary and the Di-  
2           rector may accept public cash or in-kind donations  
3           that advance efforts—

4                   “(A) to reduce the deferred maintenance  
5                   backlog of the Service; and

6                   “(B) to encourage relevant public-private  
7                   partnerships.

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

11          “(3) REPORTING.—Each donation received  
12          under paragraph (1) that is used for, or directly re-  
13          lated to, the reduction of the deferred maintenance  
14          backlog of the Service shall be included with the an-  
15          nual budget submission of the President to Con-  
16          gress.

17          “(k) ANNUAL REPORTS.—Not later than 1 year after  
18          the date on which the first distributions are made from  
19          the Fund, and annually thereafter, the Secretary shall  
20          submit to the appropriate committees of Congress a report  
21          that describes, with respect to each project provided  
22          amounts from the Fund during the period covered by the  
23          report—

24                   “(1) any progress with respect to the project,  
25                   including a comparison of the progress with respect



1 to other highest-priority deferred maintenance  
2 projects of the Service;

3 “(2) the expenditure of amounts from the Fund  
4 with respect to the project; and

5 “(3) the projected cyclic maintenance needs of  
6 the project on completion of the project.”.

7 (b) INCREASE IN CERTAIN VISA APPLICATION  
8 FEES.—

9 (1) IN GENERAL.—Not later than January 10,  
10 2020, the Secretary of State shall amend section  
11 22.1 of title 22, Code of Federal Regulations, to in-  
12 crease the application fee for visa applications sub-  
13 mitted by nonimmigrants seeking temporary admis-  
14 sion to the United States for businesses or pleasure  
15 under section 101(a)(15)(B) of the Immigration and  
16 Nationality Act (8 U.S.C. 1101(a)(15)(B)) (com-  
17 monly referred to as B–1 and B–2 visas) by \$25 per  
18 application, which amount shall be—

19 (A) adjusted annually for inflation; and

20 (B) deposited in the National Park Service  
21 Legacy Restoration Fund under section  
22 104910(c)(1) of title 54, United States Code  
23 (as added by subsection (a)).

24 (2) SUNSET.—The increase in the application  
25 fee under paragraph (1) shall apply only to applica-

1        tions submitted to the Secretary of State not later  
 2        than September 30, 2029.

3        (c) INCREASE IN FEES FOR USE OF THE ELEC-  
 4        TRONIC SYSTEM FOR TRAVEL AUTHORIZATION.—Section  
 5        217(h)(3)(B) of the Immigration and Nationality Act (8  
 6        U.S.C. 1187(h)(3)(B)) is amended—

7                (1) in clause (i)—

8                        (A) in the matter preceding subclause (I),  
 9                        in the second sentence, by striking “The initial  
 10                        fee shall be the sum of—” and inserting the fol-  
 11                        lowing: “Beginning on the first day of the first  
 12                        fiscal year beginning after the date of enact-  
 13                        ment of the Responsibly Enhancing America’s  
 14                        Landscapes Act, the fee collected under this  
 15                        subparagraph shall be an amount that is equal  
 16                        to the sum of—”;

17                        (B) by striking subclause (I) and inserting  
 18                        the following:

19                                “(I) an amount not to exceed  
 20                                \$10, as determined by the Secretary,  
 21                                which shall be for disposition in ac-  
 22                                cordance with clause (ii)(I);”;

23                        (C) in subclause (II), by striking the pe-  
 24                        riod at the end and inserting “; and”; and

25                        (D) by adding at the end the following:

1 “(III) \$16 per travel authoriza-  
 2 tion, adjusted annually for inflation,  
 3 for disposition in accordance with sec-  
 4 tion 104910(c)(1)(B) of title 54,  
 5 United States Code.”;

6 (2) in clause (ii)—

7 (A) in the first sentence, by striking  
 8 “Amounts” and inserting the following:

9 “(I) TRAVEL PROMOTION  
 10 FUND.—Amounts”; and

11 (B) in subclause (I) (as so designated), in  
 12 the second sentence, by striking “Amounts”  
 13 and inserting the following:

14 “(II) FEES FOR THE SYSTEM.—  
 15 Amounts”; and

16 (3) by adding at the end the following:

17 “(iv) SUNSET OF NATIONAL PARK  
 18 SERVICE LEGACY RESTORATION FUND  
 19 FEE.—The Secretary may not collect the  
 20 fee described in clause (i)(III) for a travel  
 21 authorization in a fiscal year beginning  
 22 after September 30, 2029.”.

23 (d) CLERICAL AMENDMENT.—The table of sections  
 24 for chapter 1049 of title 54, United States Code, is  
 25 amended by adding at the end the following:

“104910. National Park Service Legacy Restoration Fund.”.

1 **SEC. 3. GAO STUDY.**

2 Not later than 2 years after the date of enactment  
3 of this Act, the Comptroller General of the United States  
4 shall—

5 (1) conduct a study with respect to the imple-  
6 mentation of the National Park Service Legacy Res-  
7 toration Fund under section 104910 of title 54,  
8 United States Code (as added by section 2(a)), in-  
9 cluding whether the Director of the National Park  
10 Service is, with respect to projects carried out using  
11 amounts from that Fund—

12 (A) properly estimating the cost for those  
13 projects;

14 (B) adhering to time schedules and cost  
15 projections for those projects;

16 (C) properly prioritizing deferred mainte-  
17 nance projects; and

18 (D) properly moving completed projects off  
19 of the high-priority deferred maintenance list of  
20 the National Park Service in a timely manner;  
21 and

22 (2) submit to Congress a report that describes  
23 the results of the study under paragraph (1).

○