

115TH CONGRESS  
1ST SESSION

# H. R. 2863

To provide for consistent and reliable authority and funding to meet conservation and deferred maintenance needs affecting lands under the administrative jurisdiction of the Department of the Interior and the Department of Agriculture, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 8, 2017

Mr. SIMPSON introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committees on the Budget, and Agriculture, 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

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## A BILL

To provide for consistent and reliable authority and funding to meet conservation and deferred maintenance needs affecting lands under the administrative jurisdiction of the Department of the Interior and the Department of Agriculture, 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 “Land and National  
5 Park Deferred Maintenance Act” or the “LAND Act”.

1 **SEC. 2. LAND AND WATER CONSERVATION FUND.**

2 (a) REAUTHORIZATION.—Section 200302 of title 54,  
3 United States Code, is amended—

4 (1) in subsection (b), in the matter preceding  
5 paragraph (1), by striking “September 30, 2018,”  
6 and inserting “September 30, 2024”; and

7 (2) in paragraph (1) of subsection (c), by strik-  
8 ing “September 30, 2018”, and inserting “Sep-  
9 tember 30, 2024”.

10 (b) FUNDING.—Section 200303 of title 54, United  
11 States Code, is amended to read as follows:

12 **“§ 200303. Funding**

13 “(a) FUNDING FOR FISCAL YEARS 2018 THROUGH  
14 2024.—From amounts covered into the fund under sec-  
15 tion 200302 of this chapter—

16 “(1) \$450,000,000 in each fiscal year shall be  
17 available for expenditure to carry out the purposes  
18 of this Act, without further appropriation or fiscal  
19 year limitation, to carry out the purposes of the  
20 Fund (including accounts and programs made avail-  
21 able from the Fund under the Consolidated Appro-  
22 priations Act, 2017 (Public Law 115–31)); and

23 “(2) the remainder of amounts covered into the  
24 fund shall be available subject to appropriations,  
25 which may be made without fiscal year limitation.

1       “(b) USES.—Amounts made available for obligation  
 2 or expenditure from the fund may be obligated or ex-  
 3 pended only as provided in this chapter.”.

4       (c) ALLOCATION AND USES OF FUNDS.—Section  
 5 200304 of title 54, United States Code, is amended—

6           (1) by striking “There” and inserting “(a) IN  
 7 GENERAL.—There”; and

8           (2) by striking the second sentence and insert-  
 9 ing the following:

10       “(b) ALLOCATION.—Of amounts appropriated or ex-  
 11 pended from the Fund—

12           “(1) \$180,000,000 shall be used for Federal  
 13 purposes under section 200306;

14           “(2) \$220,000,000 shall be used—

15               “(A) to provide financial assistance to  
 16 States under section 200305;

17               “(B) for the Forest Legacy Program es-  
 18 tablished under section 7 of the Cooperative  
 19 Forestry Assistance Act of 1978 (16 U.S.C.  
 20 2103c);

21               “(C) for the American Battlefield Protec-  
 22 tion Program established under chapter 3081;  
 23 and

24               “(D) for cooperative endangered species  
 25 grants authorized under section 6 of the En-

1           dangered Species Act of 1973 (16 U.S.C.  
2           1535); and

3           “(3) remaining appropriations or expenditures  
4       shall be used for activities described under para-  
5       graphs (1) and (2).

6       “(c) PRIORITIES.—The President shall, as part of the  
7       President’s annual budget submission to Congress, submit  
8       to Congress detailed account, program, and project alloca-  
9       tions for funds made available under paragraph (b)(1).  
10      Acts of appropriation may provide alternate allocations for  
11      such amounts.

12      “(d) PROHIBITION ON USE OF EMINENT DOMAIN.—  
13      No funds made available to a State under this Act may  
14      be used for the acquisition of land, water, or an interest  
15      in land or water by eminent domain.”.

16      (d) RECREATION ACCESS.—Section 200306 of title  
17      54, United States Code, is amended by adding at the end  
18      the following:

19      “(c) PUBLIC ACCESS.—Not less than 1.5 percent of  
20      amounts appropriated or expended under this chapter in  
21      each fiscal year shall be made available for the fiscal year  
22      for projects that secure recreational public access to exist-  
23      ing Federal public land for hunting, fishing, and other rec-  
24      reational purposes.”.

1 (e) CONFORMING AMENDMENTS.—In title 54, United  
2 States Code—

3 (1) in section 200302, paragraph (3) of sub-  
4 section (c) is amended by inserting “or otherwise ex-  
5 pended” after “Congress”;

6 (2) in section 200304—

7 (A) the first sentence is amended by in-  
8 serting “or expenditures” after “appropria-  
9 tions”; and

10 (B) the second sentence is amended by in-  
11 serting “or expenditures” after “appropria-  
12 tions”;

13 (3) in section 200305—

14 (A) the matter preceding paragraph (1) of  
15 subsection (b) is amended by inserting “or oth-  
16 erwise provided” after “appropriated”;

17 (B) paragraph (1) of subsection (b) is  
18 amended by inserting “expenditures” after “ap-  
19 propriations”; and

20 (C) paragraph (2) of subsection (b) is  
21 amended by inserting “expenditure” after “ap-  
22 propriation”; and

23 (4) in section 200306—

24 (A) paragraph (1) is amended by inserting  
25 “or expended” after “appropriated”;

1 (B) in paragraph (2), subparagraph (B)(ii)  
 2 is amended by inserting “or expended” after  
 3 “appropriated”;

4 (C) paragraph (4) is amended by inserting  
 5 “or expenditures” after “appropriations” each  
 6 time it appears; and

7 (D) subsection (b) is amended by inserting  
 8 “or expenditures” after “Appropriations” each  
 9 time it appears.

10 (f) CLERICAL AMENDMENT.—The table of sections  
 11 for chapter 2003 of title 54, United States Code, is  
 12 amended by striking the item relating to section 200303  
 13 and inserting the following:

“200303. Funding.”.

14 **SEC. 3. NATIONAL PARK SERVICE MAINTENANCE AND RE-**  
 15 **VITALIZATION CONSERVATION FUND.**

16 (a) IN GENERAL.—There is hereby established in the  
 17 Treasury a special account to be known as the “National  
 18 Park Service and Related Agencies Maintenance and Revi-  
 19 talization Conservation Fund”.

20 (b) AVAILABILITY OF FUNDS.—For each of fiscal  
 21 years 2018 through 2024, \$450,000,000 shall be available  
 22 for expenditure to carry out the purposes of this Act, with-  
 23 out further appropriation or fiscal year limitation, to carry  
 24 out the purposes of the Fund. Amounts from the Fund

1 shall not be used for the acquisition of land or interests  
2 in land.

3 (c) DEPOSITS.—At the beginning of each applicable  
4 fiscal year, there shall be deposited in the Fund  
5 \$450,000,000 from mineral revenues due and payable to  
6 the United States that are not otherwise credited, covered,  
7 or deposited under Federal law.

8 (d) DEPARTMENT OF THE INTERIOR.—Of funds  
9 made available under subsection (b) each fiscal year, the  
10 Secretary of the Interior shall use the following amounts  
11 for high priority deferred maintenance needs that support  
12 critical infrastructure and visitor services:

13 (1) \$25,000,000 for Federal land under the ad-  
14 ministrative jurisdiction of the United States Fish  
15 and Wildlife Service.

16 (2) \$25,000,000 for Federal land under the ad-  
17 ministrative jurisdiction of the Bureau of Land  
18 Management.

19 (3) \$375,000,000 for Federal land under the  
20 administrative jurisdiction of the National Park  
21 Service.

22 (e) DEPARTMENT OF AGRICULTURE.—Of funds  
23 made available under subsection (b) each fiscal year, the  
24 Secretary of Agriculture shall use \$25,000,000 for Fed-  
25 eral land under the administrative jurisdiction of the For-

1 est Service for high priority deferred maintenance needs  
2 that support critical infrastructure and visitor services.

3 **SEC. 4. OFFSET.**

4 It is the sense of Congress that the costs of carrying  
5 out this Act should be offset.

