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(Original Signature of Member)

115TH CONGRESS
2D SESSION

H. R. _____

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

Mr. BISHOP of Utah introduced the following bill; which was referred to the Committee on _____

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,*

1 **SECTION 1. SHORT TITLE.**

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

4 **SEC. 2. NATIONAL PARK SERVICE AND PUBLIC LANDS LEG-
5 ACY RESTORATION FUND.**

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

10 (b) DEPOSITS.—

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

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

23 (3) EFFECT ON OTHER REVENUES.—Nothing
24 in this section affects the disposition of revenues
25 that—

1 (A) are due to the United States, special
2 funds, trust funds, or States from mineral and
3 energy development on Federal land and water;
4 or

5 (B) have been otherwise appropriated
6 under Federal law, including the Gulf of Mexico
7 Energy Security Act of 2006 (43 U.S.C. 1331
8 note; Public Law 109–432), the Mineral Leas-
9 ing Act (30 U.S.C. 181 et seq.), and chapter
10 2003 of title 54, United States Code.

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

14 (d) INVESTMENT OF AMOUNTS.—

15 (1) IN GENERAL.—The Secretary of the Inte-
16 rior may request the Secretary of the Treasury to
17 invest any portion of the Fund that is not, as deter-
18 mined by the Secretary of the Interior, required to
19 meet the current needs of the Fund.

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

23 (A) with a maturity suitable to the needs
24 of the Fund, as determined by the Secretary of
25 the Interior; and

1 (B) bearing interest at a rate determined
2 by the Secretary of the Treasury, taking into
3 consideration current market yields on out-
4 standing marketable obligations of the United
5 States of comparable maturity.

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

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

11 (1) 80 percent of amounts in the Fund shall be
12 allocated to the Director of the National Park Serv-
13 ice for high-priority deferred maintenance needs, as
14 determined by the Director, of which—

15 (A) 65 percent shall be allocated for
16 projects that are not eligible for the funding de-
17 scribed in clause (i) or (ii) of subparagraph (B)
18 for the repair and rehabilitation of assets, in-
19 cluding—

20 (i) historic structures, facilities, and
21 other historic assets;

22 (ii) nonhistoric assets that relate di-
23 rectly to visitor—

1 (I) access, including making fa-
2 cilities accessible to visitors with dis-
3 abilities;

4 (II) health and safety; and

5 (III) recreation; and

6 (iii) visitor facilities, water and utility
7 systems, and employee housing; and

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

13 (i) the transportation program under
14 section 203 of title 23; or

15 (ii) any similar Federal land highway
16 program administered by the Secretary of
17 Transportation.

18 (2) 10 percent of amounts in the Fund shall be
19 allocated to the Director of the United States Fish
20 and Wildlife Service for purposes of addressing the
21 national wildlife refuge system maintenance backlog.

22 (3) 5 percent of amounts in the Fund shall be
23 allocated to the Director of the Bureau of Land
24 Management for the purposes of addressing the pub-
25 lic access and recreation backlog.

1 (4) 5 percent of amounts in the Fund shall be
2 allocated to the Assistant Secretary of the Bureau of
3 Indian Affairs for the purposes of addressing the
4 Bureau of Indian Education school construction and
5 deferred maintenance backlogs.

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

8 (1) for land acquisition; or

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

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

24 (h) CONGRESSIONAL APPROVAL.—After review of
25 each list submitted under subsection (g), the Committees

1 may provide for the allocation of amounts derived from
2 the Fund with respect to such list.

3 (i) PROJECT APPROVAL.—

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

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

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

21 (B) more than 120 days, each project con-
22 tained in a list submitted under subsection (g)
23 for that fiscal year shall be considered ap-
24 proved, unless otherwise provided in the con-
25 tinuing resolution or resolutions.

1 (j) PUBLIC DONATIONS.—

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

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

17 (B) to encourage relevant public-private
18 partnerships.

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

22 (3) REPORTING.—Each donation received under
23 paragraph (1) that is used for, or directly related to,
24 the reduction of the deferred maintenance backlog of
25 the National Park Service, the national wildlife ref-

1 uge system maintenance backlog of the United
2 States Fish and Wildlife Service, the public access
3 and recreation backlog of the Bureau of Land Man-
4 agement, and the school construction backlog of the
5 Bureau of Indian Education, shall be included with
6 the annual budget submission of the President to
7 Congress.