

Subcommittee on Federal Lands

Tom McClintock, Chairman
Hearing Memorandum

March 17, 2018

To: All Federal Lands Subcommittee Members

From: Majority Committee Staff—Terry Camp
Subcommittee on Federal Lands (x6-7736)

Hearing: Legislative hearing on **H.R. 2584 (Rep. Will Hurd)**, 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.
March 20, 2018, 2:00 PM; 1324 Longworth House Office Building

H.R. 2584, “National Park Service Legacy Act of 2017”

Summary of the Bill

H.R. 2584, introduced by Representative Will Hurd (R-TX-23), would establish, fund and provide for a National Park Service Legacy Restoration Fund to address the maintenance backlog of the National Park Service. This bipartisan bill utilizes mineral revenues to provide dedicated annual funding for the restoration of National Park Service infrastructure.

Cosponsors

[61 Cosponsors](#)

Witnesses

The Honorable Will Hurd
Member of Congress, Texas’ 23rd District

Mr. P. Daniel Smith
Deputy Director
National Parks Service
U.S. Department of the Interior
Washington, DC

Mr. Matt Lee-Ashley
Senior Fellow
Center for American Progress
Washington, DC

Ms. Marcia Argust
Director
Restore America's Parks
The Pew Charitable Trusts
Washington, DC

Ms. Callie Hoyt
Manager
Federal Affairs
Motorcycle Industry Council
Arlington, VA

Background

Overview of Deferred Maintenance Backlog

The deferred maintenance backlog of National Park Service (NPS) has long been an issue of interest to lawmakers, federal agencies, and the public. Attention to the problem and the need for a solution has grown as cost estimates for addressing the backlog have increased to nearly \$12 billion in recent years.¹ Among other management challenges, the deferred maintenance backlog negatively impacts visitor access, enjoyment, and safety on public lands.²

Funding to address agency maintenance backlogs comes from discretionary appropriations and other sources; however, as the federal estate expands, existing infrastructure ages, and visitation increases, federal land managers are increasingly unable to fund necessary repairs.

NPS is utilizing a holistic funding model and has implemented a variety of other actions to finance deferred maintenance projects including: philanthropic donations, working with volunteers, engaging friend's groups, expanding private concessions operations, partnering with States to apply for transportation grants, and leasing properties.

Despite NPS's efforts to address deferred maintenance through alternative funding sources and improved asset management, the backlog grew over the past decade. From FY2006 through FY2015, NPS spent roughly \$10.5 billion on maintenance projects, and yet the backlog increased by \$1.7 billion as of FY2016.³

The National Park Legacy Restoration Fund

¹ National Park Service, Planning, Design and Construction Management, NPS Deferred Maintenance Reports <https://www.nps.gov/subjects/plandesignconstruct/defermain.htm>.

²The Department of the Interior, FY2019 Budget. https://edit.doi.gov/sites/doi.gov/files/uploads/fy2019_bib_dh005.pdf.

³ Government Accountability Office. "National Park Service: Process Exists for Prioritizing Asset Maintenance Decisions, but Evaluation Could Improve Efforts." GAO-17-136. Dec 13, 2016. <http://www.gao.gov/assets/690/681581.pdf>.

The National Park Legacy Restoration Fund proposed in H.R. 2584 will provide direct financing for the high-priority deferred maintenance needs of NPS. The Fund draws from 30 years of mineral revenues (FY2018-FY2047) not already allocated by law. 80% of the Fund will be used to repair assets including historic structures, visitor facilities, trails, water and utility systems, and enhancing access, health and safety, and recreation. The other 20% will be used to restore transportation-related infrastructure, such as roads, tunnels, and bridges. The bill also promotes public-private collaboration by incentivizing projects that have a private donation cost-share component.

Key Provisions of H.R. 2584:

- Establishes set, graduated amounts to be deposited in the Fund from FY2018 through FY2047, exempting any revenues due to other programs under Federal Law
 - \$50,000,000 each year for FY2018, FY2019, and FY2020
 - \$150,000,000 each year for FY2021, FY2022, and FY2023
 - \$250,000,000 each year for FY2024, FY2025, and FY2026
 - \$500,000,000 each year from FY2027 through FY2047
- 80 % of projects funded will be for historic structures, assets and facilities directly related to visitor access (including ADA), health and safety, recreation, water and utility systems, and employee housing.
- 20% of projects funded will be transportation-related.
- A prioritized project list will be submitted annually by NPS to both Appropriations Committees of Congress for approval; the Committees may provide for allocation of amounts derived from the Fund.
- Encourages public-private partnerships and projects that include non-Federal cost sharing be added to the annually submitted list regardless of the project's priority ranking.
 - 33% non-Federal cost-sharing for projects under \$2 million; 25% non-Federal cost-sharing for projects over \$2 million
- Any amounts not obligated within two years of deposit into the Fund will be credited to the Treasury.
- No amounts in the Fund can be used for land acquisition, or to supplant discretionary funding for NPS maintenance needs.

Cost

A Congressional Budget Office cost estimate has not yet been completed for this bill.

Administration Position

An administration position is not yet available for this bill.

[Effect on Current Law \(Ramseyer\)](#)