

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—116th Cong., 1st Sess.

S. 500

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.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by _____

Viz:

1 Strike all after the enacting clause and insert the fol-
2 lowing:

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Restore Our Parks
5 Act”.

6 **SEC. 2. NATIONAL PARK SERVICE LEGACY RESTORATION**
7 **FUND.**

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

1 **“SEC. 104910. NATIONAL PARK SERVICE LEGACY RESTORA-**
2 **TION FUND.**

3 “(a) DEFINITIONS.—In this section:

4 “(1) ASSET.—The term ‘asset’ means any real
5 property, including any physical structure or group-
6 ing of structures, landscape, trail, or other tangible
7 property that—

8 “(A) has a specific service or function; and

9 “(B) is tracked and managed as a distinct,
10 identifiable entity by the Service.

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

14 “(3) PROJECT.—The term ‘project’ means any
15 activity to reduce or eliminate deferred maintenance
16 of an asset, which may include resolving directly re-
17 lated infrastructure deficiencies of the asset that
18 would not by itself be classified as deferred mainte-
19 nance.

20 “(b) ESTABLISHMENT.—There is established in the
21 Treasury of the United States a fund to be known as the
22 ‘National Park Service Legacy Restoration Fund’.

23 “(c) DEPOSITS.—

24 “(1) IN GENERAL.—Except as provided in para-
25 graph (2), for each of fiscal years 2020 through
26 2024, there shall be deposited in the Fund an

1 amount equal to 50 percent of all energy develop-
2 ment revenues due and payable to the United States
3 from oil, gas, coal, or alternative or renewable en-
4 ergy development on Federal land and water that
5 would otherwise be credited, covered, or deposited as
6 miscellaneous receipts under Federal law.

7 “(2) MAXIMUM AMOUNT.—The amount depos-
8 ited in the Fund under paragraph (1) shall not ex-
9 ceed \$1,300,000,000 for any fiscal year.

10 “(3) EFFECT ON OTHER REVENUES.—Nothing
11 in this section affects the disposition of revenues
12 that—

13 “(A) are due to the United States, special
14 funds, trust funds, or States from mineral and
15 energy development on Federal land and water;
16 or

17 “(B) have been otherwise appropriated—

18 “(i) under Federal law, including—

19 “(I) the Gulf of Mexico Energy
20 Security Act of 2006 (43 U.S.C. 1331
21 note; Public Law 109–432); and

22 “(II) the Mineral Leasing Act
23 (30 U.S.C. 181 et seq.); or

24 “(ii) from—

1 “(I) the Land and Water Con-
2 servation Fund established under
3 chapter 2003; or

4 “(II) the Historic Preservation
5 Fund established under chapter 3031.

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

9 “(e) INVESTMENT OF AMOUNTS.—

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

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

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

21 “(B) bearing interest at a rate determined
22 by the Secretary of the Treasury, taking into
23 consideration current market yields on out-
24 standing marketable obligations of the United
25 States of comparable maturity.

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

4 “(f) USE OF FUNDS.—Amounts deposited in the
5 Fund shall be used for priority deferred maintenance
6 projects of the Service, as determined by the Secretary,
7 as follows:

8 “(1) Over the term of the Fund, not less than
9 65 percent of amounts in the Fund shall be allo-
10 cated for non-transportation projects.

11 “(2) The remaining amounts in the Fund may
12 be allocated for Service transportation projects, in-
13 cluding paved and unpaved roads, bridges, tunnels,
14 and paved parking areas.

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

17 “(1) for land acquisition;

18 “(2) to supplant discretionary funding made
19 available for the annually recurring facility oper-
20 ations, maintenance, and construction needs of the
21 Service; or

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

24 “(h) SUBMISSION OF PRIORITY LIST OF PROJECTS
25 TO CONGRESS.—Not later than 180 days after the date

1 of enactment of this section, the Secretary shall submit
2 to the Committee on Energy and Natural Resources of
3 the Senate and the Committee on Natural Resources of
4 the House of Representatives a list of projects that—

5 “(1) as of the date of enactment of this section,
6 are identified by the Secretary as priority deferred
7 maintenance projects of the Service; and

8 “(2) as of the date of the submission of the list,
9 are ready to be implemented.

10 “(i) SUBMISSION OF ANNUAL LIST OF PROJECTS TO
11 CONGRESS.—The President shall submit to Congress, to-
12 gether with the annual budget of the United States, a list
13 of projects to be funded from the Fund that includes a
14 detailed description of each project, including the esti-
15 mated expenditures from the Fund for the project for the
16 applicable fiscal year.

17 “(j) PUBLIC DONATIONS.—

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

21 “(A) to reduce the deferred maintenance
22 backlog of the Service; and

23 “(B) to encourage relevant public-private
24 partnerships.

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

4 “(3) REPORTING.—Each donation received
5 under paragraph (1) that is used for, or directly re-
6 lated to, the reduction of the deferred maintenance
7 backlog of the Service shall be included with the an-
8 nual budget submission of the President to Con-
9 gress.

10 “(k) REQUIRED CONSIDERATION FOR ACCESSI-
11 BILITY.—In expending amounts from the Fund, the Sec-
12 retary shall incorporate measures to improve the accessi-
13 bility of assets and accommodate visitors and employees
14 with disabilities in accordance with applicable law.”.

15 (b) CLERICAL AMENDMENT.—The table of sections
16 for chapter 1049 of title 54, United States Code, is
17 amended by adding at the end the following:

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

18 **SEC. 3. GAO STUDY.**

19 Not later than 5 years after the date of enactment
20 of this Act, the Comptroller General of the United States
21 shall—

22 (1) conduct a study on the implementation of
23 this Act and the amendments made by this Act, in-
24 cluding whether this Act and the amendments made
25 by this Act have effectively reduced the priority de-

1 ferred maintenance backlog of the National Park
2 Service; and
3 (2) submit to Congress a report that describes
4 the results of the study under paragraph (1).