

Union Calendar No. 513

110TH CONGRESS
2D SESSION

H. R. 3094

[Report No. 110-795]

To establish in the Treasury of the United States a fund which shall be known as the National Park Centennial Fund, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 19, 2007

Mr. GRIJALVA (for himself and Mr. RAHALL) introduced the following bill;
which was referred to the Committee on Natural Resources

JULY 29, 2008

Additional sponsors: Mr. SESTAK, Mr. FILNER, Mr. DOGGETT, Mr. PASTOR, Ms. ROS-LEHTINEN, Ms. SOLIS, Mr. DICKS, Mr. BLUMENAUER, Ms. HIRONO, Mr. WU, Ms. LEE, Mr. McDERMOTT, Mr. RODRIGUEZ, Mr. HASTINGS of Florida, Mr. SALAZAR, Ms. HOOLEY, Mrs. CHRISTENSEN, Mr. MICHAUD, Mr. INSLEE, Mr. BAIRD, Mr. REICHERT, Mr. FARR, Ms. BERKLEY, Mr. SOUDER, Ms. GIFFORDS, Mr. MOORE of Kansas, Mr. ROTHMAN, and Ms. SUTTON

JULY 29, 2008

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italics]

[For text of introduced bill, see copy of bill as introduced on July 19, 2007]

A BILL

To establish in the Treasury of the United States a fund which shall be known as the National Park Centennial Fund, 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 “National Park Centen-*
5 *ennial Fund Act”.*

6 **SEC. 2. DEFINITIONS.**

7 *In this Act:*

8 (1) *FUND.*—*The term “Fund” means the Na-*
9 *tional Park Centennial Fund established under sec-*
10 *tion 3.*

11 (2) *IN-KIND.*—*The term “in-kind” means the*
12 *fair market value of non-cash contributions provided*
13 *by non-Federal partners, which may be in the form*
14 *of real property, equipment, supplies and other ex-*
15 *pendable property, as well as other goods and services.*

16 (3) *PROJECT OR PROGRAM.*—*The term “Project*
17 *or program” means a National Park Centennial*
18 *Project or Program funded pursuant to this Act.*

19 (4) *PROPOSAL.*—*The term “Proposal” means a*
20 *National Park Centennial Proposal submitted pursu-*
21 *ant to section 4.*

22 (5) *SECRETARY.*—*The term “Secretary” means*
23 *the Secretary of the Interior.*

1 **SEC. 3. NATIONAL PARK CENTENNIAL FUND.**

2 *There is established in the Treasury of the United*
3 *States a fund which shall be known as the National Park*
4 *Centennial Fund. In each fiscal year from fiscal year 2009*
5 *through fiscal year 2018, the Secretary of the Treasury shall*
6 *deposit into the Fund, from the general treasury,*
7 *\$30,000,000 each fiscal year.*

8 **SEC. 4. PROGRAM ALLOCATION.**

9 *(a) IN GENERAL.—Each fiscal year, the President’s*
10 *annual budget submission for the Department of the Inte-*
11 *rior shall include a list of proposals which shall be known*
12 *as National Park Centennial Proposals. The Secretary shall*
13 *establish a standard process for developing the list that shall*
14 *encourage input from both the public and a broad cross-*
15 *section of employees at every level of the National Park*
16 *Service. The list—*

17 *(1) shall include proposals having an aggregate*
18 *cost to the Federal Government equal to the unobli-*
19 *gated amount in the Fund;*

20 *(2) shall include only proposals consistent with*
21 *National Park Service policies and adopted park*
22 *planning documents;*

23 *(3) may include proposals for any area within*
24 *the national park system (as that term is defined in*
25 *section 2 of the Act of August 8, 1953 (16 U.S.C. 1c)),*

1 *clusters of areas within such system, a region or re-*
2 *gions of such system, or such system in its entirety;*

3 *(4) shall cumulatively represent a nationwide*
4 *array of proposals that is diverse geographically, in*
5 *size, scope, magnitude, theme, and variety under the*
6 *initiatives described in subsection (b);*

7 *(5) shall give priority to proposals dem-*
8 *onstrating long-term viability beyond receipts from*
9 *the Fund;*

10 *(6) shall include only proposals meeting the re-*
11 *quirements of one or more of the initiatives set forth*
12 *in subsection (b);*

13 *(7) must contain proposals under each of the ini-*
14 *tiatives set forth in subsection (b); and*

15 *(8) shall give priority to proposals with com-*
16 *mitted, nonfederal support but shall also include pro-*
17 *posals funded entirely by the Fund.*

18 *(b) NATIONAL PARK CENTENNIAL INITIATIVES.—The*
19 *requirements referred to in subsection (a)(6) are as follows:*

20 *(1) EDUCATION IN PARKS CENTENNIAL INITIA-*
21 *TIVE.—Proposals for the “Education in Parks Cen-*
22 *tennial Initiative” shall meet the following require-*
23 *ments:*

24 *(A) Priority shall be given to proposals de-*
25 *signed to increase National Park-based edu-*

1 *cational opportunities for elementary, secondary*
2 *and college students particularly those from pop-*
3 *ulations historically under represented among*
4 *visitors to the National Park System.*

5 *(B) Priority shall be given to proposals de-*
6 *signed to bring students into the National Park*
7 *System in person.*

8 *(C) Proposals should include strategies for*
9 *encouraging young people to become lifelong ad-*
10 *vocates for National Parks.*

11 *(D) Proposals shall be developed in con-*
12 *sultation with the leadership of educational and*
13 *youth organizations expected to participate in*
14 *the proposed initiative.*

15 (2) *DIVERSITY IN PARKS CENTENNIAL INITIA-*
16 *TIVE.—*

17 *(A) STUDY.—Not later than 1 year after the*
18 *date of the enactment of this Act, the Secretary*
19 *shall submit to the Committee on Natural Re-*
20 *sources of the House of Representatives and the*
21 *Committee on Energy and Natural Resources of*
22 *the Senate a report detailing a service-wide*
23 *strategy for increasing diversity among National*
24 *Park Service employees at all levels and visitors*
25 *to the National Park System.*

1 (B) *PROPOSALS.—Proposals for the “Diversity in Parks Centennial Initiative” shall meet*
2
3 *the following requirements:*

4 (i) *Each proposal shall be based on*
5 *recommendations contained in the report*
6 *required in subparagraph (A).*

7 (ii) *Each proposal shall be designed to*
8 *make National Park Service employees,*
9 *visitors to the National Park System, or*
10 *both, reflect the diversity of the population*
11 *of the United States.*

12 (3) *SUPPORTING PARK PROFESSIONALS CENTEN-*
13 *NIAL INITIATIVE.—Proposals for the “Supporting*
14 *Park Professionals Centennial Initiative” shall meet*
15 *the following requirements:*

16 (A) *Taken as a whole, proposals shall pro-*
17 *vide specific opportunities for National Park*
18 *Service employees, at all levels, to participate in*
19 *professional career development.*

20 (B) *Proposals may include National Park*
21 *Service-designed, internal professional develop-*
22 *ment programs.*

23 (C) *Proposals may also be designed to fa-*
24 *cilitate participation in external professional de-*

1 *velopment programs or established courses of*
2 *study by National Park Service employees.*

3 (4) *ENVIRONMENTAL LEADERSHIP CENTENNIAL*
4 *INITIATIVE.—Proposals for the “Environmental Lead-*
5 *ership Centennial Initiative” shall meet the following*
6 *requirements:*

7 (A) *Each proposal shall be designed to do*
8 *one or more of the following:*

9 (i) *Reduce harmful emissions.*

10 (ii) *Conserve energy or water resources.*

11 (iii) *Reduce solid waste production*
12 *within the National Park System.*

13 (B) *Each proposal shall include strategies*
14 *for educating the public regarding Environ-*
15 *mental Leadership projects and their results.*

16 (C) *Priority shall be given to proposals with*
17 *the potential to spread technological advances to*
18 *other Federal agencies or to the private sector.*

19 (5) *NATURAL RESOURCE PROTECTION CENTEN-*
20 *NIAL INITIATIVE.—Proposals for the “Natural Re-*
21 *source Protection Centennial Initiative” shall meet*
22 *the following requirements:*

23 (A) *Each proposal shall be designed to re-*
24 *store or conserve native ecosystems within the*
25 *National Park System.*

1 (B) *Priority shall be given to proposals de-*
2 *signed to control invasive species.*

3 (C) *Each proposal shall be based on the best*
4 *available scientific information.*

5 (6) *CULTURAL RESOURCE PROTECTION CENTEN-*
6 *NIAL INITIATIVE.—Proposals for the “Cultural Re-*
7 *source Protection Centennial Initiative” shall—*

8 (A) *either—*

9 (i) *increase the National Park Serv-*
10 *ice’s knowledge of cultural resources located*
11 *within the National Park System through*
12 *means including, but not limited to, sur-*
13 *veys, studies, mapping, and documentation*
14 *of such resources; or*

15 (ii) *improve the condition of docu-*
16 *mented cultural resources within the Na-*
17 *tional Park System;*

18 (B) *incorporate the best available scientific*
19 *information; and*

20 (C) *where appropriate, be developed in con-*
21 *sultation with Native American tribes, State his-*
22 *toric preservation offices, or other organizations*
23 *with cultural resource preservation expertise.*

24 (7) *HEALTH AND FITNESS IN PARKS CENTENNIAL*
25 *INITIATIVE.—*

1 (A) *IN GENERAL.*—Proposals for the
2 “Health and Fitness in Parks Centennial Initia-
3 tive” shall fall into one or more of the following
4 four categories:

5 (i) *Proposals designed to repair, reha-*
6 *bilitate, or otherwise improve infrastruc-*
7 *ture, including trails, that facilitates*
8 *healthy outdoor activity within the Na-*
9 *tional Park System.*

10 (ii) *Proposals designed to expand op-*
11 *portunities for access to the National Park*
12 *System for visitors with disabilities.*

13 (iii) *Proposals to develop and imple-*
14 *ment management plans (such as climbing*
15 *plans and trail system plans) for activities*
16 *designed to increase the health and fitness of*
17 *visitors to the National Park System.*

18 (iv) *Proposals to develop outreach pro-*
19 *grams and media that provide public infor-*
20 *mation regarding health and fitness oppor-*
21 *tunities within the National Park System.*

22 (B) *MISCELLANEOUS REQUIREMENTS.*—All
23 proposals for “the Health and Fitness in Parks
24 Centennial Initiative” shall—

1 (i) be consistent with National Park
2 Service policies and adopted park planning
3 documents; and

4 (ii) be designed to provide for visitor
5 enjoyment in such a way as to leave the Na-
6 tional Park System unimpaired for future
7 generations.

8 (c) *FUNDING.*—In each of fiscal years 2009 through
9 2018, unobligated amounts in the Fund shall be available
10 without further appropriation for projects authorized by
11 this Act, but may not be obligated or expended until 120
12 days after the annual submission of the list of proposals
13 required under this section to allow for Congressional re-
14 view.

15 (d) *LIMITATION ON DISTRIBUTION OF FUNDS.*—No
16 more than 30 percent of amounts available from the Fund
17 for any fiscal year may be spent on projects that are for
18 the construction of facilities that cost in excess of
19 \$5,000,000.

20 **SEC. 5. PARTNERSHIPS.**

21 (a) *DONATIONS.*—The Secretary may actively encour-
22 age and facilitate participation in proposals from non-Fed-
23 eral and philanthropic partners, and may accept donations,
24 both monetary and in-kind for any Project or Program pur-
25 suant to section 1 of the Act of June 5, 1920 (16 U.S.C.

1 6), and other authorities to accept donations existing on
2 the date of enactment of this Act.

3 (b) *TERMS AND CONDITIONS.*—To the extent that pri-
4 vate organizations or individuals are to participate in or
5 contribute to any Project or Program, the terms and condi-
6 tions of that participation or contribution as well as all
7 actions of employees of the National Park Service, shall be
8 governed by National Park Service Directors Order #21,
9 “Donations and Fundraising”, as in force on the date of
10 the enactment of this Act.

11 **SEC. 6. MAINTENANCE OF EFFORT.**

12 Amounts made available from the Fund shall supple-
13 ment rather than replace annual expenditures by the Na-
14 tional Park Service, including authorized expenditures
15 from the Land and Water Conservation Fund and the Na-
16 tional Park Service Line Item Construction Program. The
17 National Park Service shall maintain adequate, permanent
18 staffing levels and permanent staff shall not be replaced
19 with nonpermanent employees hired to carry out this Act
20 or Projects or Programs carried out with funds provided
21 under this Act.

22 **SEC. 7. REPORTS.**

23 For each fiscal year beginning in fiscal year 2009, the
24 Secretary shall submit to Congress a report that includes
25 the following:

1 (1) *A detailed accounting of all expenditures*
2 *from the Fund divided by categories of proposals*
3 *under section 4(b), including a detailed accounting of*
4 *any private contributions, either in funds or in kind,*
5 *to any Project or Program.*

6 (2) *A cumulative summary of the results of the*
7 *National Park Centennial program including rec-*
8 *ommendations for revisions to the program.*

9 (3) *A statement of whether the National Park*
10 *Service has maintained adequate, permanent staffing*
11 *levels and what nonpermanent and permanent staff*
12 *have been hired to carry out this Act or Projects or*
13 *Programs carried out with funds provided under this*
14 *Act.*

15 **SEC. 8. REPEAL OF LAND AND WATER CONSERVATION**

16 **FUND CONTRACT AUTHORITY.**

17 (a) *IN GENERAL.*—*Section 9 of the Land and Water*
18 *Conservation Fund Act of 1965 (16 U.S.C. 460l–10a) is*
19 *hereby repealed.*

20 (b) *CONFORMING AMENDMENT.*—*The Land and Water*
21 *Conservation Fund Act of 1965 is amended by redesign-*
22 *ating sections 10 through 13 (16 U.S.C. 460l–10b through*
23 *460l–10e) as sections 9 through 12, respectively.*

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