

**H.R. 5210, “NATIONAL PARK RES-
Toration Act”; AND H.R. 2584,
“NATIONAL PARK SERVICE
Legacy Act of 2017”**

LEGISLATIVE HEARING

BEFORE THE

SUBCOMMITTEE ON FEDERAL LANDS

OF THE

COMMITTEE ON NATURAL RESOURCES

U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED FIFTEENTH CONGRESS

SECOND SESSION

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LEGISLATIVE HEARING ON H.R. 5210, TO ESTABLISH THE NATIONAL PARK RESTORATION FUND, AND FOR OTHER PURPOSES, “NATIONAL PARK RESTORATION ACT”; AND H.R. 2584, 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, “NATIONAL PARK SERVICE LEGACY ACT OF 2017”

**Tuesday, March 20, 2018
U.S. House of Representatives
Subcommittee on Federal Lands
Committee on Natural Resources
Washington, DC**

The Subcommittee met, pursuant to notice, at 2:22 p.m., in room 1324, Longworth House Office Building, Hon. Tom McClintock [Chairman of the Subcommittee] presiding.

Present: Representatives McClintock, Labrador, Tipton, Westerman, Bergman, Cheney, Gianforte; and Hanabusa.

Also present: Representatives Simpson, Hurd, Johnson, Graves; and Huffman.

Mr. MCCLINTOCK. The Subcommittee on Federal Lands will come to order, and I apologize for our delayed convening, but votes summoned us on the Floor.

We are here today to hear two bills. I would begin by asking unanimous consent that all Members on the witness list testifying on today’s panel be allowed to sit with the Subcommittee, give their testimony, and participate on the hearing from the dais. That would be Mr. Hurd, Mr. Simpson, Mr. Johnson, Mr. Graves, and Mr. Huffman.

Without objection.

In addition, I would remind the Committee that under Committee Rule 4(f), any oral opening statements at hearings are limited to the Chairman, Ranking Minority Member, and Vice Chairman to allow us to hear from our witnesses. I would ask unanimous consent that all other Members’ opening statements be made part of the hearing record if they are submitted to the Subcommittee Clerk by 5:00 p.m. today.

Without objection, so ordered.

I will now begin my opening statement.

STATEMENT OF THE HON. TOM McCLINTOCK, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. McCLINTOCK. The Subcommittee meets today to hear testimony on two bills that seek to reduce the National Park Service's \$11.6 billion deferred maintenance backlog.

Two weeks ago, the Natural Resources Committee held an oversight hearing to explore the maintenance backlogs facing our Nation's public land management agencies. Last week, the Committee heard testimony from Secretary Zinke, and much of the conversation focused on finding a solution to the Department's maintenance backlog, the majority of which lies in the National Park Service.

The Federal Lands Subcommittee has three principal goals: to restore public access to the public lands, to restore sound management to the public lands, and restore the Federal Government as a good neighbor to those communities most impacted by the Federal lands.

Several years ago, I asked John Jervis, the Director of the National Park Service, whether, if he had a choice, would he put new dollars into land acquisition or into deferred maintenance. He chose maintenance. Instead, we have continued to add new holdings to the Federal estate, while continuing to neglect the land we already hold.

Louie Gohmert, a few years ago, compared this policy to the town miser whose mansion has become a town eyesore while he spends all of his money buying up his neighbors' properties.

We took these lands into trust for the American public's use, resort, and recreation. This responsibility requires active management, not benign neglect. Fortunately, our public lands, properly managed, also produce revenues that can and ought to be used for their perpetual restoration, management, and enhancement.

Today, we will be discussing bills introduced by Congressman Simpson and Congressman Hurd seeking new funding sources for critical public lands infrastructure.

H.R. 2584, the National Park Service Legacy Act, by Congressman Hurd, would provide direct financing for the high-priority deferred maintenance needs of the National Park Service. The fund draws from 30 years of mineral revenues from 2018 to 2047 not already allocated by law. Eighty percent 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 percent 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.

H.R. 5210, introduced by Congressman Simpson of Idaho would establish the National Park Restoration Fund. This bill provides mandatory funding to address the deferred maintenance backlog of the National Park Service. The new fund will receive 50 percent of all energy production on Federal lands, including renewable energy, over the amounts already expected, that are not already allocated to other purposes. The program expires after 10 years, or sooner if it has received deposits of \$18 billion. This would assure

that we are not adding to a deficit that now imperils all government responsibilities.

I would like to thank our witnesses for appearing before the Subcommittee today and look forward to hearing their testimony.

[The prepared statement of Mr. McClintock follows:]

PREPARED STATEMENT OF THE HON. TOM MCCLINTOCK, CHAIRMAN,
SUBCOMMITTEE ON FEDERAL LANDS

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The other 20 percent 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.

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I'd like to thank our witnesses for appearing before the Subcommittee today and look forward to hearing their testimony.

Mr. MCCLINTOCK. I am now pleased to yield to the gentlelady, the Ranking Member of the Subcommittee, Ms. Hanabusa.

**STATEMENT OF THE HON. COLLEEN HANABUSA, A
REPRESENTATIVE IN CONGRESS FROM THE STATE OF HAWAII**

Ms. HANABUSA. Thank you, Mr. Chairman. First, I want to say that I am pleased we are able to have this hearing on both of these proposals to address deferred maintenance at our national parks

and public lands. Both bills propose strategies to finance deferred maintenance and infrastructure needs across the National Park System.

As we heard from the Secretary last week, addressing deferred maintenance is a huge priority that requires a significant dedicated funding stream. National parks are more popular than ever. Annual visitation numbers continue to break records, with over 330 million visits last year alone, with visitors spending an estimated \$18.4 billion in local gateway regions.

Unfortunately, current funding and revenue streams have not been able to address the needs of aging assets and infrastructure.

Our local superintendents are struggling to keep up with repairs and rehabilitation, due to shrinking appropriations and aging infrastructure. We see it in my home state of Hawaii, where there is nearly \$12 million of deferred maintenance at Pearl Harbor alone, and \$85 million at the Hawaii Volcanoes National Park.

In 2016, the National Park Service celebrated its Centennial, which was an incredible milestone and reminder that many of our parks are old. In the same year, Chairman Bishop and Ranking Member Grijalva worked together to pass the National Park Service Centennial Act to celebrate the first 100 years of national parks. That bill included new revenue streams to support visitor services and created programs to leverage private philanthropy.

This was a great first step, but to paraphrase Chairman Bishop, we can't expect revenues from cake sales to cover the \$11.6 billion backlog of deferred maintenance—\$11.6 billion backlog. This is why I am an original co-sponsor of the National Park Service Legacy Act, with Representatives Hurd, Kilmer, and Reichert, and why I co-sponsored the National Park Restoration Act, introduced by Representatives Simpson and Schrader.

If we all agree that addressing deferred maintenance at our parks and public lands is a priority, then we should be able to find a bipartisan solution that would allow the National Park Service adequate resources to seriously address its maintenance backlog.

Our national parks are a public legacy, and it is our responsibility to ensure that they thrive for many generations to come. Of course, addressing deferred maintenance is just one piece of the puzzle. We must remember that sufficient resources are also provided for day-to-day operations and partnerships to ensure visitor satisfaction.

With that, I look forward to today's discussion about the two proposals before us.

I yield back the remainder of my time, Mr. Chairman.

[The prepared statement of Ms. Hanabusa follows:]

PREPARED STATEMENT OF THE HON. COLLEEN HANABUSA, RANKING MEMBER,
SUBCOMMITTEE ON FEDERAL LANDS

Thank you, Mr. Chairman. First, I want to say that I'm pleased we are able to have this hearing on both of these proposals to address deferred maintenance at our national parks and public lands. Both bills propose strategies to finance deferred maintenance and infrastructure needs across the National Park System.

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With that, I look forward to today's discussion about the two proposals before us and yield back the remainder of my time.

Mr. MCCLINTOCK. Great. Thank you very much. We will next proceed to Congressman Michael Simpson, who represents Idaho's 2nd District for 5 minutes.

**STATEMENT OF THE HON. MICHAEL K. SIMPSON, A
REPRESENTATIVE IN CONGRESS FROM THE STATE OF IDAHO**

Mr. SIMPSON. Thank you, Chairman McClintock. Let me begin by thanking you for allowing me to testify in front of your Subcommittee. Also, thank you to Ranking Member Hanabusa for co-sponsoring both this legislation and Congressman Hurd's legislation. You have an important job of overseeing our Federal lands, and it is vital that we care for them because they belong to all of us.

Our national parks have long been thought of as America's best idea. In fact, they have other complimentary names, such as our crown jewels. But more than anything, they are ours. The parks belong to the American people, and we should care for them as our own.

It is long past due that we discuss the backlog maintenance in our national parks. Growing up in eastern Idaho, it was a regular event to pack up the car each weekend and visit Yellowstone. It was easy to spend a day in the park and not have to wait in any lines.

However, that was a different time. Today, Yellowstone has nearly 4 million annual visitors, and the backlog in maintenance is upwards of \$500 million. As a member of the House Interior Appropriations Subcommittee, I can tell you that their annual appropriated budget of \$2.9 billion for the entire agency simply won't be able to account for the \$11.6 billion backlog in maintenance.

To start the conversation toward solving this problem, I introduced the Lands Act to help pay for both backlog maintenance and the Land and Water Conservation Fund. I was careful when writing the bill to not dip into the LWCF funds to pay for the backlog maintenance. That is an important concept that has guided this effort. I am pleased all of the bills we are considering today honor that promise, and I look forward to working with Chairman Bishop and this Subcommittee to address the LWCF, as well.

Moving forward, I began working with Secretary Zinke, Senators Alexander and King, and Congressman Schrader on a proposal that we could all support to fix the parks, the National Park Restoration Act. This legislation uses unobligated revenues from all energy sources, including renewable energies, to pay for the backlog maintenance in national parks.

The bill uses the exact same funding mechanism as popular programs like LWCF and the Historic Preservation Fund without compromising their revenues. It only draws on revenues that would be due to the Treasury.

The bill is projected to raise over \$6.8 billion over 10 years, which would make a significant dent in the backlog maintenance. I am thankful to Congressman Hurd, Ranking Member Hanabusa, Congressman Garamendi, and Congressman Schrader for supporting this bill in an effort to fix our parks. As a supporter of the Bureau of Indian Education schools, I also look forward to addressing that critical need in this process, as Secretary Zinke has suggested.

We are also considering the Legacy Act, introduced by Congressman Hurd. We all share the common goal of fixing this growing problem, and the Legacy Act is another positive addition to the conversation. I do not view these proposals as competing; they are complementary. They both use the same revenue source to pay for backlog maintenance, and both have bipartisan support.

A key element to enacting policy in this environment is advocating for fiscally responsible legislation. The National Park Restoration Act does that by creating a baseline of projected energy revenue that must be exceeded before revenues could occur to the fund. This mechanism was put in place to control the costs associated with the bill, and is a fundamental component to winning support from the House, Senate, and Administration, a required step to become law.

As a supporter of the national parks, LWCF, and other important programs that are critical to taking care of our public lands, I am asking that the members of the Committee examine the legislation for what it is, an honest effort to fix the parks. I don't want to pit any programs against each other, I simply want to focus our efforts on using the long-time practice of existing energy revenues to fix public lands. I think that if this Committee can look at the various proposals that have been made, they can take the best of each and get a bill that will be bipartisan and that we can all support.

Thank you again, Chairman McClintock and Ranking Member Hanabusa, and I look forward to working with all advocates for our national parks to fix the backlog maintenance.

[The prepared statement of Mr. Simpson follows:]

PREPARED STATEMENT OF THE HON. MICHAEL K. SIMPSON, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF IDAHO

Chairman McClintock and Ranking Member Hanabusa, Let me begin by thanking you for allowing me to testify in front of your Subcommittee. Also thank you to Ranking Member Hanabusa for co-sponsoring my legislation. You have an important job of overseeing our Federal lands and it is vital that we care for them because they belong to all of us.

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Today, Yellowstone has nearly 4 million annual visitors and their backlog in maintenance is upwards of \$500 million. As a member of the House Interior Appropriations Subcommittee, I can tell you that their annual appropriated budget of \$2.9 billion, for the entire agency, simply won't be able to account for the \$11.6 billion backlog in maintenance.

To start the conversation toward solving this problem I introduced the LAND Act to help pay for both backlog maintenance and the Land and Water Conservation Fund. I was careful when writing the bill to not dip into LWCF funds to pay for backlog maintenance. That is an important concept that has guided this effort. I am pleased all of the bills we are considering today honor that promise and I look forward to working with Chairman Bishop and his Committee to address LWCF as well.

Moving forward, I began working with Secretary Zinke, Senators Alexander and King, and Congressman Schrader on a proposal that we could all support to fix the parks—the National Park Restoration Act. This legislation uses unobligated revenues from all energy sources—including renewables—to pay for the backlog maintenance in national parks. The bill uses the exact same funding mechanism as popular programs like LWCF and the Historic Preservation Fund, without compromising their revenues. It only draws on revenues that would otherwise be due to the Treasury. The bill is projected to raise \$6.8 billion over 10 years, which would make a significant dent in the backlog maintenance. I am thankful to Congressman Hurd, Ranking Member Hanabusa, Congressman Garamendi, and Congressman Schrader for supporting this bill in an effort to fix our parks. As a supporter of Bureau of Indian Education schools, I also look forward to addressing that critical need in this process as Secretary Zinke has suggested.

We are also considering The Legacy Act introduced by Congressman Hurd. We all share the common goal of fixing this growing problem and The Legacy Act is another positive addition to the conversation. I do not view these proposals as competing. They are complimentary. They both use the same revenue source to pay for backlog maintenance and both have bipartisan support.

A key element to enacting policy in this environment is advocating for fiscally responsible legislation. The National Park Restoration Act does that by creating a baseline of projected energy revenues that must be exceeded before revenues could accrue into the fund. This mechanism was put in place to control the costs associated with the bill, and is a fundamental component to winning support from the House, Senate, and Administration—a required step to become a law.

As a supporter of national parks, LWCF, and other important programs that are critical to taking care of our public lands, I am asking that members of the Committee examine the legislation for what it is—an honest effort to fix the parks. I don't want to pit any programs against each other. I simply want to focus our efforts on using the longtime practice of existing energy revenues to fix public lands.

Thank you again Chairman McClintock and Ranking Member Hanabusa and I look forward to working with all advocates for our national parks to fix backlog maintenance.

Mr. McCLINTOCK. Great. Thank you.

Now we will hear from Congressman Hurd, representing Texas' 23rd District.

**STATEMENT OF THE HON. WILL HURD, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF TEXAS**

Mr. HURD. Thank you, Chairman and Ranking Member. As the Representative from the 23rd Congressional District of Texas, I have the distinct honor of advocating for eight incredible national parks. Our national parks are an integral part of the American experience, as we all know. And I have seen firsthand how the eight parks in my district, including Big Bend and the San Antonio missions, provide immeasurable cultural, environmental, and economic benefits.

Each park's landscape has a unique story that allows us to understand our past, appreciate our present, and ensure they are all available in the future.

For these parks to remain beautiful and accessible, we have a responsibility as a Nation to care for them and maintain them. The National Park Service was created just over 100 years ago to do just that. But unfortunately, NPS currently faces a nationwide backlog of more than \$11 billion to repair roads, visitor facilities, trails, and other park structures—\$147 million of that backlogged maintenance is in Texas alone.

I have seen how much of an impact this has on the maintenance of our parks, which is why I introduced the National Park Service Legacy Act of 2017 with my colleagues, including the distinguished Ranking Member from Hawaii, Representative Hanabusa. The bipartisan, bicameral bill would address the present backlog by distributing currently unassigned Federal mineral revenues back into a restoration fund. The funds can be used for overdue repairs so that our parks can remain beautiful and accessible for future generations of park-goers to enjoy.

My bill demonstrates that the call for Congress to fix our aging parks is being heard, and has been endorsed by park champions like the National Parks Conservation Association, Pew Charitable Trusts, whom I would like to thank for being here today, and the National Trust for Historic Preservation.

But our bill is not the only solution to this expanding and pervasive problem. My colleague and friend from the great state of Idaho has worked tirelessly on his bill, which, if enacted, would accomplish these same goals. I am tremendously supportive of the Chairman's efforts, and I strongly encourage my colleagues to support both my bill and Chairman Simpson's bill.

I want to thank the Committee for allowing me to speak, and I yield back the balance of my time.

[The prepared statement of Mr. Hurd follows:]

PREPARED STATEMENT OF THE HON. WILL HURD, A REPRESENTATIVE IN CONGRESS
FROM THE STATE OF TEXAS

As Representative of the 23rd Congressional District of Texas, I have the distinct honor of advocating for eight incredible national parks.

Our national parks are an integral part of the American experience, and I've seen firsthand how the eight parks in my district, including Big Bend and the San Antonio missions, provide immeasurable cultural, environmental and economic benefits.

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But our bill isn't the only solution to this expanding and pervasive problem. My colleague and friend from the great state of Idaho has worked tirelessly on his bill, which, if enacted, would accomplish the same goals as my own. I am tremendously supportive of the Chairman's efforts, and strongly encourage my colleagues to support both my bill, and Chairman Simpson's bill. I yield back the balance of my time.

Mr. McCLINTOCK. Thank you.

We will now hear from our four witnesses, and begin with Mr. P. Daniel Smith, Deputy Director of the National Park Service, U.S. Department of the Interior, who comes to us all the way from Washington, DC.

**STATEMENT OF P. DANIEL SMITH, DEPUTY DIRECTOR,
NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE
INTERIOR, WASHINGTON, DC**

Mr. SMITH. Chairman McClintock, Ranking Member Hanabusa, and members of the Committee, thank you for the opportunity to present the Department of the Interior's views on H.R. 2584, the National Park Service Legacy Act, and H.R. 5210, the National Park Restoration Act. I will summarize my testimony and submit my full statement for the record.

The Department supports H.R. 5210, the National Park Restoration Act. We recommend amending the bill to make the U.S. Fish and Wildlife Service and the Bureau of Indian Affairs Education eligible for funding that would be available through the bill's proposed National Park Restoration Fund. This would make the bill consistent with the President's Fiscal Year 2019 budget proposal.

We appreciate that H.R. 2584 seeks to accomplish the same goal of providing dedicated funding for the deferred maintenance backlog, but we believe that H.R. 5210 would be a better approach to addressing the problem.

H.R. 5210 would establish a permanent treasury account called the National Park Restoration Fund. Energy development revenues from both renewable and conventional sources would be deposited into the fund. The fund would sunset after 10 years, or once it reaches its \$18 billion cap, whichever happens first.

H.R. 5210 protects established revenue-sharing payments to the states under the Mineral Leasing Act, the Gulf of Mexico Energy Security Act, and other statutes, as well as allocations made to other established funds such as the Reclamation Fund, the Land and Water Conservation Fund, and all other dedicated uses of

onshore and offshore revenues. These existing uses would receive their funding before the Restoration Fund receives anything.

The bill identifies total energy revenue collection thresholds for each of the next 10 years. If collections exceed those amounts, and after all existing obligations are met, half of the revenue above that baseline would go to the National Park Service maintenance backlog. The other half would go to the Treasury.

The Restoration Fund would receive revenue from all energy development occurring on public lands and waters, unlike the LWCF and the Legacy Fund, which rely solely on mineral revenues. The Administration's all-of-the-above energy development strategy aligns with the funding mechanism for the Restoration Fund.

H.R. 2584 would establish the National Park Legacy Fund from Federal mineral revenues. The bill requires 80 percent of funds to be used for building, utilities, and visitor facilities, and 20 percent to be used for transportation assets. Deposits would be made to the Legacy Fund from 2018 to 2047, ranging from \$50 million to \$500 million per year.

We believe H.R. 5210 holds greater potential for providing significant near-term funding than H.R. 2584 does. According to the Office of Management and Budget, the Public Lands Infrastructure Fund, which is the blueprint for H.R. 5210, would produce an estimated \$6.8 billion in expenditures for deferred maintenance over the next 10 years, versus less than \$2 billion in the next 10 years under H.R. 2584.

Appropriated funds are the current primary source of funding for deferred maintenance. But as the Secretary noted last week in his budget hearings, we cannot rely solely on appropriated dollars to address this problem. The backlog of projects at our national parks limits access, lessens visitor experiences, impacts recreational opportunities, and compromises public health and safety. The networks of roads, trails, restrooms, water treatment systems, and visitor centers are aging and are exceeding the capacity of visitors they were designed to hold and support.

In conclusion, I would like to reiterate a few key points regarding H.R. 5210.

One, this bill does not interfere with GOMESA, LWCF, or any other dedicated funds.

Two, nothing in this bill authorizes new areas for energy development, nor is there any proposal to increase energy production in our national parks.

Three, this bill is not an incentive to develop more energy. The Administration remains very clear that it supports American energy dominance. The question before us today is how we come together to reinvest revenues back into our public lands.

We greatly appreciate the efforts of Chairman Bishop and this Subcommittee for today's hearing. We also thank Chairman Simpson and Ranking Member Hanabusa and all of your House and Senate colleagues for your support of H.R. 5210. The Administration looks forward to continuing the same bipartisan, bicameral approach as we move forward.

Mr. Chairman, that concludes my statement. I look forward to answering any questions.

[The prepared statement of Mr. Smith follows:]

PREPARED STATEMENT OF P. DANIEL SMITH, DEPUTY DIRECTOR, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR ON H.R. 5210 AND H.R. 2584

Chairman McClintock, Ranking Member Hanabusa, and members of the Subcommittee, thank you for the opportunity to present the Department of the Interior's views on H.R. 2584, the National Park Service Legacy Act of 2017, and H.R. 5210, the National Park Restoration Act. My name is P. Daniel Smith and I serve as the Deputy Director of the National Park Service.

The Department supports H.R. 5210, but recommends amending the bill to include the U.S. Fish and Wildlife Service and the Bureau of Indian Education for funding that would be available through the bill's proposed National Park Restoration Fund. Adding those two bureaus would make the bill consistent with the President's FY 2019 budget proposal. In addition, we would like to work with the Committee on technical amendments to H.R. 5210. While we appreciate that H.R. 2584 seeks to accomplish the same goal of providing dedicated funding for the deferred maintenance backlog, we believe that H.R. 5210 would be a better approach to addressing the problem.

H.R. 5210 would establish a separate account within the United States Treasury called the National Park Restoration Fund (Restoration Fund). The additional funding deposited in the Restoration Fund would help reduce the National Park Service's (NPS) \$11.6 billion deferred maintenance backlog. Energy development revenues from renewable sources, as well as from conventional sources (oil, gas, and coal), would be deposited into the Restoration Fund. Once the Fund accumulates \$18 billion or 10 years have passed, whichever happens first, deposits to the fund would cease.

The National Park Restoration Act would not change or modify established revenue sharing payments to the states under the Mineral Leasing Act (MLA), the Gulf of Mexico Energy Security Act (GOMESA) or other statutes, nor would it affect deposits to other established funds, such as the Reclamation Fund, the Land and Water Conservation Fund (LWCF), or other dedicated uses of onshore and offshore revenues. These existing uses would receive all of their dedicated funding before the Restoration Fund receives anything. The bill identifies total energy revenue collection thresholds for each of the next 10 years; if collections exceed those amounts and after all existing obligations are met, half of the revenue above that baseline that would otherwise be deposited as miscellaneous receipts would be deposited in the Restoration Fund to address the NPS maintenance backlog, and the other half would go to the Treasury for deficit reduction.

The Restoration Fund would be available for use, without further appropriation or fiscal year limitations, for the high-priority deferred maintenance needs that support critical infrastructure and visitor services, as determined by the Secretary of the Interior and the Director of the National Park Service. Funding could not be used for the acquisition of land. The bill also requires annual updates and reporting to Congress on the projects funded each year.

H.R. 2584 would establish the National Park Legacy Fund (Legacy Fund), a dedicated fund from Federal mineral revenues that would otherwise not be credited to other accounts, and would be available to the NPS to use for high priority deferred maintenance needs. The bill requires 80 percent of funds to be used for building, utilities, and visitor facilities and 20 percent to be used for transportation assets. The bill would provide deposits to the Legacy Fund from 2018 to 2047, ranging from \$50 million in each of Fiscal Years 2018, 2019, and 2020, to \$500 million in each of Fiscal Years 2027 through 2047.

The Department appreciates the effort of all members who co-sponsored H.R. 2584, and the Secretary believes it is important to work with anyone who is willing to tackle this important cause. However, the Department supports H.R. 5210, the National Park Restoration Act, because it is more closely aligned with the legislative proposal in the President's FY 2019 Budget.

If H.R. 5210 is enacted, the Restoration Fund would receive revenue from all energy development occurring on public lands and waters, including alternative and renewable sources such as solar, wind, and geothermal, unlike the LWCF and the Legacy Fund, which rely solely on mineral revenues. The Administration's "all-of-the-above" energy development strategy aligns with H.R. 5210's funding mechanism for the Restoration Fund.

We believe H.R. 5210 also holds greater potential for providing significant near-term funding than H.R. 2584 does. H.R. 5210 would generate up to \$18 billion over the next 10 years, versus less than \$2 billion in the next 10 years generated under H.R. 2584. The Department's maintenance needs are immediate and we support the proposal that we believe would result in more funding and in a more immediate fashion. Of note, the President's Fiscal Year 2019 Budget assumed that its

legislative fund proposal, which the sponsors used as a reference in drafting H.R. 5210, would also allow up to \$18 billion over the next 10 years and would result in an estimated \$6.8 billion in expenditures for repairs and improvements over the 10-year period.

Appropriated funds are currently the primary source of funding for deferred maintenance. However, as Secretary Zinke indicated before the Senate Energy and Natural Resources Committee, we cannot rely on solely on appropriated dollars to address this problem. Without a dedicated funding source, the deferred maintenance backlog will continue to grow. The backlog of projects at our national parks limit access, impair visitor experiences and impact recreational opportunities. The network of roads, trails, restrooms, water treatment systems, drinking water, and visitor centers are aging and are exceeding a capacity they were often never designed to hold and support.

The Administration appreciates Congress' effort to author legislation that follows the blueprint laid out in the FY2019 Budget. Although not identical, of the two funds, the National Park Restoration Fund is the Administration's preferred proposal to addressing the \$11.6 billion maintenance backlog that the National Park Service faces.

As Secretary Zinke said when announcing the FY2019 budget, "President Trump is absolutely right to call for a robust infrastructure plan that rebuilds our national parks, refuges, and Indian schools, and I look forward to helping him deliver on that historic mission . . . This is not a Republican or Democrat issue, this is an American issue, and the President and I are ready to work with absolutely anyone in Congress who is willing to get the work done."

We greatly appreciate the effort of this Committee, Chairmen Bishop and Simpson, Congresswoman Hanabusa, Senator Alexander, Senator Portman and all your colleagues in Congress who have sought to craft real solutions to our maintenance backlog. The bills we are discussing today reflect a bipartisan, bicameral approach that the Administration believes is necessary to achieve our end goals. We look forward to continuing to work with each of you on this issue in a collaborative manner that preserves and maintains our national treasures for generations to come.

Mr. Chairman, this concludes my statement. I would be pleased to answer any questions you or other members of the Committee may have.

QUESTIONS SUBMITTED FOR THE RECORD TO MR. P. DANIEL SMITH, DEPUTY
DIRECTOR, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR

Question Submitted by Rep. Bishop

Question 1. Conservation Corps accomplish millions of dollars of important work on maintenance, infrastructure, recreation, and wildfire remediation that address the priorities of the Department of the Interior each year. This work requires a good faith understanding that the project development and financial agreement approval process will move forward in a timely fashion, in order to recruit and train Corpsmembers, field staff and buy supplies like trucks and chainsaws, tents and boots. This work is also often seasonal, meaning there's a short window when the work can be accomplished without further adding to the maintenance backlog.

We understand there is a financial agreement review process in place for any project over \$50,000 which has temporarily frozen nearly all of these projects around the country. Please share with the Committee what steps the Department is taking to ensure these projects will continue to meet Interior's needs, Corps won't have to turn away thousands of young adults and veterans this year, and the projects they have been developing with Interior will move forward in time to accomplish this work during the 2018 field season.

Answer. The Department is committed to appropriately administering a grant and cooperative agreement program that distributed over \$5.5 billion of taxpayer money each year. Upon arriving at the Department, Secretary Zinke began a review of the Department's financial assistance programs, which included a review of the audits and investigation on these programs that have been conducted by the Department's Office of the Inspector General. To ensure the proper management and implementation of the Department's grants and cooperative agreements, the Department provided guidance to Bureaus to improve the process for managing discretionary financial assistance programs. With an eye on establishing a reasonable path

forward—although minimum thresholds for review were initially set—the process for review is an evolving one.

For Fiscal Year 2018 financial assistance obligations, final approval is required from the National Park Service (NPS) Deputy Director if the amount of proposed funding is under \$50,000. If the amount is more than \$50,000, the financial assistance agreement must be reviewed by the Senior Advisor to the Assistant Secretary Policy, Management, and Budget prior to award.

In order to manage and expedite this process, the NPS established an internal online review system. Projects are submitted for review to a central database that tracks budget information, project objectives, and public benefits. NPS staff review each project to ensure that they meet Departmental and NPS priorities. Then, either the NPS Deputy Director or the Senior Advisor to the Assistant Secretary for Policy, Management, and Budget takes action on the project.

The NPS has worked diligently to ensure that projects are internally reviewed and approved to allow sufficient time for funds to be obligated and for work to be accomplished during the 2018 field season.

Question Submitted by Rep. Grijalva

Question 1. In H.R. 5210, the baseline for Fiscal Year 2019 is \$8 billion. In this year's budget, the Interior Department projects that in Fiscal Year 2019, we will collect just under \$7.8 billion. So, if we collect \$7.8 billion in Fiscal Year 2019 as expected, and the number in the bill for 2019 is \$8 billion, no money would go to the National Park Restoration Fund in Fiscal Year 2019.

However, in the budget, the Department projects \$760 million going to the Fund in Fiscal Year 2019. Using the Department's projections, no money would be going to fix National Park infrastructure, but then you also say you expect \$760 million.

How does the Department come up with that \$760 million dollar estimate?

Answer. The Department's budget proposal caps the funds that could be deposited into the Public Lands Infrastructure Fund at \$18 billion. The budget estimated that there would be \$8 billion in deposits and \$6.8 billion in expenditures from the Fund over the course of that 10 years. Importantly, because the deposited funds would be available without further appropriation, this fund would be consequential for facilities that currently must rely on annual appropriations to address the maintenance backlog at national parks, wildlife refuges and Bureau of Indian Education schools.

Additional Information Provided for the Record

Several questions were asked of Deputy Director Smith during the hearing that required follow-up information. That information is provided here.

Representative McClintock asked if the NPS was able to provide an answer to his question asked during the House Natural Resources Committee oversight hearing held on March 6, 2018, about regulations adding to the cost of deferred maintenance.

Answer. The current estimated \$11.6 billion NPS maintenance backlog reflects the labor and material costs associated with maintenance work that has been deferred for at least 1 year. The costs for completing National Environmental Policy Act and National Historic Preservation Act (NEPA/NHPA) compliance, planning, design, construction management services, and construction contingency are not included in the \$11.6 billion figure. These costs are developed at the project formulation stage and applied on a project-by-project basis.

The deferred maintenance backlog estimate also does not include non-deferred maintenance costs. Most projects, however, include both deferred and non-deferred maintenance components. Correcting code deficiencies is an example of a non-deferred maintenance activity. The activity does not relate to the failure to perform scheduled maintenance (resulting in a deferral), but relates to upgrades needed to meet evolving code compliance.

As an example, at Yosemite National Park, the Fiscal Year 2018 Line Item Construction (LIC) project to rehabilitate the Wawona Wastewater Treatment Plant includes both deferred maintenance and code compliance components. Much of the work involves constructing new systems needed to prevent effluent discharge in the Merced River as the state will no longer permit such discharge. The project's total net construction amount is \$18.286 million, of which 20 percent is deferred maintenance. After construction contingency and construction management services are included, the Fiscal Year 2018 LIC project list is \$21.578 million.

As another example, at Mammoth Cave National Park, the Fiscal Year 2018 LIC project to Reconstruct Unsafe Cave Trails has a net construction value of \$11,775 million, of which 90 percent is deferred maintenance. The only non-deferred maintenance component relates to the addition of handrails, stairs, and ramps in some areas to enhance safety. After construction contingency and construction management services are included, the Fiscal Year 2018 LIC project list is \$13,894 million.

The LIC program typically budgets 22 percent of the estimated net construction costs for compliance, and planning and design, which are ideally funded 1 to 2 years prior to the construction budget request. Because these costs are calculated for projects that combine deferred and non-deferred maintenance elements, we are not able to determine the portion of these costs that are associated only with the deferred maintenance components of NPS projects.

Representative Labrador asked for an example of compounding costs the longer a project is deferred.

Answer. The longer that an asset’s deferred maintenance goes unaddressed, the faster that asset will deteriorate. The industry standard facility backlog deterioration rate varies between 2 percent and 10 percent annually (<http://bokcms.appa.org/pdfs/131-05281612.pdf>). This deterioration causes the cost of repair to grow at an increasing rate each year. The following is a detailed example:

Cantilever Structure—The “Cantilever Structure” on the Clara Barton Parkway (part of the George Washington Memorial Parkway) provides a good example of repair work that originally was less expensive and less complicated when the defect originally occurred. In 2009, a large pothole (6’ by 4’) was found in the Cantilever structure’s deck. At that time, the repair would have required closing that lane of the bridge and possibly the lanes of traffic below (part of the Westbound roadway overhangs the Eastbound roadway for 0.27 miles; this is the “cantilever”). NPS staff completed a temporary fix by filling the pothole, which maintained the safety of the public using the bridge. The more extensive and expensive fix was delayed for a number of reasons including the complexity of the long-term repair that was beyond the capability of the park’s maintenance staff and a desire save costs by lumping the repair with a more extensive project planned for the Clara Barton Parkway which would reduce mobilization and demobilization costs.

Currently, the pothole has grown both in area and in depth and now measures about 20’ by 10’. The deterioration requires different materials to repair, including repairs to the steel reinforcing material, which is more expensive than concrete. In addition, the larger and deeper repair requires that the structure be supported from underneath (from the lower roadway) during work. The more extensive repair combined with the need to close more of the road for a longer time leads to an increase in workzone costs. The total project cost of this repair is now approximately \$200,000, far more than it would have been if the pothole had been fully repaired at the time it was first discovered.

Representative Gianforte asked for prioritized deferred maintenance projects in Montana and inquired how fast work could begin on these projects.

Answer. The table below shows the maintenance projects that are underway or planned for Fiscal Year 2018 and Fiscal Year 2019 that have a deferred maintenance component. These projects will begin either in 2018 or 2019.

Planned Year	Park	Project
2018	Glacier National Park	Rehabilitate Albright Circle Sewer System
2018	Glacier National Park	Rehabilitate Four Comfort Stations for Accessibility at Saint Mary Campground
2018	Little Bighorn Battlefield National Monument	Rehabilitate Domestic Water Source and Transmission System
2019	Big Hole National Battlefield	Replace Defective Fire Protection System for Park Housing
2019	Little Bighorn Battlefield National Monument	Rehabilitate Wastewater Collection System
2019	Glacier National Park	Rehabilitate Many Glacier Sewage Force Main Connection

Planned Year	Park	Project
2019	Glacier National Park	Reconstruct Rock Walls and Elevate Boardwalks on Multiple Trails
2019	Glacier National Park	Rehabilitate Nine Sections of Trail System Associated with the Going to the Sun Road
2019	Glacier National Park	Rehabilitate Many Glacier Road, Route 14

Representative Gianforte also asked about the percentages of energy development revenues that come from conventional energy sources (oil, gas, and coal), and from renewable energy sources.

Answer. In Fiscal Year 2017, 98.7 percent of revenues were from conventional sources and 1.3 percent were from renewable sources.

Mr. McCLINTOCK. Great. Thank you very much for your testimony.

We next welcome Ms. Marcia Argust, Director of Restore America's Parks for the Pew Charitable Trusts, also in Washington, DC.

STATEMENT OF MARCIA ARGUST, DIRECTOR, RESTORE AMERICA'S PARKS, THE PEW CHARITABLE TRUSTS, WASHINGTON, DC

Ms. ARGUST. Thank you. Chairman McClintock, Ranking Member Hanabusa, and members of the Subcommittee, I appreciate the invitation to discuss two important legislative measures that seek to address the deferred maintenance issue within the National Park System. These measures are the National Park Service Legacy Act and the National Park Restoration Act. And I want to thank Representatives Hurd, Simpson, and Hanabusa for their support of these measures.

Addressing the Park Service backlog and keeping it from escalating will require a bipartisan approach and collaboration. Bills introduced this Congress, the Administration's recognition of the need to resolve the maintenance backlog, and this hearing are signs that we are headed in the right direction, as well as the opening statements that we have heard here today.

The National Park Service estimates that repairs at sites nationwide total \$11.6 billion, based on 2017 data. As the Agency manages these sites, it is responsible for the care and operation of over 75,000 assets such as trails, roads, thousands of buildings and historic structures, battlefields, recreation amenities, and electrical and water systems.

Aside from the Department of Defense, the Park Service is responsible for maintaining more assets than any other Federal agency. Over half of these assets have deferred maintenance. The reasons for this are aging infrastructure, visitation pressures, and inconsistent maintenance funding. Of the \$11.6 billion backlog, \$8.8 billion is attributed to highest and high-priority assets, which are considered critical or very important to the operations and mission of a park site.

Restoring our national parks is about much more than the physical integrity of a trail or a building. Restoring our parks is about

preservation, access, and economics. In addition to documenting our Nation's history for future generations and providing visitors with access to recreation opportunities, parks are proven economic engines for rural and urban communities.

I have submitted with my written testimony a list of almost 3,000 organizations that support directing more resources to park maintenance. These groups include counties and cities, the state of California, the state of Louisiana, businesses, veterans, the tourism industry, conservation groups, unions, and infrastructure groups, among others.

There are a number of important similarities between the Legacy Act and the Restoration Act that I would like to highlight. They both establish funds in the general Treasury to direct annual Federal funding to park repairs. They both prohibit funds from being used for land acquisition. They discourage funds from supplanting discretionary funding of Park Service maintenance needs. They use mineral revenues from energy development on Federal lands and waters as their revenue stream. Each contain provisions ensuring that monies going into their respective maintenance funds would not come from revenues obligated for other purposes under law, such as the Land and Water Conservation Fund, the Historic Preservation Fund, or state funds. And the bills share a number of the same sponsors and co-sponsors.

Pew endorses the National Park Service Legacy Act without reservation.

We offer our support of the National Park Restoration Act with improvements. We would like to work with the bill's sponsors to implement the following modifications.

A funding mechanism that reflects a specific annual dollar amount is needed, ensuring a consistent source of park maintenance funding. As currently written, the Restoration Act relies on a percentage figure that means annual intake will vary from year to year.

We would also like to see the addition of language to ensure funding parity between transportation and non-transportation assets.

While not on the hearing docket today, Pew also endorses the Land Act authored by Representative Simpson. The legislation seeks to provide dedicated annual funding for maintenance needs within public land agencies and to provide dedicated funding for LWCF.

We are committed to working with the sponsors of all of these bills to incorporate the best provisions of each into a final proposal that will provide significant reduction of the park's backlog. Thank you.

[The prepared statement of Ms. Argust follows:]

PREPARED STATEMENT OF MARCIA ARGUST, THE PEW CHARITABLE TRUSTS ON
H.R. 5210 AND H.R. 2584

Chairman McClintock, Ranking Member Hanabusa, and members of the Subcommittee, thank you for the invitation to discuss dedicated Federal funding as a means to help address the multi-billion dollar maintenance needs within our National Park System. I also want to thank Chairman Bishop and Rep. Grijalva for their attention to the deferred maintenance backlog. I request that my full written statement and accompanying documents be submitted for the record.

The Restore America’s Parks campaign at The Pew Charitable Trusts seeks to conserve the natural and cultural assets of the National Park System by providing common-sense, long-term solutions to the deferred maintenance challenge facing the National Park Service (NPS).

THE DEFERRED MAINTENANCE CHALLENGE WITHIN THE NATIONAL PARK SYSTEM

At present, NPS estimates that repairs at its more than 400 sites total \$11.6 billion based on FY 2017 data [see Figure 1]. At these diverse sites—national parks, historic sites, national monuments, battlefields, seashores and lakeshores, national recreation areas—the agency is responsible for the care and operation of over 75,000 assets.

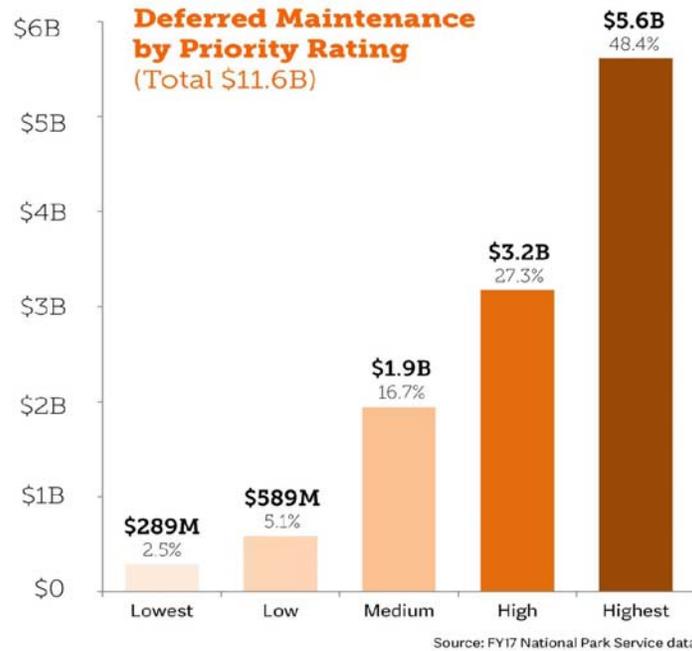
Figure 1



These assets include over 12,000 miles of roads (over 5,000 of which are paved), nearly 1,500 bridges and 60 tunnels, 18,000 miles of trails, more than 28,000 buildings and historic structures, approximately 1,800 waste water systems, former military installations, parking lots, waterfronts, campgrounds, electrical and water systems, interpretive facilities, and iconic monuments and memorials.

Aside from the Department of Defense, NPS maintains more assets than any other Federal agency. Over half of its 75,000 assets have deferred maintenance. “Highest” and “high” priority assets account for \$8.8 billion (or 75 percent) of the \$11.6 billion backlog [see Figure 2]. Highest priority assets are considered critical to the operations and mission of a park site while high priority assets are considered very important.

Figure 2



Pew has completed a number of case studies that document the breadth of maintenance challenges plaguing our parks, along with a compilation of testimonials from local officials, community leaders, and businesses that depend on well-maintained, safe, and accessible parks to help sustain healthy local economies. The case studies and testimonials can be viewed on our webpage: <http://www.pewtrusts.org/en/research-and-analysis/fact-sheets/2017/05/national-park-case-studies>.

Of specific note, Utah is known worldwide for its national parks units. They attracted over 14 million visits in 2016, which translated to \$1 billion in direct spending in local communities, \$1.5 billion in state economic output and over 17,000 jobs. Yet our national parks in Utah have maintenance needs totaling \$266 million. Zion National Park, one of the most visited sites, needs \$65 million worth of repairs, primarily for roads that provide access to park resources. The floor of the Valley Road that runs through Zion Canyon, the park's most popular destination, is now accessed only by shuttle or tour buses 9 months of the year. It was originally built to withstand the weight of cars, but its heavy use by larger vehicles caused almost \$3 million in damage. Millions more are needed to fix roads to Zion's campgrounds and visitor centers, and their accompanying parking lots, bridges, and tunnels.

In California, national park units drew nearly 42 million recreation visits in 2016, leading to \$2 billion in direct spending in gateway communities, \$2.9 billion in state economic output, and more than 28,000 jobs. Despite the proven economic benefits that parks provide to the state of California, they have a maintenance backlog estimated at \$1.8 billion. Yosemite National Park alone has \$582 million in repairs, over \$200 million of which is attributed to roads. But once visitors get out of their cars, they find walking, hiking, and biking trails are often in disrepair as well, including the historic Yosemite Bike Path. Yosemite's famed Mariposa Grove has been impacted by a 1930s water line system that was leaking chlorinated water into the grove at a rate of 39,500 gallons per day, affecting the growth and longevity of the mature sequoias. The area will reopen this summer, after being closed for several years to replace the waterline system and other restoration efforts done in partnership with the Yosemite Conservancy. Aging historic properties within the park have

problems too, including the Ansel Adams Gallery, and account for over \$100 million repair needs.

THE CAUSES OF DEFERRED MAINTENANCE

Due to aging facilities, strain on resources caused by increased visitation in certain park sites, and unreliable funding, NPS has been unable to keep pace with necessary infrastructure repairs.

- **Aging infrastructure:** Our National Park System is over 100 years old and many park units are showing their age. According to a December 2016 Government Accounting Office (GAO) report, most of the NPS maintenance backlog is attributed to older park sites, stating specifically that “about \$10.5 billion in deferred maintenance was for park units established more than 40 years ago.” Most infrastructures have a finite life span, due to factors such as material longevity, weather, use, and design.

Mirroring the infrastructure problems of both urban and rural areas across the country, transportation needs comprise more than half of the NPS maintenance backlog and represent some of the most costly infrastructure projects, including roads, tunnels, and bridges.

- **Rising visitation pressures:** In addition to aging infrastructure, the high level of visitors that many park sites have been experiencing in recent years is placing increasing pressures on resources that are often already showing signs of deterioration.
- **Unreliable funding:** Years of underfunding compound the challenges of preserving the physical integrity of NPS assets. From FY 2006–FY 2015, Federal funding for the repair and rehabilitation, cyclic maintenance, and line-item construction portions of the NPS budget declined by 33 percent.

The agency is typically \$250–\$320 million short of the \$800 million it estimates it needs each year to maintain transportation and non-transportation assets at existing conditions. We greatly appreciate the increased allocations Congress has provided for NPS maintenance accounts over the past several years, but more consistent, reliable funding is needed to close this recurring maintenance gap and start reducing the large cumulative deficit.

WHY WE NEED TO ADDRESS DEFERRED MAINTENANCE

Accompanying this statement is a list of almost 3,000 organizations across the Nation that support directing more resources to fixing our parks. These groups—counties and cities, local officials, businesses, veterans, the hotel and restaurant industry, conservation groups, unions, the recreation industry, infrastructure groups, state tourism societies—recognize the importance of investing in park maintenance for the following reasons:

- Restoring our parks preserves and documents our Nation’s history for future generations.
- Parks are economic engines for rural and urban communities. Based on FY 2016 records, 330 million park visits translated to \$18 billion in direct spending to local communities and regions, generating nearly \$35 billion in national economic output and 318,000 jobs. A Pew study commissioned last year found that fully addressing the national park backlog has the potential to create and support more than 110,000 additional infrastructure-related jobs nationwide: <http://www.pewtrusts.org/en/research-and-analysis/blogs/compass-points/2017/12/01/job-creation-potential-if-we-restore-our-parks>.
- Safe and accessible roads, trails and facilities are needed so visitors can access and enjoy park resources.
- Investing in park maintenance provides a cost-savings, as postponement of projects can lead to more costly and extensive repairs.

DEDICATED FUNDING LEGISLATION

Drawing down and preventing the escalation of a multi-billion maintenance backlog that has accrued over decades requires multiple approaches. Pew’s Restore America’s Parks campaign is pursuing a range of solutions including dedicated annual Federal funding, continued robust annual appropriations funding, legislative and administrative policy reforms, increased opportunities for public-private partnerships, and leveraging technology to achieve efficiencies as well as help generate revenue.

Of all of these avenues, dedicated annual funding is core to ensuring that the NPS can keep pace with priority repairs and keep deferred maintenance from escalating. When Congress established the Park Service over 100 years ago, it mandated the agency “. . . to conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.” Congress has a responsibility to ensure that NPS has adequate resources to fulfill the mission it gave the agency.

Several bipartisan bills have been introduced this Congress to tackle the deferred maintenance challenge within our parks, specifically the National Park Service Legacy Act (H.R. 2584/S. 751) and the National Park Restoration Act (H.R. 5210/S. 2509). We applaud the sponsors and co-sponsors of all of these measures for their commitment to our national parks and for responding to the diverse voices across the Nation calling on Congress to fix our parks.

There are a number of similarities between the Legacy Act and the Restoration Act. Each would establish a fund in the U.S. General Treasury to direct dedicated Federal funding each year to park maintenance needs. Both measures prohibit funds from being used for land acquisition and would discourage funds from replacing discretionary funding for NPS facility maintenance needs. The revenue stream for the Legacy Act and the Restoration Act would be royalties from energy development on Federal lands and waters that are paid into the General Treasury (it should be noted that the Restoration Act would also use revenues from renewables). Using revenues from energy development for mitigation purposes is not a new concept. The onshore and offshore mineral revenue system is an existing system set up decades ago under the Mineral Leasing Act of 1920 and the Outer Continental Shelf Lands Act of 1953. Both proposals contain language to ensure that monies going into the maintenance funds would not come from royalties payments that are obligated for other purposes under law (such as the Land and Water Conservation Fund, the Historic Preservation Fund, and state funds). Additionally, the bills share a number of the same co-sponsors.

Pew endorses the National Park Service Legacy Act, introduced by Senators Warner (D-VA) and Portman (R-OH) and Representatives Hurd (R-TX), Reichert (R-WA), Kilmer (D-WA), and Hanabusa (D-HI), without reservation. In addition to the provisions outlined above, the legislation would provide that 80 percent of the fund be used for repairs to non-transportation assets (such as historic structures, visitor facilities, trails, water utility systems, and assets that impact disability access, health and safety, and recreation) and 20 percent be used to restore transportation-related infrastructure such as roads, bridges, and tunnels. This breakdown is intended to ensure parity for non-transportation assets, as NPS receives some dedicated funding from the Highway Trust Fund to address transportation needs (though the annual amount is far from adequate). The Legacy Act would direct monies from the fund to ramp up over 30 years: \$50,000,000 for the first 3 years, \$150,000,000 for the next 3 years, and \$250,000,000 for the following 3 years, and \$500,000,000 for each successive year. This consistent, reliable annual funding is critical and would allow for more planning and integration of projects, cost-effectiveness, and the ability to tackle complicated, larger-scale maintenance issues. The measure also contains a provision to encourage public-private collaboration by incentivizing projects that have a cost-share component.

Pew offers support of the National Park Restoration Act, introduced by Representatives Simpson (R-ID) and Schrader (D-OR) and Senators Alexander (R-TN), King (I-ME), Heinrich (D-NM), Daines (R-MT), Gardner (R-CO), Tillis (R-NC), Moore Capitol (R-WV), Manchin (D-WV), with improvements. We would like to work with the bill sponsors to implement the following improvements:

- Modification of the funding mechanism to reflect a specific annual dollar amount, ensuring a consistent, reliable source of park maintenance funding. A successful dedicated funding measure must provide certain and robust annual funding to effectively address long overdue park repairs. As currently written, the Restoration Fund would take in 50 percent of energy development revenues over a baseline figure projected for each of 10 years. Reliance on a percentage figure means that the annual intake will vary from year to year.
- Addition of language to ensure funding parity between transportation and non-transportation assets.

While not on the hearing docket today, Pew also endorses the Land and National Park Deferred Maintenance Act (H.R. 2863) authored by Rep. Simpson. The legislation seeks to provide dedicated annual funding for maintenance needs within public

land agencies and to provide dedicated funding for the Land and Water Conservation Fund over a 7-year period.

CONCLUSION

Deferred maintenance within our National Park System is a critical issue that needs to be addressed. It will require a bipartisan approach and collaboration. The bipartisan bills that have been introduced this Congress, the Administration's recognition of the need to resolve the maintenance backlog, and this hearing are signs that we're headed in the right direction. Pew is committed to working with the sponsors of all of the deferred maintenance measures to incorporate the best provisions of each into a final proposal that can be enacted and will provide a significant reduction to the national parks backlog.

Thank you for your consideration of these views and for the Subcommittee's interest in addressing the maintenance backlog plaguing our national parks.

The following document was submitted as a supplement to Ms. Argust's testimony. This document is part of the hearing record and is being retained in the Committee's official files:

—List of supporters for addressing the National Park System backlog

Mr. McCLINTOCK. Thank you for your testimony.

Next, we welcome Mr. Matt Lee-Ashley, Senior Fellow at the Center for American Progress in Washington, DC.

STATEMENT OF MATT LEE-ASHLEY, SENIOR FELLOW, CENTER FOR AMERICAN PROGRESS, WASHINGTON, DC

Mr. LEE-ASHLEY. Thank you Chairman McClintock and Ranking Member Hanabusa for the opportunity to testify today. My name is Matt Lee-Ashley, I am a Senior Fellow at the Center for American Progress, where I focus on natural resources, conservation, and public lands policy.

Today's hearing, which focuses on strengthening our investments in our national parks and public lands, could not be more timely. The immense challenges facing our public lands today include the rapid loss of natural areas and wildlife driven by development; climate change and other stressors; and the need to ensure that all our parks and public lands better reflect the history, cultures, and needs of all Americans.

The two bills that the Committee is discussing today aim to address just one element of the many challenges facing our public lands: how to invest in and care for the physical, human-built infrastructure in our national parks, and only in our national parks.

To be sure, this is a vital public policy priority, but it is a manageable problem if we keep three things in mind.

First, the actual size of the deferred maintenance backlog. The Center for American Progress' review of the National Park Service's maintenance database found that if you strip out the projects that should be paid for by private hotels and restaurants that operate in the parks, and the road projects that should be addressed through the highway bill, the backlog is reduced by 50 percent.

Further, only \$1.3 billion is actually listed as "critical systems deferred maintenance," and considered by the Agency as their

highest priority for necessary maintenance. \$1.3 billion is still a large number, but with smart budgeting, it is manageable.

Second, we need balanced and comprehensive investment in all our public lands. In 2016, the U.S. Forest Service, the U.S. Fish and Wildlife Service, and the Bureau of Land Management had a combined maintenance backlog approaching \$8 billion. The Trump administration's budget, meanwhile, proposes massive reductions in operation funding for all these agencies, including the elimination of 2,000 park rangers and professionals. Piecemeal investments to fix parking lots and potholes will not overcome the damage that would be done by the Trump administration's proposed budget cuts.

And third, our investments in our great outdoors should come from predictable and sustainable funding sources, and not undermine the conservation values the National Park Service is obligated to protect. We are not a country that should have to allow mining in national monuments to pay for the bathrooms in our parks.

The National Park Restoration Act, H.R. 5210, mirrors the Trump administration's Public Land Infrastructure Fund, which Secretary Zinke discussed last week when he appeared before this Committee. H.R. 5210 is burdened by many of the same policy shortcomings as the Administration's proposal. It would invest solely in the built infrastructure in the parks, roads, bathrooms, concessionaire facilities, but does not help the Park Service fulfill its mission of, for example, protecting a Civil War battlefield from being turned into a big box store, or creating a new access point for kids to go fishing.

The bill also does not acknowledge the pressing needs of the other land management agencies.

But the biggest shortcoming of H.R. 5210 is that there is no guarantee that even a single penny will flow to the fund. For the national parks to receive any benefit from this proposal, the Federal Government would have to collect more than \$7.8 billion in energy revenues in 2018, a threshold that rises steadily to \$9.4 billion by 2027. This is a dubious, speculative, and uncertain approach to infrastructure investment.

The condition of our national parks under no circumstances should be dependent on the price of oil and the decisions of OPEC, on whether or not we drill in the Arctic refuge or near the coasts of Florida or North Carolina, or whether we permit a new coal mine near a national monument.

The National Park Service Legacy Act of 2017, H.R. 2584, presents a more balanced and realistic approach. It would dedicate a portion of existing Federal energy revenues to national park maintenance projects, thus providing clear, certain, and stable investments through 2047. Under the bill, between 2018 and 2026, \$1.35 billion would go to national park maintenance needs, which along with sensible annual appropriations, would fund the Agency's highest priority projects.

Paired with sustained and balanced appropriations for the land management agencies and significant, permanent, and dedicated investments in conservation through the Land and Water Conservation Fund and other funding streams, H.R. 2584 can

contribute to sound public lands stewardship over the next several decades. Thank you.

[The prepared statement of Mr. Lee-Ashley follows:]

PREPARED STATEMENT OF MATT LEE-ASHLEY, SENIOR FELLOW, CENTER FOR AMERICAN PROGRESS ON H.R. 5210 AND H.R. 2584

Thank you, Chairman McClintock and Ranking Member Hanabusa, for the opportunity to testify on H.R. 5210, the National Park Restoration Act and H.R. 2584, The National Park Service Legacy Act of 2017.

My name is Matt Lee-Ashley. I am a senior fellow at the Center for American Progress, where I focus on natural resources, conservation, and public lands policy. Previously, I served as deputy chief of staff and communications director for the U.S. Department of the Interior. I have also had the honor for working in the U.S. Senate for then-Senator Ken Salazar, on behalf of my home state of Colorado.

When Congress passed the Organic Act that established the National Park Service in 1916, it directed the agency “to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.”¹

By its founding legislation, the National Park Service has a dual mission of protecting—unimpaired—the natural, cultural, and historic resources with which it is entrusted and helping Americans see and experience them. Conservation and enjoyment.

Today’s hearing, which focuses on strengthening our investments in our national parks and public lands, could not be more timely in light of the challenges we are experiencing in the stewardship of our natural and cultural resources and in protecting and expanding access to the great outdoors.

This Committee well knows the conservation challenges facing our national parks, wildlife, and cultural and historic resources. To list a few:

- We are losing our remaining wild places in the United States at an alarming rate. Between 2001 and 2011 in the West, we lost an average of one football field worth of natural area every 2½ minutes.²
- Our Nation’s conservation policies have slowed, but not stopped, the decline of American wildlife populations. One in five American plant and animal species—nearly 1,300 total species—is at risk of extinction.³
- Tens of thousands of archaeological sites in the Southwest are largely unprotected and vulnerable to looting and vandalism.
- America’s Civil War battlefields—from Fredericksburg to Gettysburg—face ongoing risks from encroaching development.
- Private development threatens parks and protected areas. Chaco Canyon, Zion National Park, Bears Ears National Monument, and Great Sand Dunes National Park in Colorado are all at risk of having drilling at their doorsteps. Just last week, the Bureau of Land Management sold an oil and gas lease near the Upper Missouri River Breaks National Monument in Montana for just \$866.
- Climate change is forcing dramatic changes to the landscape. Glaciers are disappearing in Glacier National Park. Joshua trees are dying in Joshua Tree National Park.⁴

¹64th Congress, 1st Session, “An Act to Establish a National Park Service, and for other Purposes,” enacted August 25, 1916, available at https://www.nps.gov/parkhistory/online_books/anps/anps_1i.htm.

²Center for American Progress, “The Disappearing West,” accessed March 17, 2018, available at <https://disappearingwest.org/>.

³Matt Lee-Ashley and Nicole Gentile, “Confronting America’s Wildlife Extinction Crisis,” October, 2015, Center for American Progress, available at <https://www.americanprogress.org/issues/green/reports/2015/10/19/123085/confronting-americas-wildlife-extinction-crisis/>.

⁴Diana Madson, “Climate change threatens California’s iconic ‘Dr. Seuss’ trees,” Yale Climate Connections, August 31, 2017, available at <https://www.yaleclimateconnections.org/2017/08/drought-threatens-joshua-trees/>; U.S. Geological Survey, “Retreat of Glaciers in Glacier National Park,” accessed March 17, 2018, available at https://www.usgs.gov/centers/norock/science/retreat-glaciers-glacier-national-park?qt-science_center_objects=0#qt-science_center_objects.

Alongside the real and pressing conservation problems with which we are confronted, we are grappling with how to ensure that current and future generations of Americans have the opportunity to get outdoors and experience the natural, historic, and cultural wonders that belong to them. For example:

- A growing population needs more ways and more places to get outdoors. Case in point: our national parks welcomed nearly 331 million visitors in 2016 and 2017—a record level of visitation.⁵ This is wonderful news, but unless we expand close-to-home recreation opportunities and protect other deserving places, we are going to see more and more crowding and pressure on our park system.
- We need to be doing more to engage all Americans—from all backgrounds and all walks of life—in our public lands. For the National Park Service, that means protecting places that help tell the story of all Americans. A recent Center for Progress analysis found that only a small portion of national park sites has a focus on communities of color and traditionally under-represented communities. Only 9 of more than 400 national park units, for example, have a primary focus on the contributions of women to our history. Only three have a primary focus on Asian-American history.⁶
- As a result of checkerboard land ownership patterns in some areas of the country, too many public lands are not actually publicly accessible. According to one study, more than 4 million acres of public lands in the West—an area nearly twice the size of Yellowstone National Park—are off limits to the public because visitors would have to cross private land or because there are no legal entry points.⁷
- Finally, to welcome visitors to our public lands, we need to invest in the physical infrastructure that visitors need and want, including roads, bathrooms, and campgrounds. But we also need to support the rangers, law enforcement personnel, scientists, and other professionals who help take care of the resources and who protect public safety.

MAINTENANCE PROJECTS IN THE NATIONAL PARKS

The two bills that the Committee is discussing today aim to address just one element of the many challenges I mentioned: how to invest in and care for the physical, human-built infrastructure in our national parks.

To be sure, this is a vital public policy priority, but, with the right approach and investments, it is a manageable problem.

First, it is important to clarify the scale and scope of the problem we are trying to solve. The National Park Service reports that it has more than \$11 billion in “deferred maintenance” needs.⁸ That staggering number has rightly caused widespread concern. Congress, however, should scrutinize this number carefully to understand the highest and most pressing needs and tailor solutions accordingly. Maintenance of roads, tunnels, and parking lots accounts for roughly half of that figure; the U.S. Department of Transportation and their Federal highway programs therefore play a critical role in addressing the backlog.⁹

A Center for American Progress review of the Park Service’s “deferred maintenance” database also found \$389 million in projects on concessionaire-operated facilities in the parks. These are privately run, for-profit enterprises; these companies, not U.S. taxpayers, should be paying for the upkeep of the facilities they are using.

⁵ U.S. Department of the Interior, “Secretary Zinke Announces Record Visitation in America’s National Parks,” March 10, 2017, available at <https://www.doi.gov/pressreleases/secretary-zinke-announces-record-visitation-americas-national-parks>; National Park Service, “National Park Service Visitor Use Statistics,” accessed March 17, 2018, available at: [https://irma.nps.gov/Stats/SSRSReports/National%20Reports/Annual%20Summary%20Report%20\(1904%20-%20Last%20Calendar%20Year\)](https://irma.nps.gov/Stats/SSRSReports/National%20Reports/Annual%20Summary%20Report%20(1904%20-%20Last%20Calendar%20Year)).

⁶ Jenny Rowland, “Parks for All,” Center for American Progress, August, 2016, available at: <https://cdn.americanprogress.org/wp-content/uploads/2016/08/22093415/CentennialAgenda-report1.pdf>.

⁷ Center for Western Priorities, “Landlocked: Measuring Public Land Access in the West,” November, 2013, available at <http://westernpriorities.org/2013/11/25/new-report-landlocked-measuring-public-land-access-in-the-west/>.

⁸ National Park Service, “NPS Deferred Maintenance Reports,” accessed March 17, 2018, available at: <https://www.nps.gov/subjects/plandesignconstruct/defermain.htm>.

⁹ Laura B. Comay, “The National Park Service’s Maintenance Backlog: Frequently Asked Questions,” Congressional Research Service, August 23, 2017, available at: <https://fas.org/sgp/crs/misc/R44924.pdf>.

Further, our review of the Park Service's database found that only \$3.5 billion—less than 30 percent—of the National Park Service's \$11.9 billion maintenance backlog is labeled as “critical systems deferred maintenance.” Of that, only \$1.3 billion—or about 10 percent of the total backlog—is serious enough for the agency to consider it a priority for necessary maintenance.¹⁰ To be sure, \$1.3 billion is a large number, but this understanding of the truly high priority maintenance needs should inform Congress' budgetary decisions.

Second, the maintenance needs in our national parks should be assessed in the context of the maintenance needs on other public lands as well—in our national forests, wildlife refuges, and national conservation lands. Yes, national parks are remarkable places. But so many of our children's first experiences in the outdoors are at a campground in a national forest, visiting a national wildlife refuge on a school trip, or going fishing in one of the BLM's national conservation areas.

The maintenance challenges at these other agencies are just as pressing as in the national parks. In 2016, the U.S. Forest Service estimated that it had \$5.49 billion in maintenance needs, while the U.S. Fish and Wildlife Service estimated \$1.4 billion and the BLM \$810 million.¹¹

These maintenance needs are significant, but they not insurmountable. We need a long-term investment in our parks and public lands that:

- Focuses on the highest priority maintenance needs in our national parks and at other land management agencies.
- Requires for-profit entities operating on national parks and public lands to pay for the maintenance costs associated with the facilities they are using. Taxpayers should not be subsidizing corporate hotel chains in the national parks, for example.
- Provides stable and sustainable funding that can be counted on year after year.
- Improves the condition and stewardship of the resources that the agencies are responsible for conserving.
- Expands opportunities for all Americans to get outdoors, including through the protection of new parks and open spaces, and by working toward a more inclusive system of parks and public lands.

THE ADMINISTRATION'S “PUBLIC LANDS INFRASTRUCTURE FUND” PROPOSAL

In his Fiscal Year 2019 budget request of Congress, the President has asked Congress to establish what it has labeled a “Public Lands Infrastructure Fund.” The proposal would use Federal energy and mineral revenues that are above current budget projections to help fund maintenance projects in the national parks.¹²

In testimony to Congress last week, Secretary of the Interior Ryan Zinke said the proposal would generate up to \$18 billion in funding for national parks and public lands. He stated that this would be the “largest investment in public lands infrastructure in our Nation's history.”¹³

This claim is not factually accurate. President Franklin D. Roosevelt's Civilian Conservation Corps employed more than 3 million Americans in restoring, protecting, and creating infrastructure for our parks, forests, and public lands. Adjusted for inflation to 2018 dollars, Congress invested \$58 billion in America's public lands through the CCC, far more than is promised through the Administration's proposal.¹⁴

The problems with the Public Lands Infrastructure Fund, however, are not merely rhetorical. The Administration put forward its proposal for maintenance projects in the parks while simultaneously proposing to slash the National Park Service's

¹⁰Nicole Gentile and Matt Lee-Ashley, “Yosemite for Sale,” Center for American Progress, February 10, 2017, available at: <https://www.americanprogress.org/issues/green/reports/2017/02/10/414907/yosemite-for-sale/>.

¹¹Carol Hardy Vincent, “Deferred Maintenance of Federal Land Management Agencies: FY 2007–FY 2016 Estimates and Issues,” Congressional Research Service, April 25, 2017, available at: <https://fas.org/spp/crs/misc/R43997.pdf>.

¹²U.S. Department of the Interior, “FY 2019 Interior Budget in Brief,” February, 2018, available at: https://edit.doi.gov/sites/doi.gov/files/uploads/fy2019_bib_dh025.pdf.

¹³Natasha Geiling, “Here's What Ryan Zinke's public lands infrastructure investment actually means,” Climate Progress, March 14, 2018, available at: <https://thinkprogress.org/zinke-public-lands-infrastructure-explainer-16d7502102fe/>.

¹⁴Nicole Gentile and Jenny Rowland, “Zinke's Cynical Plan to Make America's Parks Dependent on Mining and Drilling,” Center for American Progress, March 16, 2018, available at: <https://www.americanprogress.org/issues/green/news/2018/03/16/448029/zinkes-cynical-plan-make-americas-national-parks-dependent-mining-drilling/>.

overall budget by 7 percent and the Interior Department as a whole by 16 percent. This would result in the elimination of up to 2,000 park rangers.¹⁵ America's most effective conservation program, the Land and Water Conservation Fund, would be effectively eliminated. And the Administration is proposing to increase visitor fees at national parks, which would price many families out.

Furthermore, the financing mechanism for the Administration's "Public Lands Infrastructure Fund" is highly speculative and, unfortunately, in conflict with the conservation mission of the National Park Service. The problem, simply put is this: in order for park bathrooms to get fixed, the Federal Government would have to start collecting a lot more money from oil, gas, and mining companies.

The three scenarios under which the Federal Government could theoretically generate \$18 billion in additional revenues over the next 10 years from energy and mineral extraction on taxpayer-owned lands and waters are:

- A. If oil, coal, or natural gas prices rise dramatically;
- B. If Federal agencies increase royalty rates, rents, and bonus bids it collects from energy extraction—or requires hardrock mining companies to pay more than zero dollars for mining taxpayer-owned resources; or
- C. If the Administration sells off mining and drilling rights in areas of America's public lands and oceans that are currently considered too special to sacrifice, such as the Arctic National Wildlife Refuge, the Atlantic, Pacific, and Arctic coasts, on the doorstep of national monuments and national parks, and in national forest watersheds that supply drinking water to nearby communities.

Each of these scenarios is either unlikely or undesirable. Funding for America's national parks should not be dependent on the price of oil and the decisions that the Organization of the Petroleum Exporting Countries (OPEC) makes. This Administration is also signaling its desire to reduce—not increase—royalty rates for energy extraction on Federal lands and waters. And we are not a country that should have to drill a national wildlife refuge or mine a national monument to be able to fix some potholes in national park roads.

For these reasons, the Administration's promise that "up to \$18 billion" would flow to the Public Lands Infrastructure Fund is unrealistic and in conflict with America's conservation values.

H.R. 5210 AND H.R. 2584

The National Park Restoration Act (H.R. 5210), in its current form, mirrors the Trump administration's "Public Lands Infrastructure Fund" and is therefore burdened by many of the same policy shortcomings.

The bill narrowly focuses on maintenance projects in the national parks and does not make needed investments in our national wildlife refuges, national forests, national monuments and other public lands. It would invest solely in the built infrastructure in the parks—roads, bathrooms, concessionaire facilities—but does not help the Park Service address the problems of inholdings, encroaching development, or threats to the natural resources it is protecting. In fact, it explicitly prohibits the National Park Service from using the funds to purchase land that might serve as a new trailhead or to save a former Civil War battlefield from being turned into a parking lot for a retail store.

Perhaps the biggest shortcoming of the current version of H.R. 5210 is that there is no guarantee that any money will flow to the fund. For the national parks to receive any benefit from this proposal, the Federal Government would have to collect more than \$7.8 billion in energy revenues in 2018—a threshold that rises steadily to \$9.4 billion by 2027. This is a speculative and uncertain approach to infrastructure investment. The condition of our national parks should under no circumstance be dependent on the price of oil, on whether or not we drill near the coasts of Florida or South Carolina, or whether we permit a new coal mine near a national monument.

The National Park Service Legacy Act of 2017, H.R. 2584, presents a more balanced and realistic approach. It would dedicate a portion of existing Federal energy revenues to national park maintenance projects, thus providing clear, certain, and stable investments through 2047. Importantly, it also clarifies that the bill would not affect other existing commitments of energy revenues, including the share of energy revenues that goes to states, the Land and Water Conservation Fund, and the Historic Preservation Fund. Under the bill, between 2018 and 2026, \$1.35

¹⁵U.S. Department of the Interior, "Budget Justifications and Performance Information, Fiscal Year 2019: National Park Service," Exhibit E, February, 2018, available at: https://www.doi.gov/sites/doi.gov/files/uploads/fy2019_nps_budget_justification.pdf.

billion would go to national park maintenance needs, which—along with sensible annual appropriations—would fund the agency's highest priority projects.

Paired with significant investments in conservation through the Land and Water Conservation Fund, contributions from the Department of Transportation's Federal highway programs, appropriate franchise fees from private concessioners, and sustained and balanced investments in operations and maintenance of the U.S. Forest Service, BLM, and National Park Service, H.R. 2584 could help us lay a strong foundation for conservation and public lands stewardship for the next 50 years.

CONCLUSION

Congress was truly wise when it endowed the National Park Service with the twin missions of preserving America's treasures and providing for their enjoyment. Over the past 102 years, the National Park Service has proven that these two missions are co-dependent. To successfully preserve Yellowstone National Park, the Cesar Chavez National Monument, or the Underground Railroad Network to Freedom sites, the American public must be able to see, know, and learn about these places. And for American families to have a rewarding experience when they visit, our public lands must be healthy, our wildlife must be abundant, and our parks should reflect the rich diversity of our history, geography, cultures, and peoples.

To be sure, we have periodically heard arguments for prioritizing public use over conservation in the national parks. These arguments, however, present a false choice. The maintenance needs in the national parks are no reason to eliminate or divert money from the Land and Water Conservation Fund, to stop conserving at-risk places, to slow the restoration of wildlife habitat, to price American families out of parks, or to undercut the rangers and professionals who care for these places. For more than a century—through two world wars, the Great Depression, and plenty of moments of national trial—our country has steadily made America's best idea even better. We have done so by remaining faithful to Congress' original vision that our national parks are to be enjoyed and conserved.

Thank you.

Mr. McCLINTOCK. Our final witness is Ms. Callie Hoyt. She is Manager for Federal Affairs for the Motorcycle Industry Council. She has traveled here the farthest to be with us today. She has come all the way from Arlington, Virginia.

[Laughter.]

Mr. McCLINTOCK. Welcome.

STATEMENT OF CALLIE HOYT, MANAGER, FEDERAL AFFAIRS, MOTORCYCLE INDUSTRY COUNCIL, ARLINGTON, VIRGINIA

Ms. HOYT. Thank you. Chairman McClintock, Ranking Member Hanabusa, and members of the Subcommittee, I appreciate the opportunity to appear before you today to share the views of the Motorcycle Industry Council and views of other outdoor recreation interests, on potential solutions to reduce the deferred maintenance and repair backlog of the Department of the Interior, as well as that of the U.S. Forest Service.

The Motorcycle Industry Council is a not-for-profit, national trade association representing over 600 manufacturers, distributors, dealers, and retailers of motorcycles, scooters, motorcycle and ATV parts, accessories and related goods and services, and members of allied trades. Our member companies and their customers, over 50 million off-highway motorcycle, side-by-side, and all-terrain vehicle riders, many of whom recreate on Federal lands, are very concerned over the Department of the Interior's and the U.S. Forest Service's growing deferred maintenance backlogs.

Roads, trails, campgrounds, water systems and more recreational infrastructure suffer from this accumulated problem that is

negatively impacting visitor access, enjoyment, and safety on public lands for the rapidly growing community of outdoor recreation enthusiasts.

In 2017, 330 million people visited the 417 National Park Service sites across the country. The National Park Service completed over 650 million in maintenance and repair work in Fiscal Year 2017, but aging facilities, high visitation, and resource constraints have kept the maintenance backlog between \$11 billion and \$12 billion since 2010.

The National Park Legacy Restoration Fund and the National Park Restoration Act are significant efforts to overcome the National Park Service's \$11.6 billion maintenance backlog, an amount that is nearly four times the Agency's annual appropriations. Directing Federal receipts associated with the sale of publicly-owned energy resources toward addressing the maintenance backlog creates an opportunity to make a strategic contribution to our national parks early in the second century of the National Park Service.

Establishing a sustainable source of funding for rebuilding recreational infrastructure is an investment, not an expense. A recent report from the Department of Commerce's Bureau of Economic Analysis calculated the outdoor recreation industry's annual gross output to be \$673 billion, surpassing other sectors such as agriculture, petroleum and coal, and computer and electronic products. The BEA report also determined that outdoor recreation makes up 2 percent of the U.S. GDP, and the outdoor recreation industry's GDP has increased an average of 4.4 percent since 2012, significantly greater than the 3.6 percent average increase in the overall U.S. GDP.

The outdoor recreation economy is among our Nation's largest economic sectors, and public lands are the backbone of our industry. These measures you are considering today would be the largest investment the Nation has ever made in its national park system.

National parks and other public lands and waters account for \$45 billion in economic output and 396,000 jobs, nationwide. These public areas provide significant economic benefits, particularly for nearby rural communities. Ensuring maintenance of roads and trails is critical in many rural areas of the county that depend on those routes to provide access to important energy structures or infrastructure, connectivity for residents, and tourism.

While the Park Service holds the largest share of the Interior Department's overall \$16 billion maintenance backlog, it is important to shine a light on other land management agencies that are struggling to address mounting deferred maintenance backlogs from a lack of adequate resources. The Bureau of Land Management's total backlog is estimated at \$810 million, which has increased 65 percent over the past decade.

It is important to note that the BLM is one of the few Federal agencies that brings in more revenue than it spends through timber harvesting, livestock grazing, recreation, and energy development. The U.S. Forest Service's \$5.49 billion backlog interferes with the Agency's ability to provide access and safe passage on its more than 158,000 miles of trails. Due to growing visitor use and limited funding compounded by the rising costs of wildfire

suppression and the associated decrease of nearly 40 percent in non-fire personnel, the Forest Service lacks capacity and resources for achieving a sustainable trail system.

The Forest Service currently manages 192.9 million acres, and the BLM manages 248.3 million acres of public land and administers 700 million acres of Federal subsurface mineral estate throughout the Nation. Maintenance of Forest Service and BLM roads and trails is imperative because these two agencies maintain multiple-use missions that support a variety of activities and programs. Through this multiple use management model, the outdoor recreation industry thrives on Forest Service and BLM lands.

To emphasize that point, more than 99 percent of BLM-administered lands are available for recreation use with no fees. When one Forest Service or BLM road or trail goes out of service, it is indefinitely placed on the backlog and can negatively impact a number of outdoor recreational pursuits, energy development, livestock grazing, and timber harvesting.

The MIC and our outdoor recreational business community partners urge the Committee and Administration to broaden this funding measure to include maintenance of roads and trails managed by the Forest Service and BLM in order to establish a comprehensive solution to our public lands management agencies' deferred maintenance backlogs.

Thank you. That concludes my statement.

[The prepared statement of Ms. Hoyt follows:]

PREPARED STATEMENT OF CALLIE HOYT, MANAGER, FEDERAL AFFAIRS, MOTORCYCLE INDUSTRY COUNCIL ON H.R. 5210 AND H.R. 2584

Chairman McClintock, Ranking Member Hanabusa, and members of the Subcommittee, I appreciate the opportunity to appear before you today to share the views of the Motorcycle Industry Council, and views of other outdoor recreation interests, on potential solutions to reduce the deferred maintenance and repair backlog of the Department of the Interior, as well as that of the U.S. Forest Service.

The Motorcycle Industry Council is a not-for-profit, national trade association representing over 600 manufacturers, distributors, dealers, and retailers of motorcycles, scooters, motorcycle/ATV parts, accessories, and related goods and services, and members of allied trades.

Our member companies and their customers—over 50 million off-highway motorcycle, side-by-side, and all-terrain vehicle riders, many of whom recreate on Federal lands—are very concerned over the Department of the Interior's and the U.S. Forest Service's growing deferred maintenance and repair backlogs. Roads, trails, campgrounds, water systems and more recreational infrastructure suffer from this accumulated problem that is negatively impacting visitor access, enjoyment, and safety on public lands for the rapidly growing community of outdoor recreation enthusiasts. In 2017, 330 million people visited the 417 NPS sites across the country. The NPS completed over \$650 million in maintenance and repair work in FY 2017, but aging facilities, high visitation, and resource constraints have kept the maintenance backlog between \$11 billion and \$12 billion since 2010.

The National Park Legacy Restoration Fund (H.R. 2584) and the National Park Restoration Act (H.R. 5210) are significant efforts to overcome the National Park Service's \$11.6 billion maintenance backlog, an amount that is nearly four times the agency's annual appropriations. Directing Federal receipts associated with the sale of publicly-owned energy resources toward addressing the maintenance backlog creates an opportunity to make a strategic contribution to our national parks early in the second century of the National Park Service.

Establishing a sustainable source of funding for rebuilding recreational infrastructure is an investment, not an expense. A recent report from the Department of Commerce's Bureau of Economic Analysis (BEA) calculated the outdoor recreation industry's annual gross output to be \$673 billion, surpassing other sectors such as agriculture, petroleum and coal, and computer and electronic products. The BEA report also determined that outdoor recreation makes up 2.0 percent of the U.S.

GDP, and the outdoor recreation industry's GDP has increased an average of 4.4 percent since 2012, significantly greater than the 3.6 percent average increase in the overall U.S. GDP.

The outdoor recreation economy is among our Nation's largest economic sectors, and public lands are the backbone of our industry. These measures you are considering today would be the largest investment the Nation has ever made in its National Park System. National parks and other public lands and waters account for \$45 billion in economic output and about 396,000 jobs nationwide. These public areas provide significant economic benefits, particularly for nearby rural communities. Ensuring maintenance of roads and trails is critical in many rural areas of the county that depend on those routes to provide access to important energy structures or infrastructure, connectivity for residents, and tourism.

While the Park Service holds the largest share of the Interior Department's overall \$16 billion maintenance backlog, it's important to shine a light on other land management agencies that are struggling to address mounting deferred maintenance backlogs from a lack of adequate resources. The Bureau of Land Management's (BLM) total backlog is estimated at \$810 million, which has increased 65 percent over the past decade. It's important to note that the BLM is one of the few Federal agencies that brings in more revenue than it spends through timber harvesting, livestock grazing, recreation, and energy development. The U.S. Forest Service's \$5.49 billion backlog interferes with the agency's ability to provide access and safe passage on its more than 158,000 miles of trails. Due to growing visitor use and limited funding compounded by the rising costs of wildfire suppression and the associated decrease of nearly 40 percent in non-fire personnel, the Forest Service lacks capacity and resources for achieving a sustainable trail system.

The Forest Service currently manages 192.9 million acres, and the BLM manages 248.3 million acres of public land and administers about 700 million acres of Federal subsurface mineral estate throughout the Nation. Maintenance of Forest Service and BLM roads and trails is imperative because these two agencies maintain multiple-use missions that support a variety of activities and programs. Through this multiple use management model, the outdoor recreation industry thrives on Forest Service and BLM lands. To emphasize that point, more than 99 percent of BLM-administered lands are available for recreational use with no fees. When one Forest Service or BLM road or trail goes out of service, it is indefinitely placed on the backlog and can negatively impact a number of outdoor recreational pursuits, energy development, livestock grazing, and timber harvesting.

The longer this systemic problem continues, the more challenging it will become for the Departments of the Interior and Agriculture to manage public lands in a way that maximizes opportunities for commercial, recreational, and conservation activities. Without including the Forest Service and BLM in the solution, the agencies will continue to be limited in their ability to carry out their multiple-use approach that enables prioritization of energy independence, shared conservation stewardship, putting Americans back to work, and serving the American public.

The MIC and our outdoor recreational business community partners urge the Committee and Administration to broaden this funding measure to include maintenance of roads and trails managed by the Forest Service and BLM in order to establish a comprehensive solution to our public lands management agencies' deferred maintenance backlogs.

I thank the Subcommittee for allowing me to testify on this all too important issue. We look forward to working with Congress and the Administration to support maintenance of roads and trails on NPS, Forest Service, and BLM lands. Mr. Chairman, this concludes my statement. I would be pleased to answer any questions you or other members of the Subcommittee may have.

Mr. McCLINTOCK. Great, thank you very much for your testimony. We will now proceed to Committee questions, and I will begin.

Mr. Smith, I asked a few weeks ago if you could give us an estimate of how much of the deferred maintenance backlog is actual maintenance, like bricks and mortar stuff, and how much of it is meeting various environmental studies and requirements. We have not heard back yet. How are you coming on that?

Mr. SMITH. Mr. Chairman, I do have numbers for you that basically total, for this fiscal year, \$786 million. I think I have that

number right. I know we were working on those numbers, and I think—

Mr. McCLINTOCK. No, no. The question I have is, out of the total \$11.6 billion in deferred maintenance, how much is actually maintenance and how much of it is meeting various environmental requirements conducting environmental studies, and the like?

Mr. SMITH. Mr. Chairman, I don't have that number for you yet. I know it has been worked on. But the preponderance of it is in the actual construction and the maintenance. The numbers for either design or NEPA or those type of things are minuscule, compared to the actual bricks-and-mortar projects we are talking about.

Mr. McCLINTOCK. OK.

Mr. SMITH. And I apologize I don't have that number for you today.

Mr. McCLINTOCK. That is good to know, but I would like to get the exact—

Mr. SMITH. I will get you that number very, very shortly.

Mr. McCLINTOCK. I appreciate that, thank you.

Second, with the fund capped at \$18 billion, what assurances do we have that that is actually going to be used for deferred maintenance? All funds are fungible. What is to prevent these funds from simply relieving other expenditures, such as salaries, bonuses, that sort of thing?

Mr. SMITH. The intent of the bill is to deal with deferred maintenance. There will certainly be a report to Congress every year on what we have spent these funds for.

Mr. McCLINTOCK. Is there any requirement that they be used solely for deferred maintenance, and that other funds that had previously been budgeted for deferred maintenance aren't simply used for other purposes?

Mr. SMITH. No, sir. All of the accounts that come either from appropriated funds or from this funding source will be for deferred maintenance. None of those will be used for personnel costs or that type of—

Mr. McCLINTOCK. No, I think you are missing the point. My concern is funds that are currently budgeted for deferred maintenance could be used elsewhere, then, if there is not a maintenance of effort requirement in the law.

Mr. SMITH. Well, yes, I hear what you are saying, Congressman. Again, the way that Congress appropriates money, we do know what is dedicated to deferred maintenance, and that is blocked off and used for that. The intent of this bill—

Mr. McCLINTOCK. But there is no maintenance of effort required for the bureaucracies, with respect to their existing deferred maintenance budget?

Mr. SMITH. There is nothing in the bill that guarantees that. You are correct, Congressman.

Mr. McCLINTOCK. When John Jervis was here, goodness, 4 or 5 years ago now, I asked him, "If you had your choice, where would you prioritize funding, land acquisition or deferred maintenance?" He said deferred maintenance. Is that the view of the current Administration?

Mr. SMITH. It certainly is, Mr. Chairman. And when I testified before Congress in the 1980s it was the position then that we needed to deal with maintenance and not land acquisition.

Mr. MCCLINTOCK. OK.

Mr. SMITH. We needed to take care of what we have, rather than acquiring more land.

Mr. MCCLINTOCK. Ms. Argust, we just heard from the Center for American Progress that the deferred maintenance backlog is grossly overstated. Do you believe that the deferred maintenance numbers have been inflated?

Mr. SMITH. I do not, sir.

Mr. MCCLINTOCK. For Ms. Argust.

Ms. ARGUST. Let's be clear. The deferred maintenance number, \$11.6 billion, the Park Service assesses its assets each year as a requirement under law. That number that they come up with is from people going in the field and assessing what the conditions of their assets are. I do not feel it is overstated.

I think the numbers that we heard from CAP are misleading when they are talking about \$1.9 billion in critical systems. As I mentioned in my testimony, of the \$11.6 billion, \$8.8 billion is attributed to high and highest-priority assets.

Mr. MCCLINTOCK. OK. Finally, it said the concessionaires ought to be paying for the venues the concessionaires use. Aren't those venues owned by the National Park Service and remain the property of the National Park Service?

Ms. ARGUST. They do. The Park Service—

Mr. MCCLINTOCK. Concessionaires are, in effect, renting that space.

Ms. ARGUST. There may be leases in some cases, but the Park Service still has to account for that deferred maintenance—

Mr. MCCLINTOCK. Right, right.

Ms. ARGUST [continuing]. In their assessment.

Mr. MCCLINTOCK. Thank you.

Ms. Hanabusa.

Ms. HANABUSA. Thank you, Mr. Chairman.

Mr. Lee-Ashley, since your report was just discussed, let's follow up with that. Do you disagree with the \$11.6 billion figure? You said in your testimony and gave in your written testimony, as well, an analysis of where you think the liability should be. However, do you disagree with the \$11.6 billion as the deferred maintenance amount?

Mr. LEE-ASHLEY. The Park Service is responding to the request of Congress to document all of its deferred maintenance needs. So, the key is to get into that and understand what are the highest priorities. We obtained that full list through the Freedom of Information Act and scrutinized it and tried to understand how they defined their own priorities, and that is how we came to understand that their \$386 million of projects that should be paid for by hotels and restaurants and private operators in the parks, and also \$1.3 billion that the agency itself views as the highest priority.

So, in a time when you are making budget decisions and trade-offs, it is helpful to focus in on the most pressing priorities here.

Ms. HANABUSA. When you did the analysis—I think what you say is that \$1.3 billion, or 10 percent of the total backlog, is serious

enough for the Agency to consider it a priority for necessary maintenance. So, are you saying, of the \$11.6 billion, only \$1.3 billion is really what you would consider necessary maintenance?

Mr. LEE-ASHLEY. This is in the words of the Agency. That is the highest standard for them, the most critical needs. That is not to say the Park Service doesn't want more money. It is a wish list, in some ways, of priorities, \$11.6 billion. But when Congress is scrutinizing that list, it is important to identify which areas deserve the most attention and which projects, in the Agency's own view, are most critical.

Ms. HANABUSA. No, I understand, and I agree with you that we have to understand where the \$11.6 billion comes from. I just want to know whether you agree that about \$1.3 billion is really what you would consider to be critical.

Mr. LEE-ASHLEY. It is the highest priority. I also want to emphasize again that it is important to address the other agencies' deferred maintenance needs, and continue to invest in conservation, so that when we are thinking about this, having a comprehensive view of how to invest in parks and public lands is absolutely essential.

Ms. HANABUSA. Let me also understand when you said that about \$3.5 billion, less than 30 percent of the \$11.9 million backlog, is labeled this critical deferred, but you feel that it is only about \$1.3 billion. So, what about the rest of that money?

Mr. LEE-ASHLEY. The \$3.5 billion, in the Agency's view, are high-priority projects, but are not necessarily in the places that are most visited. So, that is a slightly lower tier of priority for them. Still important projects to fund, important investments in parks and public lands, but again, as we understand that tier system that the Agency uses, it is important to distinguish among them.

Ms. HANABUSA. What do you think is the total deferred maintenance that we, as Congress, should be concerned about? What is that figure? Is it the \$1.3 billion?

Mr. LEE-ASHLEY. I think that is a good place to start. Obviously, we would support more investments in Parks, the Fish and Wildlife Service, the Bureau of Land Management, and the Forest Service to address the deferred maintenance needs across the board.

What the sweet spot is is hard to say, exactly. I do think you absolutely need to cover that \$1.3 billion. You also need to understand the fact that the agencies themselves still have important conservation missions to fulfill. So, when there is a big box store that is being proposed next to a national battlefield, or a Civil War battlefield, the agencies need to be able to address that threat.

It is about pursuing both the management needs of these agencies, while continuing to fulfill their conservation missions.

Ms. HANABUSA. Am I hearing you correctly, that what you are really saying is that we may have these needs to address, but if it is in any way going to jeopardize—for example, if an additional coal mine, I think was one of the examples you gave, was going to be a result of this, that you would, of course, say that it shouldn't result with any additional mineral rights. And that is what, I think, you are saying right now. Am I correct?

Mr. LEE-ASHLEY. I was referring to H.R. 5210, where the funding mechanism for that bill is to procure more oil and gas and coal

revenues. To generate more revenues from energy extraction, either oil prices need to go up, you need to raise royalties, or you need to allow more energy development somewhere. And under this Administration's proposal of drilling off of every coast and pursuing—

Ms. HANABUSA. Except Florida.

Mr. LEE-ASHLEY. Except Florida, perhaps. There are risks to that, in each of those scenarios, and highly controversial, obviously, drilling the Arctic Refuge, or drilling near a national monument, et cetera.

Ms. HANABUSA. Thank you.

Mr. Chair, I will yield back.

Mr. MCCLINTOCK. Thank you.

Mr. Tipton.

Mr. TIPTON. Thank you, Mr. Chairman, and thank the panel for taking the time to be here.

I would respectfully disagree. I think that final assessment, as I read through that bill, it is actually also calling for renewable resources, not just oil and gas. And I think that is an important point.

Last week, we had Secretary Zinke before our Full Committee to examine the Fiscal Year 2019 budget for the Department of the Interior. Much of the discussion was around addressing crumbling infrastructure on Federal lands, and dealing with the massive deferred maintenance backlog.

Secretary Zinke did raise a point that I think is worthy of consideration. In 2008, the Department of the Interior was the second-largest responsible energy producer in the United States. However, the Department generated \$18 billion in offshore revenues in 2008. That number is now down to \$2 billion. Resources could obviously be being used to help address that crumbling infrastructure that we are discussing.

So, when we do start to talk about setting up funds to pay down that maintenance backlog in the Parks, or the BLM, or the Forest Service, I do believe it is important that we have an understanding of where the money does come from.

I have called for responsible, all-of-the-above energy policy on our Federal lands that includes, and we enumerate it in the bill, wind, solar, geothermal, hydroelectric, natural gas, oil, oil shale, coal, and have a bill, the Planning for American Energy Future Act, that would require the Department of Energy to actually work with the Department of Agriculture and the Department of the Interior to evaluate America's future energy needs, and develop that all-of-the-above strategy to be able to meet those needs.

Mr. Smith and Ms. Argust, I would like to visit maybe with both of you about how best renewable energy generated on Federal lands can support efforts to be able to address the National Park Service maintenance, as well as the backlogs within other agencies. Could each of you possibly discuss the impact renewable energy development on Federal lands can have in those efforts?

Mr. Smith?

Mr. SMITH. Yes, if the Department every year, or when it presents its budget to Congress, there in that document there is always the 3-year estimate of what energy revenue was going to be,

the actual for that year, and those can be looked at for as many back-years as you want to go to. In an assessment of that within the last week or 10 days the staff did, the average amount ends up to be about \$9 billion. It is at a high, as you said, of \$18 billion. The last administration took it to a low of \$2 billion.

But, basically, all those numbers, as far as estimates of revenue that we are talking about in this bill, and then actual amounts that come in from offshore or from all energy sources, those numbers are readily available for everyone to see. Again, that averages about \$9 billion over the last 20 years.

Mr. TIPTON. Just for clarity, for my purposes here, we do have renewable development of energy on Federal lands. Do they pay a royalty, or is it simply the lease fee?

Mr. SMITH. Most of it is lease at this time.

Mr. TIPTON. Lease fee. So, in terms of traditional fuel sources, they do pay a royalty fee, but nothing in regards to renewables?

Mr. SMITH. I am sorry—

Mr. TIPTON. In terms of a royalty fee coming in off of energy development?

Mr. SMITH. Royalties are certainly collected on oil and gas. That is how the revenue is derived. But on the wind and solar, that currently is under leases.

Mr. TIPTON. That is just under, actually. Ms. Argust, do you have any comments on that?

Ms. ARGUST. As far as with renewables, yes. I believe in some cases there are not royalties, so it would be production fees.

I am not clear entirely on your question. I mean we are comfortable with the fact that renewables would be included in the Restoration Act. Certainly we would want to make sure that siting and sensitive lands are taken care of when we are talking about renewables.

Mr. TIPTON. OK, great. Do you believe that our current regulatory system is set up to be able to support renewable energy development on Federal lands? Either one of you?

Mr. SMITH. I certainly do, Congressman, yes.

Mr. TIPTON. Would you agree with that?

Ms. ARGUST. I don't have enough information on that. I am not well versed on that. That is something we need to be exploring. But I don't have enough information on that topic.

Mr. TIPTON. Thank you. And I do appreciate the efforts of our two colleagues to be able to look at resources to actually help the crumbling infrastructure that we are seeing on a lot of our public lands, and trying to get a sustainable revenue system for that.

So, thank you, and I yield back, Mr. Chairman.

Mr. MCCLINTOCK. Mr. Huffman.

Mr. HUFFMAN. Thanks, Mr. Chairman.

Deputy Director Smith, could you tell us how much of the backlog do road issues across the system, such as Tioga Road in Yosemite National Park, represent, approximately?

Mr. SMITH. About 5,500 miles of road out of our 17,000 are in deferred maintenance. And the transportation, the road system, is about \$5.9 of the \$11.8 billion in backlog.

Mr. HUFFMAN. Significant.

Mr. SMITH. Significant. And that is bridges, culverts, everything associated with roads, not just the concrete or the asphalt.

Mr. HUFFMAN. It seems to me that we should fix transportation funding first, instead of incentivizing expanded drilling on public lands as a way to fund maintenance needs. I am wondering if you can explain why the Federal Lands Highway Fund is not supporting the reconstruction of these roads.

Mr. SMITH. Congressman, it certainly is. We do get money from the Federal Highway Trust Fund. It is certainly not keeping up with the demands for roads, but we do get a share in our appropriations from that transportation—

Mr. HUFFMAN. But we are falling further behind.

Mr. SMITH. Yes, we are, sir.

Mr. HUFFMAN. All right. Let's go to Ms. Argust. H.R. 2584 leverages taxpayer investments with donations for NPS projects, which is a good idea, in my opinion. Groups like the Golden Gate Park Conservancy near my district are well suited to step into this role. And, to date, the Conservancy has provided over \$500 million in support to Golden Gate National Park.

Could you talk a little more about the support provided by these donations, and the importance of leveraging that taxpayer contribution?

Ms. ARGUST. Sure. We are very supportive of that component in the Legacy Act, would love to see that provided in the Restoration Act, as well.

Public-private partnerships are very important in addressing deferred maintenance. Unfortunately, when we are talking about \$11 billion, public-private partnerships can only do so much. But we would certainly like to incentivize that, and the provision in the Legacy Act does that.

The Golden Gate Conservancy is a great example. The Yosemite Conservancy, as well. The Yosemite Conservancy has put up matching dollars for a restoration project there in the Mariposa Grove, the friends group put up \$20 million to restore a deferred maintenance issue there. So, we are very supportive of public-private partnerships.

Mr. HUFFMAN. All right, thank you.

Mr. Lee-Ashley, the solution to the backlog that H.R. 5210 offers is essentially to repair national parks inside their boundaries by expanding drilling just outside on public land. I happen to think we should not be tying the future of our parks to this Trump administration notion of energy dominance, whatever that is, and I think it really means fossil fuel energy dominance.

Could you speak a little more about the downside of that linkage?

Mr. LEE-ASHLEY. Sure. As we speak, there is an auction happening on BLM lands in Utah, a good example. One lease parcel is being offered right next door to Canyons of the Ancients National Monument. The leases that are being sold right now, about 3 out of 10 are being sold for the minimum bid, \$2 an acre, so we are not getting a whole lot right now out of our oil and gas program at the Bureau of Land Management.

Moreover, what this Administration is proposing offshore, to expand drilling off the Pacific Coast, off the Atlantic Coast, and the

Arctic, is also highly speculative and very controversial. It is not guaranteed we will receive the kinds of revenues back from those initiatives that would be required to actually address some of these maintenance needs.

Mr. HUFFMAN. OK. Back to Deputy Director Smith, the estimates in the President's budget project \$760 million would be credited in the National Park Restoration Fund in Fiscal Year 2019. Could you explain how this number was developed?

Mr. SMITH. Give me the number again, Congressman.

Mr. HUFFMAN. I have \$760 million.

Mr. SMITH. Yes, that is the number for this year. And it is developed from our deferred maintenance statistics that we have.

Mr. HUFFMAN. What are the assumptions on the activities that would generate the revenue to credit that?

Mr. SMITH. That currently would be out of our congressional appropriations.

Mr. HUFFMAN. I may need to follow up with you on that. But I am out of time.

So, Mr. Chair, I will yield back.

Mr. MCCLINTOCK. Great, thanks. Votes have been called, and there are about 12 minutes remaining on the clock, but there is only one vote, so Members can come and go as they wish.

Chairman Bishop.

Mr. BISHOP. All right, I will stay. This is more important than the vote you have going on there.

Mr. Smith, let me talk to you for just a second about it, because, let's face it, about a decade ago there was a Stimulus Act that put about \$900 million back into the budget, and it basically did diddly squat, as far as the maintenance and backlog. So, there have to be some other issues. I mean, we have to do something differently if we are going to make some kind of a difference.

And there are also costs that you guys are facing that are non-fiscal hurdles in the Park Service, like processes for procurement, contracting, hiring, compliance, planning. What are you already doing now, as a service, to try to address those costs that take away money that could be going into maintenance and backlog?

Mr. SMITH. In this Administration, the Secretary has issued a direct Secretarial Order for us to streamline the NEPA process, basically to keep that within a year. And that is for an EIS. He actually expects that an EA could be done much earlier than that, even allowing for the public comment phases. He also is asking for us to look very carefully to see if we can find categorical exclusions for some of our projects, so we don't have to go through the NEPA process.

I know that some of the Section 106 work takes a little bit of time. But, Mr. Chairman, I really believe it is not process. It really is the fact that we don't have the money we have to do deferred maintenance. I think we can work through the process issues and get the money on the ground if we have it.

Mr. BISHOP. I appreciate that, I just don't want government to be able to nickel and dime you on money that you actually need to go through those other funds at the same time.

Even if we were to dump a whole boatload of money on you right now, does the Park Service have to ramp up in order to actually spend it efficiently and effectively?

Mr. SMITH. Yes, sir. For instance, these bills supposedly would double the amount of our appropriations, so yes, in certain areas, in contracting and in design and planning, we would have to ramp up a little bit. But it would be a very reasonable process to do that. And, of course, we would not ever move toward doing that until we knew we had this funding coming in to the National Park Service.

Mr. BISHOP. That makes total sense to me.

What we are talking about here is not a unique phenomenon. Yellowstone was the first national park that was established. It took 6 years before Congress ever funded it, so this is not something that is new or unique. And, as I said, we put a whole bunch of money in the Stimulus. That didn't help it. And expecting to find money within the budget year after year after year is also a pipe dream that just does not exist.

We have to generate some kind of specific new revenue source, and I think that is what you are trying to do. I am happy to know that alternative energy is part of that process. Anything else you can get above that baseline would be part of the process of trying to help it.

So far, we are talking about Park Service. Ms. Hoyt, if I can ask you just one simple question. If we were to do the same thing for parks, for fish and wildlife refuges, for forests, would that be helpful to the people you represent?

Ms. HOYT. Yes, absolutely. Thank you for the question. The Forest Service manages the largest trail system in the country, and well-cared-for trail systems are vital for connecting visitors and communities to their public lands.

And, particularly for the Forest Service and the Bureau of Land Management, which are operated under a multi-use mission, when one forest trail goes out of commission, it can affect a number of different recreational uses that impact a number of people within the outdoor recreation community.

Mr. BISHOP. All right. Thank you. I am also pained in some way to hear people actually talking about, well, let's hope that the farm bill can raise some money, or let's hope that the roads bill can raise some money, T&I. If we don't do something like this and identify a specific revenue source, I get you are just going to have to do a whole lot of bake sales to try to come up with the revenue you need for maintenance and backlog. There has to be an identifiable source that comes there.

And it is also frustrating to me to consider that sometimes LWCF money coming from royalties is good, this money coming from royalties would be bad. That just does not make sense at all. In fact, I wish LWCF could be used more for maintenance and backlog. Even though it could be, it is not, it has not, and unless we change things it won't be.

Mr. Smith, how big of a buffer zone do the parks actually need around them to control things? I have heard of how bad it would be to do any kind of drilling or mining just outside the boundaries of a park, or heard of leases that were let in Utah where nobody actually applied for those leases anyway. Do you all need a huge

buffer zone? And if it is, how many states do you need to buffer every park?

Mr. SMITH. Well, it certainly varies, case by case.

Mr. BISHOP. You have 4 seconds to do it.

Mr. SMITH. Many of our national parks in the West are buffered by Forest Service wilderness, Mr. Chairman. A lot of those boundaries are very protected.

Mr. BISHOP. Thank you. My time is up. I appreciate that. I appreciate all of you being here at the same time. Now I am going to go vote, too.

Mr. MCCLINTOCK. OK, thank you.

Ms. Cheney.

Ms. CHENEY. Thank you, Mr. Chairman. Thank you to all of our witnesses for being here.

I have a question, Mr. Smith. I am trying to sort through, and I understand that in Mr. Simpson's bill, there is language that protects allocations that are already made to the states.

But I wonder if you could explain to me exactly how that will work. Once you get above the projected amount, if you are looking at 48 percent, hopefully, eventually, we will get back to the 50 percent, that is going back to the states, are we then talking about a smaller pie above the projected amounts? I am trying to understand how the percentage process will work, so that states are actually protected.

Mr. SMITH. We are talking about all of the funds that currently go—whether it be to Land and Water Conservation Fund, to GOMESA, to the Reclamation Fund—I understand there might be 23 or such that are already there. All of those allocations will be paid before you look at any money going into the National Park Service Restoration Fund. All of those commitments will be met before.

And then, when you look at that baseline, whatever is above that, then the consideration would be for 50 percent of that to go into the Park Service Restoration Fund and the rest to the Treasury.

Ms. CHENEY. So, once you get above the baseline projection—and I have a question about how we got the baseline projection—but once you get above the baseline projection, then you have a whole pie above the baseline projection, and you are going to allocate the percentages to those other places and then take 50 percent of what is left?

Mr. SMITH. Yes. All of those other allocations come out before that baseline triggers anything coming to the National Park Service Restoration Fund. That is a commitment made in the bill very, very, very strongly, and in my testimony today very strongly.

Ms. CHENEY. Well, I appreciate that. We will look further into that. I think that is some concern.

The other concern is how we got to these projected amounts. I understand that OMB has projected what the revenue will be, but I know there is certainly a lot of concern that we are going to get to a point where that projected amount is somewhat arbitrary into the future.

We have done a tremendous amount of work, I think very good work, in this Administration in terms of stopping the war on fossil

fuels, in terms of encouraging increased development, in terms of showing how responsible that development can be. And I would hate to see a situation where we were coming back now and imposing additional fees, for example. And I know the bills guarantee that won't happen, but I think that that is certainly a concern, that we are going to have additional fees imposed that will actually end up slowing the development that we have seen and that we know that we need.

Mr. SMITH. Congresswoman, I appreciate your remarks. Sitting where I sit and wearing the hat that I wear, I leave scoring to OMB and for you all, for CBO, to do that. I don't do it from where I sit.

Ms. CHENEY. Well, I appreciate that. I would just say I very much applaud the effort to come up with some innovative ways to deal with this crucial issue. I am concerned that these fall short in a couple of important ways that we have to study additionally before we proceed here.

But it is a tough issue. I appreciate very much the work that you are all doing on it, and I yield back. Thank you.

Mr. MCCLINTOCK. Thank you. I am afraid we are going to have to take a brief recess until some of the Members come back. I assume there are Members that still want to ask questions. They should be on their way back, and we will reconvene in a few minutes, as soon as Mr. Tipton arrives.

With that, I extend the Subcommittee's apologies, but it is just an occupational hazard of life around here. So, we will stand in brief recess.

[Recess.]

Mr. TIPTON [presiding]. I would like to recognize Mr. Labrador for his questions.

Mr. LABRADOR. Thank you, Mr. Chairman, and thank you for holding the hearing today.

Over the past several years, we have repeatedly heard testimony about the need to address the maintenance backlog of the National Park Service. While I am not opposed to using revenue from energy production on Federal lands to help address the deferred maintenance backlog, we need to ensure that Congress is playing a role in this process.

Mr. Smith, thank you for being here again, and thank you for being here to testify on this issue. Both of the bills we are discussing today are attempts to address the nearly \$12 billion deferred maintenance backlog of the NPS. As I am sure you are aware, most conservatives oppose creating new mandatory spending programs. We believe that Congress needs to be in control of the spending.

This is especially true because, while we totally appreciate the work that Secretary Zinke is doing at Interior, we remember that not too long ago, just a year-and-a-half ago, we had a Secretary that was not as easy to work with. So, that is why it is so important to having Congress approve the funding each year to some of us.

Can you tell me what safeguards the bill puts in place to ensure that the funding would actually go to addressing the backlog, and not to other priorities of future administrations?

Mr. SMITH. Congressman, as in the normal appropriations process, when money is put into those accounts, we certainly have to deal with the Antideficiency Act and put money where Congress has told us.

In this bill, it is my full understanding that the way we would keep Congress informed is with an annual report that details very, very succinctly everything that we are spending these funds on if they come from this new park restoration account.

Mr. LABRADOR. OK.

Mr. SMITH. And I am not aware in other legislation where there is some kind of a guarantee. But again, any department of government knows that Congress has an oversight and a fiduciary responsibility, and we are always very aware of that.

Mr. LABRADOR. OK. Addressing the deferred maintenance backlog is going to cost a lot of money, money that should or could be going to pay off our national debt, for example. What steps is NPS taking to ensure that the money will actually get spent on the ground, and not get tied up in overhead, bureaucracy, or litigation?

Mr. SMITH. Well, I can speak for this current Administration and this current Secretary. He has been very explicit about where these funds will go, and that he does not want any bureaucracy to get in the way of where these funds would go.

Mr. LABRADOR. In your experience, how much do costs compound on projects the longer they are deferred?

Mr. SMITH. There is an escalation of cost, just in the way inflation works on that, or in doing things in phases. Most of the time in contracting, if you can do an entire project you save money, rather than phasing it over a number of years.

Mr. LABRADOR. Do you have an example of something costing more because you did not have the funding to fix it sooner?

Mr. SMITH. I won't try to think right now of one, but I certainly can provide many of those examples, if you would like, for the record, Congressman.

Mr. LABRADOR. All right. That would be great.

Ms. ARGUST, your organization has conducted in-depth research and analysis on the NPS maintenance log, and the Center for American Progress report claims that only 10 percent of the total backlog is serious enough to be a priority for necessary maintenance. Do you believe that the National Park Service has inflated their deferred maintenance estimates?

Ms. ARGUST. I do not, \$8.8 billion is highest and high-priority assets. In other words, \$5.6 billion is considered highest-priority assets that are critical to the mission of those park sites.

Mr. LABRADOR. All right, thank you.

I have no further questions, and I will yield to somebody who may have additional questions.

Mr. TIPTON. Thank you, Mr. Labrador.

Mr. Gianforte, you are now recognized for your 5 minutes.

Mr. GIANFORTE. Thank you, Mr. Chairman, and thank you to the panel for being here today.

Deputy Director Smith, thank you for taking some time to be with us. As you know, Montana is home to some of the most recognizable national parks in our system. People come from all over the world to visit us. Yellowstone and Glacier National Park each

have had over 3 million visitors this past year, which has a tremendous effect on our local communities, but also strains the infrastructure in and around the parks.

The rising visitation has created a backlog, as you are well aware, of over \$500 million in Yellowstone National Park alone. The problem extends to Little Big Horn Battlefield, which has a backlog of over \$5 million, and is in desperate need of a visitor center there.

I understand that Congress will receive reports on the projects that are funded. You have told that to us multiple times here, but how will you prioritize which projects will move forward first?

Mr. SMITH. That is the whole reason for having the process we are talking about today of where the numbers have come from, the total \$11.6 billion.

The priority system, which has been talked about several different times today, when we look at the highest priority, they are the ones that we are going to put into play first. The high priorities are also necessary and need to be funded, but we have to say what are we going to do first out of all the choices that we have. And in that whole scale, only the lowest projects are the ones that maybe there is some flexibility of do we not repair, do we actually remove, and that type of thing.

But all of those priorities, high, highest high, and medium, are all projects that need to be done. It is just a matter of how I prioritize with the money that we have. If there is more money allocated from either the new fund, from this legislation, or if it is money appropriated by Congress, we have to prioritize what we are going to do. And a lot of those now, Congressman, are health and safety needs. They are water systems and dams and that type of thing that we have to repair because of health and safety needs.

Mr. GIANFORTE. OK. With almost a billion dollars in delayed maintenance in Montana alone between our two parks and other battlefields, have you identified specific projects in our region, if this legislation passes? And how quickly can you start work?

Mr. SMITH. Well, they certainly have been identified. They are in the deferred maintenance system. And again, there will be projects that will be started this year. I can't speak directly to those in Montana, but I certainly can get you a list on that, and let you know from that region which ones are in the queue for this next year.

Mr. GIANFORTE. OK. Well, we have been facing increasing visitor levels, and that is a real priority. So, as you identify projects, I would encourage you to use funds on infrastructure that would increase access, in particular, and safety in these parks. And by strengthening our roads, bridges, and visitors centers, we can continue to welcome more and more people to these parks without wearing them out in the process.

I want to shift gears, but I also have a question for you, Mr. Smith, related to the funding mechanism. I am curious if you have numbers on the estimated percentage of revenue if this legislation were to pass. What percentage of revenue would come from onshore and offshore energy development versus the percentage derived from alternative renewable sources? Have you looked at that? I am curious about the split.

Mr. SMITH. I don't have an exact figure on that. But, obviously, the onshore and offshore would be much more than the renewables. But the renewables are now growing. Wind and solar energy are growing, but the preponderance of that would still be on onshore and offshore revenue.

Mr. GIANFORTE. OK. And as we discussed earlier, it sounds like the revenues from renewables are from leases, as opposed to royalties. Is that correct?

Mr. SMITH. That is correct at this time. Yes, Congressman.

Mr. GIANFORTE. And the \$2 billion number that you gave us earlier for total revenues last year, did that include the renewable leases?

Mr. SMITH. I don't remember the \$2 billion number that I gave.

Mr. GIANFORTE. It was a number that started at \$18 billion from energy development and then dropped to \$2 billion last year.

Mr. SMITH. I am not familiar with that exactly, I know the number was from the last administration. I don't have the details on that. I imagine that that one would have included some of that, but I am not positive, Congressman. I will have to get back to the Committee on that.

Mr. GIANFORTE. Just curious of the make-up of the number and how we are going to pay for this.

So, both bills take a significant step in addressing our maintenance backlog. I commend you and the sponsors of this bill for taking a look at this, and look forward to working with you on these bills.

With that, Mr. Chairman, I yield back.

Mr. TIPTON. Thank you. I now recognize Mr. Graves for his 5 minutes.

Mr. GRAVES. Thank you, Mr. Chairman. I want to thank you all for being here today. I want to make sure I understand the background or impetus for this hearing and the legislative proposal.

So, what we are talking about is a scenario whereby we have a maintenance or a conservation issue, and dollars need to be invested to address those issues so it doesn't become more expensive and become a bigger problem. Is that basically a summary of what we are dealing with today?

Mr. SMITH. Yes.

Mr. GRAVES. Is that fair? Anybody else object to that? Sort of? Close enough? All right.

And again, under both proposals, where does this money come from?

Mr. SMITH. It comes from natural resource revenues.

Mr. GRAVES. So, from conventional energy production and alternative energy production.

Mr. SMITH. Also, yes.

Mr. GRAVES. And following up on Mr. Gianforte's line of questioning, the reality is that the majority of these revenues would ultimately come from offshore energy production. I represent the state of Louisiana, where we produce 80 to 90 percent of all the offshore energy in Federal waters in the United States.

I am going to say this, I think, because every single time we have a hearing there is an opening to do so, and I am not going to let folks forget about this. We have lost 2,000 square miles of

our coast—2,000 square miles. If that were the state of Rhode Island, it would no longer exist. If that were the state of Delaware, it would only exist of water bodies.

It is really confusing to me why we would be taking not tens of millions, not hundreds of millions, but billions of dollars in revenue from an area where this is being generated, from an area that, clearly, is not sustainable, and sending it to other places.

And Mr. Chairman, we have heard a few times, and we finally pulled these numbers. To give you an idea of where, the Land and Water Conservation Fund is what actually purchases the property. So, from our revenues in Louisiana that we generate, just in 2011 to 2016, \$3.7 million has gone to Alabama; \$87 million has gone to, I believe that is Florida; \$135 million has gone to California. Louisiana, just for comparison purposes, has received about \$5 million in LWCF revenues.

The point is, again, if this is an unsustainable area, why are we proposing that dollars be extracted from this area and sent to other places, rather than carrying out the same type of maintenance or conservation type issues or programs in that very area that is causing all of this revenue to be generated? Could someone help me understand that?

Mr. SMITH. The Land and Water Conservation Fund formula is based on state population and state land area. I guess because of that is why Louisiana gets less of a share of that than some other states, like California.

Mr. GRAVES. Right. So, my point in that was just that Louisiana is losing there, under LWCF, but more so based on these backlog maintenance bills. Why should we take money from an area that is not sustainable itself and has major conservation needs, some of the greatest environmental needs in the Nation, why should we take them and send them to other places before first sustaining that very area?

Mr. SMITH. Well, Congress, in passing all the legislation that you are talking about that takes these revenues from not just offshore and onshore, but we are talking about coal, we are talking about gas, we are talking about mineral development—

Mr. GRAVES. OK. Well, if this proposal is to be altered to address those others and take it from those other places, that is fine.

Mr. Lee-Ashley, do you have a response?

Mr. LEE-ASHLEY. Congressman, I think your point is right on, and especially highlighting the impacts that your coastline is experiencing, and the real conservation challenges that you are grappling with, and the need to find a conservation funding stream to address those needs.

I will note elsewhere in the country, too, there are similar, perhaps not the same scale, challenges. We found that a football field worth of natural area in the West is disappearing every 2½ minutes to development. So, how do we build a conservation funding stream to address—

Mr. GRAVES. Well, it is not disappearing.

Mr. LEE-ASHLEY. Perhaps—

Mr. GRAVES. It not disappearing, it is still there. We actually lose about a football field every hour.

Mr. LEE-ASHLEY. Literally, yes.

Mr. GRAVES. And ours does actually disappear.

Ms. Hoyt, I just noted in the first page of your testimony how you say that the outdoor recreation industry's gross output is \$673 billion. I am assuming recreational fishing is part of that.

Ms. HOYT. Absolutely, yes.

Mr. GRAVES. Yes, which in Louisiana, we are losing the ecological productivity to be able to participate in those activities.

So, I want to say for myself, and I think I can actually say for Mr. Johnson—I am not allowed to speak for my wife, but I think Mr. Johnson will let me—we would oppose these bills, as written, Mr. Chairman, and would very much look forward to working with the Department of the Interior to address this real problem, but do so in a manner that does not take from an unsustainable area.

Thank you. I yield back.

Mr. TIPTON. Thank you, Mr. Graves. And I would like to thank all of our witnesses for their valuable testimony, and the Members for their questions today.

Members of the Committee may have some additional questions for the witnesses, and we will ask you to respond to these in writing. Under Committee Rule 3(o), members of the Committee must submit witness questions within 3 business days following the hearing by 5:00 p.m., and the hearing record will be held open for 10 business days for these responses.

If there is no further business, without objection, the Subcommittee stands adjourned.

[Whereupon, at 3:55 p.m., the Subcommittee was adjourned.]

[ADDITIONAL MATERIALS SUBMITTED FOR THE RECORD]

Rep. Grijalva Submissions

PREPARED STATEMENT OF THE NATIONAL PARKS CONSERVATION ASSOCIATION ON
H.R. 2584 AND H.R. 5210

SUBMITTED BY

KRISTEN BRENGEL, VICE PRESIDENT, GOVERNMENT AFFAIRS

Since 1919, National Parks Conservation Association (NPCA) has been the leading voice of the American people in protecting and enhancing our National Park System. On behalf of our more than 1.3 million members and supporters nationwide, please consider our positions on the following bills when they come up at the House Natural Resources Federal Lands Subcommittee hearing on March 20, 2018.

The National Park Service recently celebrated its 100-year anniversary, yet the Service is suffering from \$11.6 billion in deferred maintenance needs including crumbling roads and bridges, run-down trails, deteriorating historic buildings, memorials and monuments, and outdated and unsafe water, sewer and electrical systems. Roughly one-third of the overall list is critical projects. This challenge is largely due to aging infrastructure that in some cases has outlived its life-cycle and insufficient Federal funding over decades.

NPCA is pleased to see bipartisan, bicameral interest in addressing our national parks maintenance needs and it is our hope that Congress can deliver a solution that provides robust, realistic and dependable multi-year funding.

H.R. 2584:

National Park Service Legacy Act of 2017—NPCA **supports** this legislation which will dedicate nearly \$12 billion over the next 30 years to address the National Park Service's \$11.6 billion deferred maintenance backlog. The funding would come from onshore and offshore mineral royalties that are not otherwise dedicated to other purposes such as the Land and Water Conservation Fund and the Historic Preservation Fund, two programs that NPCA also supports.

This legislation would provide park managers the consistent and reliable funding by setting specific amounts of funding every year to plan for and effectively address backlog projects. Many of the largest, high-priority projects will require certainty for multi-year funding. The bill also dedicates 80 percent to non-transportation projects (trails, visitor facilities, water systems, etc.) and 20 percent to transportation projects, which receive additional funding from the Highway Trust Fund. In addition, this law includes a philanthropic component to prioritize projects that can leverage a partnership match.

H.R. 5210:

National Park Restoration Act—NPCA is **concerned** that this bill doesn't provide the funding reliability and certainty like the National Park Service Legacy Act. The bill would establish a fund that would receive 50 percent of royalties from all types of energy development on Federal lands and waters *over expected* revenues that are not already obligated to other purposes like the Land and Water Conservation Fund and the Historic Preservation Fund. NPCA is concerned that very little funding could result over the 10-year bill to address the maintenance backlog if the projections are correct.

NPCA is also concerned with the lack of certainty of the funding stream. Construction projects rely on multi-year funding that is known and dependable at the outset, which in part helps the National Park Service stage projects and work with contractors who need multi-year funding certainty. We fear that without a specific, known amount each year, the uncertainty of the funding available would challenge the National Park Service to engage in the procurement and contracting that is needed for successful repair and reconstruction projects.

Finally, NPCA needs assurances that the funding source in this bill does not have to rely on the Secretary of the Interior's proposal to expand drilling into sensitive areas, as stated in the Administration's infrastructure proposal.

In conclusion, investing in park infrastructure makes good sense: it preserves our Nation's heritage for future generations, creates infrastructure-related jobs, and protects local communities that depend on park tourism. The national parks need Congress to provide a solution that provides robust, realistic and dependable multi-year funding.

A Few Examples of Park Maintenance Needs That Must Be Addressed:

Trail and Road Repair at Grand Canyon National Park

Drawing in millions of visitors each year, the Grand Canyon suffers from \$329 million in deferred maintenance. To repair just three of the most popular trails in the park—South Kaibab, North Kaibab, and Bright Angel—would cost \$33 million. One of the most frequented roads, Desert View Drive, winds around the Canyon's South Rim and requires over \$18 million for repairs.

Road Repairs in Zion National Park

Zion's millions of visitors each year put quite a strain on its concentrated roads, causing them to need major repairs. A particularly scenic and popular road, the Kolob Canyon Road, requires a staggering \$15 million for its repairs. Overall, Zion National Park suffers from \$65 million in needed repairs.

Electrical System Upgrades at Kalaupapa National Historical Park

Kalaupapa National Historical Park tells the story of Hawaiians banished by King Kamehameha V to the north shore of Molokai for contracting leprosy. \$7 million is needed to replace the unsafe and failing electrical system in the park.

Trail Repairs in Yosemite National Park

Yosemite National Park is home to some of our country's most breathtaking cliffs, domes and waterfalls. However, the park suffers from \$582 million in needed repairs. For example, more than \$17 million is needed to rehabilitate the Yosemite Bike Path, the Stubblefield Canyon Trail, and the Clark Point Spur, a path that leads to the famous Vernal Fall.

Thank you for considering our views.

PREPARED STATEMENT OF THE NATIONAL TRUST FOR HISTORIC PRESERVATION ON
H.R. 2584 AND H.R. 5210

Chairman McClintock, Ranking Member Hanabusa and members of the Subcommittee, I appreciate the opportunity to share the National Trust for Historic Preservation's perspectives on two pieces of legislation (H.R. 5210 and H.R. 2584) that address the National Park Service's maintenance backlog. My name is Tom Cassidy and I am the Vice President of Government Relations and Policy.

The National Trust for Historic Preservation is a privately-funded charitable, educational and non-profit organization chartered by Congress in 1949 in order to "facilitate public participation in historic preservation" and to further the purposes of Federal historic preservation laws.¹ The intent of Congress was for the National Trust "to mobilize and coordinate public interest, participation and resources in the preservation and interpretation of sites and buildings."² With headquarters in Washington, DC, 9 field offices, 27 historic sites, more than 1 million members and supporters and a national network of partners in states, territories, and the District of Columbia, the National Trust works to save America's historic places and advocates for historic preservation as a fundamental value in programs and policies at all levels of government.

We appreciate the Committee scheduling this hearing to discuss two legislative proposals to address the National Park Service's maintenance backlog and thereby preserve the ability for Americans and visitors to enjoy and experience iconic historic resources and natural wonders on Federal lands. This testimony supplements our previously submitted testimony to the Natural Resources Committee on March 6, 2018.

THE NEED

The National Park System is one of our Nation's best ideas—a network of 417 parks and sites that protect spectacular historic, cultural, and natural resources and tell the stories of remarkable people and events in our country's history. The National Park Service (NPS) is responsible for maintaining a system comprised of more than 84 million acres across all 50 states, the District of Columbia, and many U.S. territories.

The National Park System tells an incredible story at sites as diverse as Gettysburg National Military Park, the Statue of Liberty, Shenandoah National Park, the Martin Luther King Jr. National Historical Park, and Native American cultural sites like those at Chaco Culture National Historical Park and Mesa Verde National Park. National parks, and the historic and cultural sites they protect, are some of our Nation's most popular attractions and were visited by over 330 million people last year. In 2015 alone, these millions of visits generated visitor spending of an estimated \$16.9 billion in nearby communities—spending that supported 295,300 jobs and provided a \$32 billion boost to the national economy.

The size and complexity of the NPS infrastructure and the importance of preserving our parks' invaluable resources represent a significant challenge. Unfortunately, after 100 years of operation and inconsistent public funding, the National Park System faces a deferred maintenance backlog estimated at \$11.6 billion, and according to FY 2016 data, 47 percent of the backlog is attributed to historic assets.³

Deferred maintenance in our national parks puts historic and cultural sites at risk of permanent damage or loss, and in the absence of funding, the condition of these assets will continue to deteriorate and become more expensive to repair and preserve in the future. Some of the National Park Service's most significant historic sites are at risk of falling into disrepair. For example, the Statue of Liberty National Monument in New York Harbor, which includes Ellis Island—an iconic symbol of American freedom and immigration—has repair needs of over \$160 million.

LEGISLATIVE SOLUTION

The NPS maintenance backlog of \$11.6 billion demonstrates that additional investments and new strategies are necessary if NPS is to meet their stewardship responsibilities. We are encouraged by the many statements of support by Secretary Zinke, members of this Committee, and others for reducing the maintenance backlog and prioritizing this issue as part of policy proposals to make investments in our Nation's infrastructure.

¹ 54 U.S.C. §§ 312102(a), 320101.

² S. Rep. No. 1110, 81st Cong., 1st Sess. 4 (1949).

³ National Park Service data, FY 2016.

The National Trust has worked closely with many stakeholders—including The Pew Charitable Trusts and National Parks Conservation Association—on a legislative solution that would provide dedicated funding to address the maintenance backlog. We strongly support the bipartisan efforts to introduce the National Park Service Legacy Act (H.R. 2584, S. 751) by Representatives Hurd, Kilmer, Reichert, and Hanabusa and Senators Warner and Portman and thank them and the 80 cosponsors of these bills for their leadership and support.

We appreciate the many other legislative and policy proposals to address the maintenance backlog—including the National Park Restoration Act (H.R. 5210, S. 2509)—which demonstrate a recognition this is a pressing issue that must be addressed. We believe the National Park Service Legacy Act proposal and its strong, bicameral support can serve as a starting point for what we hope will be immediate action and a bipartisan, legislative compromise to tackle the maintenance backlog.

As this Subcommittee considers legislation to address these needs, we offer the following recommendations for elements that would successfully address these challenges:

Reliable and Dedicated Funding

A reliable, dedicated Federal funding source distinct from annual appropriations is necessary to address the maintenance backlog, along with providing sufficient staffing capacity to ensure that we preserve historic sites, maintain buildings and infrastructure in safe condition, and keep our parks open and accessible. The Legacy Act (H.R. 2584) provides such dedicated funding through receipts from onshore and offshore energy development that are not otherwise allocated to other purposes. This legislation would guarantee contributions toward reducing the maintenance backlog over the next 30 years, starting at \$50 million in 2018 with incremental increases over time through 2047.

While the National Park Restoration Act would also direct funding to the maintenance backlog through receipts from onshore and offshore energy development, annual allocations would be limited to 50 percent of the revenue above estimated annual projections, which makes a solution to the backlog and protection of irreplaceable NPS assets dependent on oil prices and production. It is also unclear whether the projected increases in energy prices will result in real revenue. We believe any legislative solution should include reliable and dedicated funding and provide certainty for park units about the availability of funds for high priority projects.

Priorities for Maintenance Projects

The National Trust strongly supports a provision in the Legacy Act that provides funding parity between non-transportation and transportation-related maintenance needs, which ensures that funds are available for the preservation of historic structures and cultural artifacts. Many of the large projects included in the NPS backlog are transportation-related and will require significant investments.

For example, several of the road systems at Yellowstone National Park have an estimated maintenance cost of at least \$850 million.⁴ With limited annual allocations to a dedicated fund for the maintenance backlog and additional funding for transportation projects available through the Highway Trust Fund, a provision to ensure funding parity will ensure that the maintenance needs of historic and cultural assets are also addressed.

Additional Provisions

The National Trust strongly supports provisions in the Legacy Act that promote public-private partnerships that leverage private funding for maintenance projects and discretion for congressional appropriators to evaluate priority projects.

We also believe that congressional appropriations providing sustained and robust funding levels for Repair and Rehabilitation, Cyclic Maintenance, and Line-Item Construction are needed to alleviate the maintenance backlog and ensure adequate preservation and protection of resources in our parks. After years of level funding or modest increases for both Repair and Rehabilitation and Cyclic Maintenance, we were pleased to see increases for FY2016 enacted of \$35 million for both accounts, followed by an additional increase of \$39 million for FY2017. Unfortunately, the President's budget request proposes substantial decreases for these two key accounts that address the deferred maintenance backlog, with Repair and Rehabilitation seeing a \$25 million decrease and Cyclic Maintenance a \$13.6 million

⁴National Park Service, "Yellowstone National Park Road Reconstruction" https://www.nps.gov/transportation/pdfs/Yellowstone_Roads_Reconstruction-022016.pdf; February 2016.

decrease. As Congress considers FY 2019 funding levels, we believe that additional investments in these key accounts will contribute to the successful preservation of historic sites and other resources in the National Park System.

The Nation faces a challenging fiscal environment, and the National Trust recognizes there is a need for fiscal restraint and cost-effective Federal investments. However, we do not believe that preservation and conservation programs should suffer from disproportionate funding reductions, or that a successful solution to address the maintenance backlog can omit significant and reliable financial investments.

CONCLUSION

Thank you again for the opportunity to present the National Trust's perspectives on these issues, and we look forward to working with the Committee, Administration, and other key stakeholders as you consider policy proposals to address the deferred maintenance backlog. We hope that these critical investments continue to sustain our Nation's rich heritage of cultural and historic resources that generate lasting economic vitality for communities throughout the Nation.

PREPARED STATEMENT OF THE PUBLIC LANDS ALLIANCE ON H.R. 2584 AND H.R. 5210

SUBMITTED BY

DAN PUSKAR, EXECUTIVE DIRECTOR

The Public Lands Alliance (PLA) commends the Subcommittee for considering two valuable, bipartisan bills: H.R. 2584, the National Park Service Legacy Act, and H.R. 5210, the National Park Restoration Act. Deferred maintenance on America's public lands is a serious issue. By permitting roads, bridges, historic sites, trails, and sewer systems, the maintenance backlog creates an overall drag on the visitor experience as facilities become worn or less reliable.

The vast majority of PLA members rely on public lands infrastructure to operate their organizations and programs. Our 135 member organizations are operational partners of more than 600 parks, refuges, conservation areas, lakes, and forests with an on-the-ground presence in every U.S. state and territory. They staff visitor centers, hire and manage youth and veterans corps, conduct educational programs, and provide interpretive materials. They annually contribute more than \$250 million to our public lands through their philanthropic grants, programs and services. By enhancing the public lands visitor experience, PLA members create jobs and support national and international tourism.

In its testimony before the House Committee on Natural Resources at its March 6, 2018 oversight hearing, "Exploring Innovative Solutions to Reduce the Department of the Interior's Maintenance Backlog," PLA encouraged the Committee to:

- Create a dedicated, reliable, and sizable funding source for all DOI public lands that eliminates the existing maintenance backlog while providing necessary routine and cyclic maintenance funding to prevent future backlogs.
- Incentivize philanthropy and non-profit support for appropriate maintenance projects and other visitor experience enhancements by expanding matching fund programs, like the NPS Centennial Challenge, to other DOI agencies.

As the Subcommittee discusses these bills that address the National Park Service backlog, PLA reaffirms these points.

Deferred Maintenance Negatively Impacts All Public Lands

Both bills under consideration provide dedicated, reliable, and sizable funding sources to tackle NPS deferred maintenance outside of the normal appropriations process. PLA applauds the bipartisan commitment to this ideal and encourages the Subcommittee to apply this commitment to the other Federal lands within its jurisdiction.

As Chairman Bishop explained at the "Exploring Innovative Solutions to Reduce the Department of the Interior's Maintenance Backlog," all Federal lands have a maintenance backlog including the Bureau of Land Management, Fish and Wildlife Service, and U.S. Forest Service. In its FY 2019 budget proposal, the Administration suggested a mechanism similar to what is proposed in H.R. 5210, the National Park Restoration Act, but included the Fish and Wildlife Service and its decaying facilities. PLA believes an opportunity for a more holistic approach to the Federal

deferred maintenance problem was missed by removing national refuges in the process of converting the Administration's proposal to legislative language.

PLA believes that as the Subcommittee works toward finding consensus on a final bill that it include all Federal land management agencies under its jurisdiction to participate in the deferred maintenance fund. A final bill should address failing facilities like the boardwalks in BLM lands and the historic lighthouse on a FWS refuge that were highlighted in PLA's earlier testimony.

Incentivize Philanthropy and Non-profit Support

Many deferred maintenance projects in the National Park Service have been addressed successfully in recent years through appropriations to the Centennial Challenge fund and through mineral sales identified in the Helium Stewardship Act of 2013. In each program, park philanthropy and non-profit support were required to match Federal dollars before an expenditure from the Treasury could be made.

Tackling the entire public lands deferred maintenance backlog cannot rely on this model. Too many projects like roads, bridges, and sewer systems are unworthy of philanthropy and the Federal Government must fully fund them. However, when the deteriorating resources are historical assets like the Statute of Liberty, or a source of recreation and enjoyment such as a hiking trail, private support can be marshalled successfully.

H.R. 2584, the National Park Service Legacy Act, provides an innovative solution to leverage private support. The bill encourages public-private partnerships that will reduce the overall deferred maintenance costs to the NPS by including in its annual list of funded projects those that have a 25–33 percent private sector match depending on the total amount of the project. Not only are the highest priority projects funded, but so too are those projects that non-profit partners have been able to mobilize private sector donors to support. H.R. 5210, the National Park Restoration Act, unfortunately provides no incentive for private sector support.

As consensus is reached on a final bill, PLA urges the Subcommittee to include incentives for non-profit park partners to rally donors and work with land management agencies to address failing facilities that affect the visitor experience.

PLA sincerely appreciates the Subcommittee's steadfast commitment to enhancing America's public lands and the experience of their hundreds of millions of visitors. Thank you for your consideration of its views.

[LIST OF DOCUMENTS SUBMITTED FOR THE RECORD RETAINED IN THE
COMMITTEE'S OFFICIAL FILES]

Rep. Denham Submission

—U.S. Travel Association, Testimony dated March 20, 2018.

Rep. Grijalva Submissions

—Letter to Chairman McClintock and Ranking Member Hanabusa from the CorpsNetwork dated March 20, 2018.

—American Society of Civil Engineers, Statement for the Record dated March 20, 2018.