

105TH CONGRESS
1ST SESSION

H. R. 2853

To authorize and direct the Secretary of the Interior to set aside all entrance fees, special use fees, and concession fees from the National Park System into a National Park Capital Improvement Fund at the Department of the Treasury, and to secure bonds for particular, high-priority capital improvements to the National Park System, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 6, 1997

Mr. KILDEE introduced the following bill; which was referred to the
Committee on Resources

A BILL

To authorize and direct the Secretary of the Interior to set aside all entrance fees, special use fees, and concession fees from the National Park System into a National Park Capital Improvement Fund at the Department of the Treasury, and to secure bonds for particular, high-priority capital improvements to the National Park System, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Park Bonds
5 and Capital Improvements Act of 1997”.

1 **SEC. 2. DEFINITIONS.**

2 For purposes of this Act:

3 (1) The term “National Park Capital Improve-
4 ment Fund” means the fund established under this
5 Act containing the revenues collected by the Na-
6 tional Park Service from all park units in the Na-
7 tional Park System and held in trust by the Depart-
8 ment of the Treasury for the purpose of paying the
9 debt service on the National Park Capital Improve-
10 ment bonds.

11 (2) The term “National Park Capital Improve-
12 ment bonds” means bonds sold by the Department
13 of the Treasury under this Act to generate capital
14 to make appropriate capital improvements of Na-
15 tional Park units as specified in this Act.

16 (3) The term “capital improvements” means
17 more than physical construction projects such as
18 roads, visitor centers, and other infrastructure
19 projects. The term includes one-time and periodic
20 projects such as resource inventories, monitoring ac-
21 tivities, and educational and interpretive programs,
22 as well as transportation systems. The term also in-
23 cludes data gathering and planning needed to design
24 projects aimed at protecting park resources.

1 (4) The term “National Park System” has the
2 meaning provided in section 2(a) of the Act of Au-
3 gust 8, 1953 (16 U.S.C. 1c(a)).

4 **SEC. 3. FINDINGS.**

5 Congress finds the following:

6 (1) Our Nation’s parks are among our Nation’s
7 greatest treasure and an integral part of our na-
8 tional heritage. We have an obligation to protect
9 them for future generations to enjoy, learn from,
10 and experience.

11 (2) Unfortunately, in recent years we have
12 failed to take proper care of our parks. In particu-
13 lar, more and more people are visiting our parks and
14 fewer and fewer real dollars are being spent to pro-
15 tect the resources for which they were set aside—
16 their spectacular vistas, clean and clear water, sig-
17 nificant wildlife habitats, historic buildings, etc.

18 (3) While it is incumbent upon Congress to ap-
19 propriate adequate funds for the operation of our
20 national parks, the backlog of natural and cultural
21 resource protection needs together with other needs
22 for transportation improvements, building repairs,
23 etc., is now so great that a new source of funding
24 to meet these needs must be found.

1 (4) All park needs, however, are not equal. Of
2 utmost importance and urgency is the need to pro-
3 tect the cultural, historic, and natural resources for
4 which our parks were set aside to protect. These re-
5 sources are our parks' capital. Unless we preserve
6 them, there will be little reason for Americans and
7 visitors from other countries to visit our parks.
8 Projects that are needed to prevent ongoing or
9 threatened harm to the resources of our parks must
10 be given the highest priority when funding priorities
11 are set. Similarly, projects designed to rehabilitate
12 damage done in the past to park resources should be
13 given the next highest priority.

14 (5) In considering the needs of our parks, care
15 must be taken to avoid exacerbating problems, par-
16 ticularly those involving visitors. Emphasis must be
17 placed now, and into the future, on designing and
18 implementing transportation systems which will min-
19 imize use of private cars and resultant traffic prob-
20 lems within the parks, while providing safe, reliable,
21 and flexible alternatives.

22 (6) In considering the needs of our parks, ac-
23 tivities which do not require on the ground construc-
24 tion must not be slighted. In particular, educational
25 and interpretive programs are central to the mission

1 of our parks. Similarly, reliable and sound informa-
2 tion is central to the solution of the problems facing
3 them. Accordingly, these kinds of projects should be
4 recognized as essential investments in our parks.

5 **SEC. 4. NATIONAL CAPITAL IMPROVEMENT FUND AND**
6 **BONDS ISSUED BY SECRETARY OF TREAS-**
7 **URY.**

8 (a) FUND.—There is hereby established in the Treas-
9 ury a National Park Capital Improvement Fund. The Sec-
10 retary of the Treasury shall deposit all the revenues col-
11 lected by the National Park Service from all park units
12 in the National Park System in such Fund. Such Fund
13 shall be held in trust by the Secretary of the Treasury
14 for the purpose of paying the debt service on the National
15 Park Capital Improvement bonds.

16 (B) BONDS.—The Secretary of the Treasury shall
17 issue taxable bonds, the interest on which shall be paid
18 from the National Park Capital Improvement Fund.

19 **SEC. 5. MEMORANDUM OF AGREEMENT.**

20 The Secretary of the Interior shall enter into a memo-
21 randum of agreement with the Secretary of the Treasury
22 for the purpose of managing the National Park Capital
23 Improvement Fund and issuing National Park Capital Im-
24 provement bonds. The memorandum shall specify each of
25 the following:

1 (1) The aggregate face amount of the bonds is-
2 sued. Such amount may not exceed \$1,500,000,000.

3 (2) The maturity of the bonds, not to exceed 20
4 years.

5 (3) The per capita amount required to amortize
6 the bond issue, pay the interest on the bonds, and
7 maintain a sufficient reserve consistent with Depart-
8 ment of the Treasury standards.

9 (4) The kinds of projects that will be funded
10 with the bond proceeds.

11 **SEC. 6. NATIONAL PARK CAPITAL IMPROVEMENT FUND.**

12 (a) IN GENERAL.—Notwithstanding any other provi-
13 sion of law, the Secretary of the Interior is authorized and
14 directed to credit all funds collected from the following to
15 the National Park Capital Improvement Fund:

16 (1) Funds collected pursuant to section 4 of the
17 Land and Water Conservation Fund Act of 1965
18 (16 U.S.C. 4601–6a).

19 (2) Funds collected from the operation of con-
20 cessions within the entire National Park System
21 under the National Park Concessions Act of 1965
22 (16 U.S.C. 20 and following).

23 (3) Funds collected as special use fees pursuant
24 to the National Park Organic Act of 1916 (39 Stat.

1 535; 16 U.S.C. 1,2,3, and 4) and the National Park
2 Administration Act (16 U.S.C. 1b, 1c, and 1d.

3 (b) USE.—The National Park Capital Improvement
4 Fund or a set-aside portion thereof shall be used by the
5 Secretary of the Treasury to amortize the bond issue, pay
6 the interest on the bonds, and maintain a sufficient re-
7 serve consistent with industry standards.

8 (c) EXCESS FUNDS.—Any funds collected in excess
9 of the amount necessary to amortize the bond issue and
10 maintain a sufficient reserve, as determined by the Sec-
11 retary of the Treasury, shall be held for use in amortizing
12 and paying the interest on future National Park Capital
13 Improvement bonds for the benefit of all units of the Na-
14 tional Park System.

15 **SEC. 7. USE OF BOND PROCEEDS.**

16 (a) ELIGIBLE PROJECTS.—

17 (1) IN GENERAL.—Subject to such allocation of
18 funding as may be provided in annual appropriations
19 legislation, and subject to paragraph (2), bond pro-
20 ceeds under this Act may be used for projects that
21 will—

22 (A) protect the natural, historic, cultural,
23 scenic, and other resources of a park including
24 activities which do not require on the ground

1 construction such as obtaining reliable and
2 sound information;

3 (B) provide educational and interpretative
4 programs to enrich the park resource based ex-
5 perience of visitors; and

6 (C) rehabilitate, replace, or repair existing
7 facilities or design and construct new facilities
8 in a park unit provided that it does not create
9 or exacerbate damage to park resources nor de-
10 grade the experience of visitors.

11 (2) LIMITATION.—A project referred to in para-
12 graph (1) shall be consistent with—

13 (A) the laws governing the national Park
14 System;

15 (B) any law governing the park unit;

16 (C) the general management plan for the
17 park; and

18 (D) the current list of priority projects
19 necessary to meet park needs.

20 In developing the list referred to in subparagraph
21 (D) and in carrying out projects, the resources to be
22 protected by each project shall always be specifically
23 identified and the highest priority shall be given,
24 first, to projects designed to prevent ongoing re-
25 source harm and second, to rehabilitate past dam-

1 age. The next highest priority shall be given to
2 projects that protect resources and enhance the ex-
3 perience of visitors. In considering the needs of our
4 parks, care must be taken to avoid exacerbating
5 problems particularly those involving visitors. Em-
6 phasis must be placed on designing and implement-
7 ing transportation systems which will minimize use
8 of private cars and resultant traffic. No project shall
9 be approved for funding or funded pursuant to this
10 Act if harm to any park resources will result there-
11 from.

12 (b) INTEREST ON BOND PROCEEDS.—Any interest
13 earned on bond proceeds shall be transferred into the Na-
14 tional Park Capital Improvement Fund.

15 **SEC. 8. ADMINISTRATION.**

16 (a) JOINT REGULATIONS.—The Secretary of the In-
17 terior and the Secretary of the Treasury shall jointly issue
18 regulations to carry out this Act.

19 (b) PRIORITIES.—The Secretary of the Interior shall
20 issue regulations for the identification and prioritization
21 of projects to be funded pursuant to this Act.

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