

108TH CONGRESS
1ST SESSION

H. R. 1517

To amend the Land and Water Conservation Fund to limit the use of funds available from the Land and Water Conservation Fund Act of 1965 to use for maintenance.

IN THE HOUSE OF REPRESENTATIVES

MARCH 31, 2003

Mr. GRAVES (for himself, Mr. STEARNS, Mr. BARTLETT of Maryland, Mr. GIBBONS, Mr. OTTER, Mr. THORNBERRY, and Mr. CANNON) introduced the following bill; which was referred to the Committee on Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Land and Water Conservation Fund to limit the use of funds available from the Land and Water Conservation Fund Act of 1965 to use for maintenance.

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 “Land Reinvestment
5 Act”.

1 **SEC. 2. LIMITATION ON USE OF FUNDS FROM LAND AND**
2 **WATER CONSERVATION FUND.**

3 The Land and Water Conservation Fund Act of 1965
4 is amended—

5 (1) in section 1(b)(2) (16 U.S.C. 460l–4(b)(2))
6 by striking “acquisition and development” and in-
7 serting “maintenance”;

8 (2) in section 5 (16 U.S.C. 460l–7) in the last
9 sentence, in the text preceding paragraph (1), by
10 striking “acquisition” and inserting “maintenance”;

11 (3) in section 7(a) (16 U.S.C. 460l–9(a))—

12 (A) in the matter preceding paragraph (1)
13 by inserting “for maintenance” after “otherwise
14 allotted”;

15 (B) in paragraph (1)—

16 (i) in the matter preceding the first
17 undesignated paragraph by striking “For
18 the acquisition” and inserting “For the
19 maintenance”;

20 (ii) by amending the second undesig-
21 nated paragraph to read as follows:

22 “NATIONAL FOREST SYSTEM.—Wilderness
23 areas of the National Forest System, and other
24 areas of national forests that are primarily of value
25 for outdoor recreation.”; and

1 (iii) by amending the third undesig-
2 nated paragraph to read as follows:

3 “NATIONAL WILDLIFE REFUGE SYSTEM.—Fed-
4 eral lands that are acquired for endangered species
5 and threatened species under section 5(a) of the En-
6 dangered Species Act of 1973; areas acquired under
7 section 2 of the Act of September 28, 1962 (16
8 U.S.C. 460k–1); national wildlife refuge areas ac-
9 quired under section 7(a)(5) of the Fish and Wildlife
10 Act of 1956 (16 U.S.C. 742f(a)(4)), and wetlands
11 acquired under section 304 of the Emergency Wet-
12 lands Resources Act of 1986; and any areas ac-
13 quired for the National Wildlife Refuge System by
14 specific Acts.”; and

15 (C) by striking paragraph (3);

16 (4) in subsection (b) of section 7 (16 U.S.C.
17 460l–9(b)) by striking “unless” and all that follows
18 through the end of the subsection and inserting a
19 period;

20 (5) by striking subsection (c) of section 7 (16
21 U.S.C. 460l–9(c)); and

22 (6) by striking sections 9 and 10 (16 U.S.C
23 460l–10a and 460l–10b).

1 **SEC. 3. REQUIREMENT TO REDUCE BACKLOGGED MAINTENANCE.**
2

3 The head of each covered landholding agency shall—

4 (1) by not later than the end of the 5-fiscal-
5 year period beginning on the date of the enactment
6 of this Act, reduce by at least 20 percent the dollar
7 value of backlogged maintenance that exists on the
8 date of the enactment of this Act with respect to
9 lands under the administrative jurisdiction of the
10 agency; and

11 (2) by not later than the end of each 5-fiscal-
12 year period thereafter, reduce the dollar value of
13 backlogged maintenance that exists on the first day
14 of that period with respect to lands under the ad-
15 ministrative jurisdiction of the agency, by an amount
16 that is equal to or greater than the sum of—

17 (A) 20 percent of the dollar value of back-
18 logged maintenance that exists on the date of
19 the enactment of this Act with respect to such
20 lands;

21 (B) the amount of any reduction in back-
22 logged maintenance previously required under
23 this section that has not been carried out; and

24 (C) any additional backlogged maintenance
25 that arose on or after the date of the enactment
26 of this Act and that has not been carried out.

1 **SEC. 4. REPORTS ON REDUCTION OF BACKLOGGED MAIN-**
2 **TENANCE.**

3 (a) IN GENERAL.—The head of each covered land-
4 holding agency shall publish and submit reports to the
5 Congress that—

6 (1) document the progress made by the agency
7 in reducing backlogged maintenance with respect to
8 lands under the administrative jurisdiction of the
9 agency, including a statement of—

10 (A) the dollar value of the reduction in
11 backlogged maintenance that has been achieved
12 by the agency in the 5-fiscal-year period covered
13 by the report;

14 (B) whether or not the agency, in the 5-
15 fiscal-year period covered by the report, has
16 achieved the reduction in backlogged mainte-
17 nance required to be achieved by the agency
18 under section 3 for that period; and

19 (C) the amount (if any) by which the dol-
20 lar value stated in subparagraph (A) is less
21 than the amount of reduction in backlogged
22 maintenance that is required to be achieved by
23 the agency under section 3;

24 (2) include a prioritized list of construction, de-
25 ferred maintenance, and regular maintenance
26 projects the agency must carry out in order to

1 achieve reductions in backlogged maintenance re-
2 quired under section 3; and

3 (3) include a plan for carrying out such projects
4 over the next 5 fiscal years.

5 (b) TIMING OF REPORTS.—The head of a covered
6 landholding agency—

7 (1) shall publish and submit the first report
8 under this section by not later than 30 days after
9 the end of the first 5-fiscal-year period beginning
10 after the date of the enactment of this Act; and

11 (2) shall publish and submit subsequent reports
12 under this section by not later than 30 days after
13 the end of each subsequent 5-fiscal-year period
14 thereafter until all backlogged maintenance has been
15 completed with respect to lands under the
16 administrative jurisdiction of the agency.

17 (c) FINAL REPORT.—Not later than December 31 of
18 the year in which all backlogged maintenance has been
19 completed with respect to lands under the administrative
20 jurisdiction of a covered landholding agency, the head of
21 the agency shall submit to the Congress a final report
22 that, in detail—

23 (1) prioritizes lands that are owned by the Fed-
24 eral Government and under the administrative juris-

1 diction of the agency, based on the success of pro-
2 grams of the agency that relate to such lands;

3 (2) describes a system of regular maintenance
4 that is required with respect to such lands; and

5 (3) includes a prioritized list of capital improve-
6 ment projects for such lands.

7 **SEC. 5. PRIORITIZATION OF LANDS.**

8 Not later than 4 years after the date of the enact-
9 ment of this Act, the head of each covered landholding
10 agency shall submit to the Congress a report that
11 prioritizes lands that are owned by the Federal Govern-
12 ment and under the administrative jurisdiction of the
13 agency, from highest to lowest priority in the order of their
14 importance to the success of programs carried out by the
15 agency.

16 **SEC. 6. DEFINITIONS.**

17 In this Act:

18 (1) **BACKLOGGED MAINTENANCE.**—The term
19 “backlogged maintenance”—

20 (A) means the total dollar value of regular
21 maintenance, deferred maintenance, and capital
22 improvement to be carried out with respect to
23 lands under the administrative jurisdiction of a
24 covered landholding agency that has not been
25 completed; and

1 (B) is deemed to be, on the date of the en-
2 actment of this Act—

3 (i) \$354,000,000 with respect to lands
4 under the administrative jurisdiction of the
5 Bureau of Land Management;

6 (ii) \$1,500,000,000 with respect to
7 lands under the administrative jurisdiction
8 of the United States Fish and Wildlife
9 Service;

10 (iii) \$7,300,000,000 with respect to
11 lands under the administrative jurisdiction
12 of the Forest Service; and

13 (iv) \$5,400,000,000 with respect to
14 lands under the administrative jurisdiction
15 of the National Park Service.

16 (2) COVERED LANDHOLDING AGENCY.—The
17 term “covered landholding agency” means each of—

18 (A) the Bureau of Land Management;

19 (B) the United States Fish and Wildlife
20 Service;

21 (C) the Forest Service; and

22 (D) the National Park Service.

1 (3) MAINTENANCE.—The term “maintenance”
2 means the upkeep of real property, including capital
3 improvement and development.

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