

110TH CONGRESS
1ST SESSION

H. R. 1731

To eliminate the annual operating deficit and maintenance backlog in the national parks, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 28, 2007

Mr. BAIRD (for himself and Mr. SOUDER) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Ways and Means, 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 eliminate the annual operating deficit and maintenance backlog in the national parks, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “National Park Centennial Act”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Findings and purpose.

TITLE I—CENTENNIAL FUND

Sec. 101. Centennial fund for preserving America's national parks.
Sec. 102. Designation of overpayments and contributions for the benefit of units of the National Park System.
Sec. 103. Program allocation.
Sec. 104. Patriots for national parks.

TITLE II—ELIMINATING THE NATIONAL PARK MAINTENANCE BACKLOG

Sec. 201. Backlog elimination.

TITLE III—PROTECTING NATURAL WONDERS

Sec. 301. Natural resource challenge.

TITLE IV—PROTECTING NATIONAL TREASURES

Sec. 401. Cultural resource challenge.

TITLE V—MEETING ANNUAL OPERATING NEEDS

Sec. 501. Progress on annual appropriations.

TITLE VI—REPORTS

Sec. 601. Reports assessing the national parks.

1 SEC. 2. FINDINGS AND PURPOSE.

2 (a) FINDINGS.—Congress finds the following:

3 (1) The National Park Service was established
4 to conserve the national parks, their scenery, natural
5 and historic objects, and wildlife for public enjoyment,
6 in such manner and by such means as will
7 leave them unimpaired for the enjoyment of future
8 generations.

9 (2) The central purpose of the establishment of
10 our national parks is being challenged by chronic
11 funding shortfalls, which have created annual short-
12 falls in operational funding that exceed
13 \$800,000,000, and have amassed a maintenance
14 backlog estimated by the Congressional Research

1 Service to be between \$4,520,000,000 and
2 \$6,800,000,000.

3 (3) Without providing the Park Service the re-
4 sources necessary to operate and maintain our na-
5 tional parks, future generations will—

6 (A) receive diminished visitor services;
7 (B) experience a continually weakening
8 system that is less and less able to fulfill its
9 mission; and

10 (C) inherit a National Park System that
11 has been left to them in worse condition than
12 it was left to their ancestors.

13 (4) The annual Congressional appropriations
14 process has proved insufficient to fully address the
15 debilitating funding shortfalls of the national parks,
16 making it necessary to supplement what the appro-
17 priations process is able to accomplish.

18 (5) It is necessary to ensure that fiscal re-
19 sources devoted to the national parks are spent wise-
20 ly and effectively, making strong congressional over-
21 sight over annual appropriations extremely impor-
22 tant.

23 (6) Congress can enhance the resources avail-
24 able for national park operations and ensure ade-
25 quate oversight over Park Service spending by re-

1 moving from the appropriations process a series of
2 funding responsibilities that are outside the core op-
3 erating budgets for the national parks.

4 (b) PURPOSE.—The purpose of this Act is to elimi-
5 nate the annual operating deficit and the maintenance
6 backlog in the national parks by the centennial anniver-
7 sary of the National Park System by enabling Congress
8 to focus on overseeing and fully funding the core oper-
9 ations of the national parks in the annual appropriations
10 process.

11 **TITLE I—CENTENNIAL FUND**

12 **SEC. 101. CENTENNIAL FUND FOR PRESERVING AMERICA'S 13 NATIONAL PARKS.**

14 (a) ESTABLISHMENT.—There is established in the
15 Treasury a fund which shall be known as the “National
16 Park Centennial Fund”, hereinafter in this Act referred
17 to as the “Centennial Fund”. In each fiscal year beginning
18 in fiscal year 2008, the Secretary of the Treasury shall
19 deposit into the Centennial Fund amounts set forth in
20 subsection (b) sufficient to fund the programs identified
21 in titles II, III, and IV.

22 (b) APPROPRIATIONS.—There are hereby appro-
23 priated to the Centennial Fund in each fiscal year, the
24 following amounts:

9 SEC. 102. DESIGNATION OF OVERPAYMENTS AND CON-
10 TRIBUTIONS FOR THE BENEFIT OF UNITS OF
11 THE NATIONAL PARK SYSTEM.

12 (a) IN GENERAL.—Subchapter A of chapter 61 of the
13 Internal Revenue Code of 1986 is amended by adding at
14 the end the following new part:

15 "PART IX—DESIGNATION OF OVERPAYMENTS
16 AND CONTRIBUTIONS FOR THE BENEFIT OF
17 UNITS OF THE NATIONAL PARK SYSTEM

**“PART IX—DESIGNATION OF OVERPAYMENTS AND CONTRIBUTIONS FOR THE
BENEFIT OF UNITS OF THE NATIONAL PARK SYSTEM**

“Sec. 6097. Designation.

18 "SEC. 6097. DESIGNATION."

19 "(a) IN GENERAL.—In the case of an individual, with
20 respect to each taxpayer's return for the taxable year of
21 the tax imposed by chapter 1, such taxpayer may des-
22 ignate that—

1 “(1) a specified portion (but not less than \$1)
2 of any overpayment of tax for such taxable year, and
3 “(2) any cash contribution which the taxpayer
4 includes with such return,
5 shall be used for the benefit of units of the National Park
6 System.

7 “(b) MANNER AND TIME OF DESIGNATION.—A des-
8 ignation under subsection (a) may be made with respect
9 to any taxable year only at the time of filing the return
10 of the tax imposed by chapter 1 for such taxable year.
11 Such designation shall be made in such manner as the
12 Secretary prescribes by regulations except that such des-
13 ignation shall be made either on the first page of the re-
14 turn or on the page bearing the taxpayer's signature.

15 “(c) OVERPAYMENTS TREATED AS REFUNDED.—For
16 purposes of this title, any portion of any overpayment of
17 tax designated under subsection (a) shall be treated as
18 being refunded to the taxpayer as of the last date pre-
19 scribed for filing the return of tax imposed by chapter 1
20 (determined without regard to extensions) or, if later, the
21 date the return is filed.”.

22 (b) CLERICAL AMENDMENT.—The table of parts for
23 subchapter A of chapter 61 of such Code is amended by
24 adding at the end thereof the following new item:

“Part IX. Designation of overpayments and contributions for the benefit of
units of the National Park System”.

1 (c) EFFECTIVE DATE.—The amendments made by
2 this section shall apply to taxable years beginning after
3 December 31, 2006.

4 **SEC. 103. PROGRAM ALLOCATION.**

5 (a) ANNUAL DEPOSITS.—There shall be deposited in
6 the Centennial Fund from amounts designated under sec-
7 tion 6097 of the Internal Revenue Code of 1986 (and from
8 the General Fund of the Treasury to the extent the
9 amounts so designated are less than the total amounts
10 specified in this section for the fiscal year concerned),
11 \$200,000,000 for fiscal year 2008 and, for each suc-
12 ceeding fiscal year through fiscal year 2016, an amount
13 equal to 15 percent above the amount deposited the prior
14 fiscal year. Such amounts shall, without further appro-
15 priation, be available to the Secretary of the Interior until
16 expended.

17 (b) SUNSET.—Effective October 1, 2016, titles II,
18 III, and V of this Act shall expire, after which time re-
19 ceipts generated from section 6097 of the Internal Rev-
20 enue Code of 1986 shall be used to supplement annual
21 appropriations for base operations of the individual na-
22 tional parks.

23 **SEC. 104. PATRIOTS FOR NATIONAL PARKS.**

24 There are hereby authorized to be appropriated to the
25 Secretary of the Interior such sums as necessary for a

1 public awareness campaign about the existence of the Cen-
2 tennial Fund and the ability of taxpayers to contribute
3 to it through the tax checkoff created in section 6097 of
4 the Internal Revenue Code of 1986.

5 **TITLE II—ELIMINATING THE NA-**
6 **TIONAL PARK MAINTENANCE**
7 **BACKLOG**

8 **SEC. 201. BACKLOG ELIMINATION.**

9 (a) IN GENERAL.—Sixty percent of the funds depos-
10 ited into the Centennial Fund shall be used to eliminate
11 the backlog of unmet needs in the national parks, as iden-
12 tified in the Facility Condition Index (hereinafter in this
13 Act referred to as the “FCI”) of the National Park Serv-
14 ice.

15 (b) PRIORITIES.—(1) The Secretary of the Interior
16 shall prepare, as part of the annual budget proposal, a
17 priority list of projects to be funded under this section.
18 Moneys shall be made available from the Centennial Fund,
19 without further appropriation, effective October 15 of each
20 calendar year, for the projects identified on the priority
21 list.

22 (2) In preparing the list of projects to be funded
23 under this section, the Secretary of the Interior shall give
24 priority to projects that—

1 (A) are identified in the general management
2 plan of a national park;

3 (B) are listed in the FCI;

4 (C) are identified by the Secretary of the Interior
5 as necessary to prevent immediate damage to
6 the natural, cultural, or historic resources with a na-
7 tional park, with priority given to projects with the
8 most significant benefit to conservation of resources
9 or visitor education; and

10 (D) are identified as necessary to promote pub-
11 lic health and safety.

12 (c) OVERHEAD.—National parks undertaking
13 projects under this section may allocate not more than 8
14 percent of the funds for such projects for oversight of such
15 projects and other associated overhead responsibilities.

16 **TITLE III—PROTECTING** 17 **NATURAL WONDERS**

18 SEC. 301. NATURAL RESOURCE CHALLENGE.

19 (a) NATURAL RESOURCE PROTECTION.—Twenty
20 percent of the funds deposited into the Centennial Fund
21 shall be used to protect natural resources within national
22 parks.

23 (b) PROJECT DESCRIPTION.—The Secretary of the
24 Interior shall prepare, as part of the annual budget pro-
25 posal, a description of projects to be funded under this

1 section. Moneys shall be made available from the Centen-
2 nial Fund, without further appropriation, effective Octo-
3 ber 15 of each calendar year for projects that include each
4 of the following:

- 5 (1) Natural resource inventories.
- 6 (2) Monitoring efforts including air and water
7 quality monitoring.
- 8 (3) Protection of native and endangered species
9 and their habitats.
- 10 (4) Control of nonnative species.
- 11 (5) Resource planning.
- 12 (6) Increased collaboration with scientists.
- 13 (7) Authorized environmental restoration
14 projects.
- 15 (8) Use of national parks for learning, includ-
16 ing visitor education and interpretation.
- 17 (9) Establishment of partnerships with nonpark
18 entities for the purpose of leveraging Federal funds
19 allocated to natural resource protection.

20 **TITLE IV—PROTECTING
21 NATIONAL TREASURES**

22 **SEC. 401. CULTURAL RESOURCE CHALLENGE.**

- 23 (a) CULTURAL RESOURCES.—Twenty percent of the
24 funds deposited into the Centennial Fund shall be used
25 to protect cultural resources within national parks.

1 (b) PROJECT DESCRIPTION.—The Secretary of the
2 Interior shall prepare, as part of the annual budget pro-
3 posal, a description of projects to be funded under this
4 section. Moneys shall be made available from the Centen-
5 nial Fund, without further appropriation, effective Octo-
6 ber 15 of each calendar year, for activities that include
7 each of the following:

8 (1) Cultural or historic resources not listed on
9 the FCI.

10 (2) Documenting and preserving archaeological
11 sites.

12 (3) Preserving collections and archives.

13 (4) Ethnographic activities.

14 (5) Evaluating and protecting cultural land-
15 scapes.

16 (6) Use of national parks for learning, includ-
17 ing visitor education and interpretation.

18 (7) Establishment of partnerships with non-
19 park entities for the purpose of leveraging Federal
20 funds allocated to cultural resource protection.

21 **TITLE V—MEETING ANNUAL 22 OPERATING NEEDS**

23 **SEC. 501. PROGRESS ON ANNUAL APPROPRIATIONS.**

24 (a) GAO REPORT.—The General Accounting Office
25 biennially shall submit to the Committee on Appropriations

1 tions, Committee on Government Reform, and Committee
2 on Resources of the United States House of Representa-
3 tives and to the Committee on Appropriations, Committee
4 on Government Affairs, and Committee on Energy and
5 Natural Resources of the United States Senate a report
6 that describes each of the following:

7 (1) The progress of Congress in eliminating the
8 annual operating fund deficit in the National Park
9 System, defined as in excess of \$800,000,000 based
10 on a 2006 estimate of then-complete national park
11 business plans, and a projection of when such deficit
12 will be eliminated, based on funding levels and
13 trends.

14 (2) A comparison of business plan estimates of
15 national park needs versus actual funds appro-
16 priated to such national parks.

17 (3) Any differences in the National Park Serv-
18 ice's business plan methodology for the estimate in
19 paragraph (2) of this subsection compared to that
20 used in fiscal year 2003.

21 (4) Management improvement measures under-
22 taken by individual park units and by the National
23 Park Service as a whole, including actual realized
24 savings and actual impact on visitor services and re-
25 source protection.

21 (b) BUSINESS PLAN IMPLEMENTATION DEMONSTRA-
22 TION PROGRAM.—In consultation with the Director of the
23 National Park Service, at least 60 percent of the amounts
24 provided under titles II, III, and IV shall be distributed
25 to national parks that have completed comprehensive busi-

1 ness plans under the Business Plan Initiative of the Na-
2 tional Park Service.

3 (c) EDUCATION AND THE NATIONAL PARKS.—The
4 Secretary of Education is hereby authorized to provide
5 grants to elementary and secondary schools to enter into
6 cooperative agreements with the National Park Service for
7 the purpose of distance learning and onsite education pro-
8 grams for the following purposes:

9 (1) Connecting students to the history of our
10 Nation through the national parks.

11 (2) Using the national parks to facilitate sci-
12 entific instruction.

13 (d) INTENT OF CONGRESS TO SUPPLEMENT ANNUAL
14 APPROPRIATIONS FOR NATIONAL PARK SERVICE.—
15 Amounts made available by this Act are intended by the
16 Congress to supplement, and not detract from, annual ap-
17 propriations for the National Park Service.

18 **TITLE VI—REPORTS**

19 **SEC. 601. REPORTS ASSESSING THE NATIONAL PARKS.**

20 (a) IN GENERAL.—Not later than 18 months after
21 the date of the enactment of this Act, the Secretary of
22 the Interior shall submit to Congress the following reports:

23 (1) A comprehensive report of the historical,
24 cultural, and environmental resources currently rep-
25 resented in the National Park System. The report

1 shall include recommendations regarding what gaps,
2 if any, in resource representation may be filled by
3 the National Park Service during its second centen-
4 nial.

5 (2) A comprehensive report of the National
6 Park Service's outreach efforts to raise interest in
7 National Parks among young people and different
8 ethnic groups. The report shall include—

9 (A) an analysis of partnerships between
10 National Parks and local communities that are
11 working on educational programs and of the
12 programs on which they are working; and

13 (B) recommendations regarding how the
14 outreach efforts and partnerships could be im-
15 proved during the National Park Service's sec-
16 ond centennial.

17 (3) A comprehensive report on the condition of
18 the roads and bridges used by visitors in National
19 Parks. The report shall inventory the needs for re-
20 pairs and replacements of those roads and bridges
21 and recommendations for new roads and bridges.

22 (4) A comprehensive report on the conditions of
23 alternative transportation systems in National
24 Parks. The report shall include recommendations for
25 repairs and replacements of alternative transpor-

1 tation systems, and for additional alternative trans-
2 portation systems, especially those needed to accom-
3 modate bicyclists and pedestrians. For the purpose
4 of this paragraph, “alternative transportation sys-
5 tems”—

6 (A) means transportation by bus, rail, or
7 any other publicly or privately owned convey-
8 ance that provides service to the public general
9 or special service on a regular basis;

10 (B) includes sightseeing service;

11 (C) includes a non-motorized transpor-
12 tation system (including the provision of facili-
13 ties for pedestrians, bicycles and nonmotorized
14 craft) both public and private; and

15 (D) is not limited to systems that provide
16 access to motorized systems.

17 (b) FUNDING.—The Secretary of the Interior shall
18 use the first \$300,000 deposited into the Centennial Fund
19 to carry out this section.

