

111TH CONGRESS  
1ST SESSION

# H. R. 4291

Making emergency supplemental appropriations for fiscal year 2010 for the National Park Service, National Forest Service, and Federal Highway Administration for public land rehabilitation, road projects, and job creation.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 11, 2009

Ms. LINDA T. SÁNCHEZ of California (for herself and Mr. BLUMENAUER) introduced the following bill; which was referred to the Committee on Appropriations, and in addition to the Committee on the Budget, 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

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## A BILL

Making emergency supplemental appropriations for fiscal year 2010 for the National Park Service, National Forest Service, and Federal Highway Administration for public land rehabilitation, road projects, and job creation.

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 “Public Lands Rehabili-  
5       tation and Job Creation Act”.

1 **SEC. 2. CONGRESSIONAL FINDINGS.**

2 The Congress finds the following:

3 (1) The National Park Service's (NPS) 67,000  
4 park assets include over 17,000 buildings, 4,000  
5 housing units, 1,200 campgrounds, 3,000 water and  
6 waste water systems, 5,000 miles of paved roadways,  
7 and 18,000 miles of trails; in total, these facilities  
8 have a replacement value in excess of \$100 billion.

9 (2) The NPS's maintenance backlog can be  
10 traced to two primary causes, the first being that  
11 new parks were added to the National Park System  
12 with facilities that were frequently in poor condition  
13 when transferred, and the second being that inad-  
14 equate funding and staffing over a number of years  
15 caused routine maintenance to slip, slowly but stead-  
16 ily causing minor problems to compound, leading to  
17 the need for major repairs and in some cases, new  
18 construction.

19 (3) Over one-half of the backlogged infrastruc-  
20 ture repair and rehabilitation projects fall under the  
21 category of roads and road-related infrastructure.

22 (4) To now reverse the backlog which has  
23 grown to nearly \$10 billion requires a concerted ef-  
24 fort involving necessary repairs and full funding of  
25 cyclic and routine maintenance programs so that

1 new problems can be treated at the earliest possible  
2 stage.

3 (5) Although the American Recovery and Rein-  
4 vestment Act of 2009 (ARRA) provided a much  
5 needed infusion of funds to kick-start repairs in a  
6 number of parks, the NPS has identified approxi-  
7 mately \$3.2 billion in highest priority critical system  
8 deferred maintenance projects (those projects most  
9 important to park operations) remaining.

10 (6) Because the ARRA-funded projects have de-  
11 pleted the number of shovel-ready projects that NPS  
12 had ready for construction, the NPS recommends  
13 that any funding increase should be phased in over  
14 several years in order to allow the NPS to rebuild  
15 its staff and support capacity.

16 (7) The NPS identifies preventive maintenance  
17 as the key to slowing the growth of the maintenance  
18 backlog.

19 (8) The NPS cyclic maintenance program is  
20 currently funded at about \$100 million a year and  
21 is designed to perform preventive maintenance  
22 through roof repairs, painting, and road resealing.  
23 The NPS maintenance management system indi-  
24 cates a need to increase this fund to \$350 million

1       annually, an increase of \$250 million from current  
2       levels.

3           (9) The NPS warns that any gains made  
4       through increased cyclic maintenance efforts will be  
5       minimized unless additional park operational main-  
6       tenance is also increased.

7           (10) At the present time, the NPS has approxi-  
8       mately 8,000 permanent and seasonal maintenance  
9       employees working within its 391 units. Virtually  
10      every park manager asserts that their current staff-  
11      ing level is woefully insufficient to take on identified  
12      maintenance needs, and as a result, needed repairs  
13      go unaddressed, ultimately adding to an ever grow-  
14      ing backlog.

15          (11) Evaluations by outside groups and individ-  
16      uals have routinely identified a 50 to 100 percent  
17      maintenance staffing shortfall in the parks they have  
18      visited. To increase maintenance staffing by 50 per-  
19      cent would require an additional operational increase  
20      of \$350 million a year.

21          (12) The NPS estimates that in 4 to 6 months  
22      after funding is provided, it can prepare needed  
23      plans and complete most of its hiring efforts for ad-  
24      ditional construction and maintenance work.

1           (13) With respect to National Forests, accord-  
2           ing to the Wilderness Society, road removal and rec-  
3           lamation, rather than road closings, are the best and  
4           most long-term solution to addressing the negative  
5           impacts of roads on forest ecosystems. With the  
6           proper training, roads and culverts can be reclaimed  
7           and slopes recontoured, using the very same exca-  
8           vators, bulldozers, and dump trucks used to build  
9           the roads in the first place.

10          (14) For rural communities, road removal and  
11          reclamation has the potential to create high-skill,  
12          high-wage, locally based jobs, to improve community  
13          water supplies, and to enrich fishing and hunting  
14          opportunities. Studies in Oregon and northern Cali-  
15          fornia have shown that roadwork requiring heavy  
16          equipment tends to be more locally based than  
17          thinning and planting work, where crews often come  
18          from hundreds of miles away.

19          (15) In the long run, the Forest Service esti-  
20          mates that road and culvert reclamation would save  
21          taxpayers up to \$1,200 per mile in reduced mainte-  
22          nance costs annually. Additionally, each \$1 million  
23          spent on road decommissioning will support an esti-  
24          mated 11 direct jobs for heavy equipment operators  
25          and 3.5 jobs for other forest workers.

1           (16) While shovel-ready projects are good for  
 2       rural communities, the environment, and ultimately  
 3       for taxpayers, the reality is that the Forest Service  
 4       currently has only a limited number of shovel-ready  
 5       roads-related projects on which to begin work. To  
 6       successfully allocate funding, the Forest Service  
 7       needs to identify its minimum road system, design  
 8       the engineering on projects to remove unneeded  
 9       roads, and do the project level National Environ-  
 10      mental Policy Act analysis before it can break  
 11      ground. Like shovel-ready projects, this necessary  
 12      analysis work would also create family-wage, high-  
 13      skilled, green jobs.

14   **SEC. 3. EMERGENCY SUPPLEMENTAL APPROPRIATIONS.**

15       The following sums are appropriated, out of any  
 16      money in the Treasury not otherwise appropriated, to pro-  
 17      vide emergency supplemental appropriations for fiscal year  
 18      2010:

19                   DEPARTMENT OF THE INTERIOR

20                           NATIONAL PARK SERVICE

21                               OPERATION OF THE NATIONAL PARK SERVICE

22       For an additional amount for “Operation of the Na-  
 23      tional Park Service” for cyclic and routine maintenance  
 24      and repair of visitor use, cultural resource, and other park  
 25      use facilities, \$1,250,000,000, to remain available until

1 September 30, 2014: *Provided*, That the amount under  
 2 this heading is designated as an emergency requirement  
 3 and necessary to meet emergency needs pursuant to sec-  
 4 tions 403 and 423(b) of S. Con. Res. 13 (111th Congress),  
 5 the concurrent resolution on the budget for fiscal year  
 6 2010.

7 CONSTRUCTION

8 For an additional amount for “Construction” for  
 9 major repairs and construction, \$2,000,000,000, to re-  
 10 main available until September 30, 2014: *Provided*, That  
 11 the amount under this heading is designated as an emer-  
 12 gency requirement and necessary to meet emergency needs  
 13 pursuant to sections 403 and 423(b) of S. Con. Res. 13  
 14 (111th Congress), the concurrent resolution on the budget  
 15 for fiscal year 2010.

16 DEPARTMENT OF AGRICULTURE

17 FOREST SERVICE

18 CAPITAL IMPROVEMENT AND MAINTENANCE

19 For an additional amount for “Capital Improvement  
 20 and Maintenance” for road-related projects, including  
 21 road decommissioning, \$500,000,000, to remain available  
 22 until September 30, 2014: *Provided*, That at least  
 23 \$100,000,000 of the amount appropriated under this  
 24 heading shall be for identifying a minimum road system  
 25 for every national forest and grassland pursuant to section

1 212.5(b) of title 36, Code of Federal Regulations, as in  
 2 effect on December 10, 2009: *Provided further*, That at  
 3 least \$100,000,000 of the amount appropriated under this  
 4 heading shall be for inventorying, designing, engineering,  
 5 and executing the work to decommission unauthorized  
 6 roads: *Provided further*, The activities conducted under  
 7 this heading may be carried out through contracting with  
 8 private entities: *Provided further*, That the amount under  
 9 this heading is designated as an emergency requirement  
 10 and necessary to meet emergency needs pursuant to sec-  
 11 tions 403 and 423(b) of S. Con. Res. 13 (111th Congress),  
 12 the concurrent resolution on the budget for fiscal year  
 13 2010.

## 14 DEPARTMENT OF TRANSPORTATION

### 15 FEDERAL HIGHWAY ADMINISTRATION

#### 16 HIGHWAY INFRASTRUCTURE INVESTMENT

17 For an additional amount for “Highway Infrastruc-  
 18 ture Investment” for the Park Roads and Parkways pro-  
 19 gram for critical park road and transportation-related in-  
 20 frastructure repairs and maintenance under section 204  
 21 of title 23, United States Code, \$1,000,000,000, to remain  
 22 available until September 30, 2014: *Provided*, That the  
 23 amount under this heading is designated as an emergency  
 24 requirement and necessary to meet emergency needs pur-  
 25 suant to sections 403 and 423(b) of S. Con. Res. 13

- 1 (111th Congress), the concurrent resolution on the budget
- 2 for fiscal year 2010.

