

In the Senate of the United States,

June 17, 2020.

Resolved, That the bill from the House of Representatives (H.R. 1957) entitled “An Act to amend the Internal Revenue Code of 1986 to modernize and improve the Internal Revenue Service, and for other purposes.”, do pass with the following

AMENDMENTS:

Strike all after the enacting clause and insert the following:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “Great American Out-*
3 *doors Act”.*

4 ***SEC. 2. NATIONAL PARKS AND PUBLIC LAND LEGACY RES-***
5 ***TORATION FUND.***

6 *(a) IN GENERAL.—Subtitle II of title 54, United*
7 *States Code, is amended by inserting after chapter 2003*
8 *the following:*

1 **“CHAPTER 2004—NATIONAL PARKS AND**
 2 **PUBLIC LAND LEGACY RESTORATION**
 3 **FUND**

“Sec.

“200401. Definitions.

“200402. National Parks and Public Land Legacy Restoration Fund.

4 **“§ 200401. Definitions**

5 “In this chapter:

6 “(1) *ASSET*.—The term ‘asset’ means any real
 7 property, including any physical structure or group-
 8 ing of structures, landscape, trail, or other tangible
 9 property, that—

10 “(A) has a specific service or function; and

11 “(B) is tracked and managed as a distinct,
 12 identifiable entity by the applicable covered
 13 agency.

14 “(2) *COVERED AGENCY*.—The term ‘covered
 15 agency’ means—

16 “(A) the Service;

17 “(B) the United States Fish and Wildlife
 18 Service;

19 “(C) the Forest Service;

20 “(D) the Bureau of Land Management; and

21 “(E) the Bureau of Indian Education.

22 “(3) *FUND*.—The term ‘Fund’ means the Na-
 23 tional Parks and Public Land Legacy Restoration
 24 Fund established by section 200402(a).

1 “(4) *PROJECT*.—The term ‘project’ means any
 2 activity to reduce or eliminate deferred maintenance
 3 of an asset, which may include resolving directly re-
 4 lated infrastructure deficiencies of the asset that
 5 would not by itself be classified as deferred mainte-
 6 nance.

7 **“§200402. National Parks and Public Land Legacy**
 8 **Restoration Fund**

9 “(a) *ESTABLISHMENT*.—There is established in the
 10 Treasury of the United States a fund to be known as the
 11 ‘National Parks and Public Land Legacy Restoration
 12 Fund’.

13 “(b) *DEPOSITS*.—

14 “(1) *IN GENERAL*.—Except as provided in para-
 15 graph (2), for each of fiscal years 2021 through 2025,
 16 there shall be deposited in the Fund an amount equal
 17 to 50 percent of all energy development revenues due
 18 and payable to the United States from oil, gas, coal,
 19 or alternative or renewable energy development on
 20 Federal land and water credited, covered, or deposited
 21 as miscellaneous receipts under Federal law in the
 22 preceding fiscal year.

23 “(2) *MAXIMUM AMOUNT*.—The amount deposited
 24 in the Fund under paragraph (1) shall not exceed
 25 \$1,900,000,000 for any fiscal year.

1 “(3) *EFFECT ON OTHER REVENUES.*—*Nothing in*
 2 *this section affects the disposition of revenues that—*

3 “(A) *are due to the United States, special*
 4 *funds, trust funds, or States from mineral and*
 5 *energy development on Federal land and water;*
 6 *or*

7 “(B) *have been otherwise appropriated—*

8 “(i) *under Federal law, including—*

9 “(I) *the Gulf of Mexico Energy*
 10 *Security Act of 2006 (43 U.S.C. 1331*
 11 *note; Public Law 109–432); and*

12 “(II) *the Mineral Leasing Act (30*
 13 *U.S.C. 181 et seq.); or*

14 “(ii) *from—*

15 “(I) *the Land and Water Con-*
 16 *servation Fund established under chap-*
 17 *ter 2003; or*

18 “(II) *the Historic Preservation*
 19 *Fund established under chapter 3031.*

20 “(c) *AVAILABILITY OF FUNDS.*—*Amounts deposited in*
 21 *the Fund shall be available to the Secretary and the Sec-*
 22 *retary of Agriculture, as provided in subsection (e), without*
 23 *further appropriation or fiscal year limitation.*

24 “(d) *INVESTMENT OF AMOUNTS.*—

1 “(1) *IN GENERAL.*—*The Secretary may request*
 2 *the Secretary of the Treasury to invest any portion*
 3 *of the Fund that is not, as determined by the Sec-*
 4 *retary, in consultation with the Secretary of Agri-*
 5 *culture, required to meet the current needs of the*
 6 *Fund.*

7 “(2) *REQUIREMENT.*—*An investment requested*
 8 *under paragraph (1) shall be made by the Secretary*
 9 *of the Treasury in a public debt security—*

10 “(A) *with a maturity suitable to the needs*
 11 *of the Fund, as determined by the Secretary; and*

12 “(B) *bearing interest at a rate determined*
 13 *by the Secretary of the Treasury, taking into*
 14 *consideration current market yields on out-*
 15 *standing marketable obligations of the United*
 16 *States of comparable maturity.*

17 “(3) *CREDITS TO FUND.*—*The income on invest-*
 18 *ments of the Fund under this subsection shall be cred-*
 19 *ited to, and form a part of, the Fund.*

20 “(e) *USE OF FUNDS.*—

21 “(1) *IN GENERAL.*—*Amounts deposited in the*
 22 *Fund for each fiscal year shall be used for priority*
 23 *deferred maintenance projects in the System, in the*
 24 *National Wildlife Refuge System, on public land ad-*
 25 *ministered by the Bureau of Land Management, for*

1 *the Bureau of Indian Education schools, and in the*
 2 *National Forest System, as follows:*

3 “(A) 70 percent of the amounts deposited in
 4 *the Fund for each fiscal year shall be allocated*
 5 *to the Service.*

6 “(B) 15 percent of the amounts deposited in
 7 *the Fund for each fiscal year shall be allocated*
 8 *to the Forest Service.*

9 “(C) 5 percent of the amounts deposited in
 10 *the Fund for each fiscal year shall be allocated*
 11 *to the United States Fish and Wildlife Service.*

12 “(D) 5 percent of the amounts deposited in
 13 *the Fund for each fiscal year shall be allocated*
 14 *to the Bureau of Land Management.*

15 “(E) 5 percent of the amounts deposited in
 16 *the Fund for each fiscal year shall be allocated*
 17 *to the Bureau of Indian Education.*

18 “(2) *LIMITATIONS.—*

19 “(A) *NON-TRANSPORTATION PROJECTS.—*
 20 *Over the term of the Fund, within each covered*
 21 *agency, not less than 65 percent of amounts from*
 22 *the Fund shall be allocated for non-transportation*
 23 *projects.*

24 “(B) *TRANSPORTATION PROJECTS.—The*
 25 *amounts remaining in the Fund after the alloca-*

1 *tions required under subparagraph (A) may be*
 2 *allocated for transportation projects of the cov-*
 3 *ered agencies, including paved and unpaved*
 4 *roads, bridges, tunnels, and paved parking areas.*

5 *“(C) PLAN.—Any priority deferred mainte-*
 6 *nance project funded under this section shall be*
 7 *consistent with an applicable transportation, de-*
 8 *ferred maintenance, or capital improvement*
 9 *plan developed by the applicable covered agency.*

10 *“(f) PROHIBITED USE OF FUNDS.—No amounts in the*
 11 *Fund shall be used—*

12 *“(1) for land acquisition;*

13 *“(2) to supplant discretionary funding made*
 14 *available for annually recurring facility operations,*
 15 *maintenance, and construction needs; or*

16 *“(3) for bonuses for employees of the Federal*
 17 *Government that are carrying out this section.*

18 *“(g) SUBMISSION OF PRIORITY LIST OF PROJECTS TO*
 19 *CONGRESS.—Not later than 90 days after the date of enact-*
 20 *ment of this section, the Secretary and the Secretary of Ag-*
 21 *riculture shall submit to the Committees on Energy and*
 22 *Natural Resources and Appropriations of the Senate and*
 23 *the Committees on Natural Resources and Appropriations*
 24 *of the House of Representatives a list of projects to be funded*
 25 *for fiscal year 2021 that—*

1 “(1) are identified by the Secretary and the Sec-
 2 retary of Agriculture as priority deferred mainte-
 3 nance projects; and

4 “(2) as of the date of the submission of the list,
 5 are ready to be implemented.

6 “(h) SUBMISSION OF ANNUAL LIST OF PROJECTS TO
 7 CONGRESS.—Until the date on which all of the amounts
 8 in the Fund are expended, the President shall annually sub-
 9 mit to Congress, together with the annual budget of the
 10 United States, a list of projects to be funded from the Fund
 11 that includes a detailed description of each project, includ-
 12 ing the estimated expenditures from the Fund for the project
 13 for the applicable fiscal year.

14 “(i) ALTERNATE ALLOCATION.—

15 “(1) IN GENERAL.—Appropriations Acts may
 16 provide for alternate allocation of amounts made
 17 available under this section, consistent with the allo-
 18 cations to covered agencies under subsection (e)(1).

19 “(2) ALLOCATION BY PRESIDENT.—

20 “(A) NO ALTERNATE ALLOCATIONS.—If
 21 Congress has not enacted legislation establishing
 22 alternate allocations by the date on which the
 23 Act making full-year appropriations for the De-
 24 partment of the Interior, Environment, and Re-
 25 lated Agencies for the applicable fiscal year is

1 *enacted into law, amounts made available under*
 2 *subsection (c) shall be allocated by the President.*

3 “(B) *INSUFFICIENT ALTERNATE ALLOCA-*
 4 *TION.—If Congress enacts legislation establishing*
 5 *alternate allocations for amounts made available*
 6 *under subsection (c) that are less than the full*
 7 *amount appropriated under that subsection, the*
 8 *difference between the amount appropriated and*
 9 *the alternate allocation shall be allocated by the*
 10 *President.*

11 “(j) *PUBLIC DONATIONS.—*

12 “(1) *IN GENERAL.—The Secretary and the Sec-*
 13 *retary of Agriculture may accept public cash or in-*
 14 *kind donations that advance efforts—*

15 “(A) *to reduce the deferred maintenance*
 16 *backlog; and*

17 “(B) *to encourage relevant public-private*
 18 *partnerships.*

19 “(2) *CREDITS TO FUND.—Any cash donations*
 20 *accepted under paragraph (1) shall be—*

21 “(A) *credited to, and form a part of, the*
 22 *Fund; and*

23 “(B) *allocated to the covered agency for*
 24 *which the donation was made.*

1 “(3) *OTHER ALLOCATIONS.*—Any donations allo-
 2 cated to a covered agency under paragraph (2)(B)
 3 shall be allocated to the applicable covered agency
 4 independently of the allocations under subsection
 5 (e)(1).

6 “(k) *REQUIRED CONSIDERATION FOR ACCESSI-*
 7 *BILITY.*—In expending amounts from the Fund, the Sec-
 8 retary and the Secretary of Agriculture shall incorporate
 9 measures to improve the accessibility of assets and accom-
 10 modate visitors and employees with disabilities in accord-
 11 ance with applicable law.”.

12 (b) *CLERICAL AMENDMENT.*—The table of chapters for
 13 subtitle II of title 54, United States Code, is amended by
 14 inserting after the item relating to chapter 2003 the fol-
 15 lowing:

“2004. National Parks and Public Land Legacy Restoration Fund200401”.

16 (c) *GAO STUDY.*—Not later than 5 years after the date
 17 of enactment of this Act, the Comptroller General of the
 18 United States shall—

19 (1) conduct a study on the implementation of
 20 this section and the amendments made by this section,
 21 including whether this section and the amendments
 22 made by this section have effectively reduced the pri-
 23 ority deferred maintenance backlog of the covered
 24 agencies (as that term is defined in section 200401 of
 25 title 54, United States Code); and

1 (2) *submit to Congress a report that describes the*
 2 *results of the study under paragraph (1).*

3 **SEC. 3. PERMANENT FULL FUNDING OF THE LAND AND**
 4 **WATER CONSERVATION FUND.**

5 (a) *IN GENERAL.*—Section 200303 of title 54, United
 6 *States Code, is amended to read as follows:*

7 **“§ 200303. Availability of funds**

8 “(a) *IN GENERAL.*—Any amounts deposited in the
 9 *Fund under section 200302 for fiscal year 2020 and each*
 10 *fiscal year thereafter shall be made available for expendi-*
 11 *ture for fiscal year 2021 and each fiscal year thereafter,*
 12 *without further appropriation or fiscal year limitation, to*
 13 *carry out the purposes of the Fund (including accounts and*
 14 *programs made available from the Fund pursuant to the*
 15 *Further Consolidated Appropriations Act, 2020 (Public*
 16 *Law 116–94; 133 Stat. 2534)).*

17 “(b) *ADDITIONAL AMOUNTS.*—Amounts made avail-
 18 *able under subsection (a) shall be in addition to amounts*
 19 *made available to the Fund under section 105 of the Gulf*
 20 *of Mexico Energy Security Act of 2006 (43 U.S.C. 1331*
 21 *note; Public Law 109–432) or otherwise appropriated from*
 22 *the Fund.*

23 “(c) *ALLOCATION AUTHORITY.*—

24 “(1) *SUBMISSION OF COST ESTIMATES.*—*The*
 25 *President shall submit to Congress detailed account,*

1 *program, and project allocations of the full amount*
 2 *made available under subsection (a)—*

3 *“(A) for fiscal year 2021, not later than 90*
 4 *days after the date of enactment of the Great*
 5 *American Outdoors Act; and*

6 *“(B) for each fiscal year thereafter, as part*
 7 *of the annual budget submission of the President.*

8 *“(2) ALTERNATE ALLOCATION.—*

9 *“(A) IN GENERAL.—Appropriations Acts*
 10 *may provide for alternate allocation of amounts*
 11 *made available under subsection (a), including*
 12 *allocations by account, program, and project.*

13 *“(B) ALLOCATION BY PRESIDENT.—*

14 *“(i) NO ALTERNATE ALLOCATIONS.—If*
 15 *Congress has not enacted legislation estab-*
 16 *lishing alternate allocations by the date on*
 17 *which the Act making full-year appropria-*
 18 *tions for the Department of the Interior,*
 19 *Environment, and Related Agencies for the*
 20 *applicable fiscal year is enacted into law,*
 21 *amounts made available under subsection*
 22 *(a) shall be allocated by the President.*

23 *“(ii) INSUFFICIENT ALTERNATE ALLO-*
 24 *CATION.—If Congress enacts legislation es-*
 25 *tablishing alternate allocations for amounts*

1 *made available under subsection (a) that*
 2 *are less than the full amount appropriated*
 3 *under that subsection, the difference between*
 4 *the amount appropriated and the alternate*
 5 *allocation shall be allocated by the Presi-*
 6 *dent.*

7 “(3) *RECREATIONAL PUBLIC ACCESS.*—*Amounts*
 8 *expended from the Fund under this section shall be*
 9 *consistent with the requirements for recreational pub-*
 10 *lic access for hunting, fishing, recreational shooting,*
 11 *or other outdoor recreational purposes under section*
 12 *200306(c).*

13 “(4) *ANNUAL REPORT.*—*The President shall sub-*
 14 *mit to Congress an annual report that describes the*
 15 *final allocation by account, program, and project of*
 16 *amounts made available under subsection (a), includ-*
 17 *ing a description of the status of obligations and ex-*
 18 *penditures.”.*

19 (b) *CONFORMING AMENDMENTS.*—

20 (1) *Section 200302(c) of title 54, United States*
 21 *Code, is amended by striking paragraph (3).*

22 (2) *Section 200306(a)(2)(B) of title 54, United*
 23 *States Code, is amended by striking clause (iii).*

24 (c) *CLERICAL AMENDMENT.*—*The table of sections for*
 25 *chapter 2003 of title 54, United States Code, is amended*

- 1 *by striking the item relating to section 200303 and insert-*
- 2 *ing the following:*

“200303. Availability of funds.”.

Amend the title so as to read: “An Act to amend title 54, United States Code, to establish, fund, and provide for the use of amounts in a National Parks and Public Land Legacy Restoration Fund to address the maintenance backlog of the National Park Service, the United States Fish and Wildlife Service, the Bureau of Land Management, the Forest Service, and the Bureau of Indian Education, and to provide permanent, dedicated funding for the Land and Water Conservation Fund, and for other purposes.”.

Attest:

Secretary.

116TH CONGRESS
2D SESSION

H.R. 1957

AMENDMENTS