

116TH CONGRESS
2D SESSION

H. R. 8288

To correct shortfalls in the Great American Outdoors Act by providing fairness and parity to Eastern States, strengthening commitments to urban recreation, establishing logic in funding priorities, and ensuring appropriate consequences for shifts in funding sources, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 17, 2020

Mr. BISHOP of Utah introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To correct shortfalls in the Great American Outdoors Act by providing fairness and parity to Eastern States, strengthening commitments to urban recreation, establishing logic in funding priorities, and ensuring appropriate consequences for shifts in funding sources, 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 “Improving the Not-
5 So-Great American Outdoors Act”.

1 **SEC. 2. ENSURING FAIRNESS AND PARITY FOR EASTERN**
 2 **STATES.**

3 Section 200306(a) of title 54, United States Code,
 4 is amended by adding the at the end the following:

5 “(5) Except for amounts specifically authorized
 6 by an Act of Congress, not less than 50 percent of
 7 the land acreage or interests in land acreage ac-
 8 quired pursuant to this section shall be east of the
 9 100th meridian.”.

10 **SEC. 3. STRENGTHENING COMMITMENTS TO URBAN**
 11 **RECREATION.**

12 (a) DEFINITIONS.—In this section:

13 (1) ELIGIBLE ENTITY.—

14 (A) IN GENERAL.—The term “eligible enti-
 15 ty” means—

16 (i) a State;

17 (ii) a political subdivision of a State,
 18 including—

19 (I) a city; and

20 (II) a county;

21 (iii) a special purpose district, includ-
 22 ing park districts; and

23 (iv) an Indian Tribe.

24 (B) POLITICAL SUBDIVISIONS AND INDIAN
 25 TRIBES.—A political subdivision of a State or
 26 an Indian Tribe shall be considered an eligible

1 entity only if the political subdivision or Indian
2 Tribe represents or otherwise serves a quali-
3 fying urban area.

4 (2) OUTDOOR RECREATION LEGACY PARTNER-
5 SHIP GRANT PROGRAM.—The term “Outdoor Recre-
6 ation Legacy Partnership Grant Program” means
7 the program established under subsection (b).

8 (3) QUALIFYING URBAN AREA.—The term
9 “qualifying urban area” means an area identified by
10 the Census Bureau as an “urban area” in the most
11 recent census.

12 (4) SECRETARY.—The term “Secretary” means
13 the Secretary of the Interior.

14 (b) ESTABLISHMENT.—The Secretary shall establish
15 an outdoor recreation legacy partnership grant program
16 under which the Secretary may award grants to eligible
17 entities for projects—

18 (1) to acquire land and water for parks and
19 other outdoor recreation purposes;

20 (2) to develop new or renovate existing outdoor
21 recreation facilities; and

22 (3) to develop projects that provide opportuni-
23 ties for outdoor education and public lands vol-
24 unteerism.

25 (c) MATCHING REQUIREMENT.—

1 (1) IN GENERAL.—As a condition of receiving a
2 grant under subsection (b), an eligible entity shall
3 provide matching funds in the form of cash or an in-
4 kind contribution in an amount equal to not less
5 than 100 percent of the amounts made available
6 under the grant.

7 (2) SOURCES.—The matching amounts referred
8 to in paragraph (1) may include amounts made
9 available from State, local, nongovernmental, or pri-
10 vate sources.

11 (3) WAIVER.—The Secretary may waive all or
12 part of the matching requirement under paragraph
13 (1) if the Secretary determines that—

14 (A) no reasonable means are available
15 through which an applicant can meet the
16 matching requirement; and

17 (B) the probable benefit of such project
18 outweighs the public interest in such matching
19 requirement.

20 (d) ELIGIBLE USES.—

21 (1) IN GENERAL.—A grant recipient may use a
22 grant awarded under this section—

23 (A) to acquire land or water that provides
24 outdoor recreation opportunities to the public;
25 and

(B) to develop or renovate outdoor recreational facilities that provide outdoor recreation opportunities to the public, with priority given to projects that—

(i) create or significantly enhance access to park and recreational opportunities in an urban or suburban area that lacks access to such activities;

(ii) engage and empower underserved communities and youth;

(iii) provide opportunities for youth employment or job training;

(iv) establish or expand public-private partnerships, with a focus on leveraging resources; and

(v) take advantage of coordination among various levels of government.

(2) LIMITATIONS ON USE.—A grant recipient may not use grant funds for—

(A) grant administration costs;

(B) incidental costs related to land acquisition, including appraisal and titling;

(C) operation and maintenance activities;

(D) facilities that support semiprofessional or professional athletics;

1 (E) indoor facilities such as recreation cen-
2 ters or facilities that support primarily non-out-
3 door purposes; or

4 (F) acquisition of land or interests in land
5 that restrict access to specific persons.

6 (e) NATIONAL PARK SERVICE REQUIREMENTS.—In
7 carrying out the Outdoor Recreation Legacy Partnership
8 Grant Program, the Secretary shall—

9 (1) conduct an initial screening and technical
10 review of applications received; and

11 (2) evaluate and score all qualifying applica-
12 tions.

13 (f) REPORTING.—Each grant recipient that receives
14 a grant under this section shall annually submit to the
15 Secretary performance and financial reports that—

16 (1) summarize project activities conducted dur-
17 ing the report period; and

18 (2) provide the status of the project, including
19 of description of how the project has improved ac-
20 cess to parkland, open space, or recreational facili-
21 ties from the community perspective.

22 (g) FUNDING.—Section 200306(a) of title 54, United
23 States Code, is amended by adding at the end the fol-
24 lowing:

1 “(7) Five percent of the amounts shall be allo-
2 cated to provide grants under the Outdoor Recre-
3 ation Legacy Partnership Grant Program estab-
4 lished under section 3 of the Improving the Not-So-
5 Great American Outdoors Act.”.

6 **SEC. 4. ESTABLISHING LOGIC IN FUNDING PRIORITIES.**

7 Section 200402(b) of title 54, United States Code,
8 is amended by—

9 (1) redesignating paragraph (3) as paragraph
10 (4); and

11 (2) adding the following after paragraph (2)—

12 “(3) INSUFFICIENT FUNDS.—In any of fiscal
13 years 2021 through 2025 in which the total amount
14 deposited into the Fund is less than \$1,900,000,000,
15 sufficient funds (if available) under section 200306
16 5 of title 54, United States Code, shall also be avail-
17 able for the uses of the Fund in accordance with this
18 chapter in such amounts as are necessary to ensure
19 that a total of \$1,900,000,000 is available for those
20 uses for that fiscal year. If sufficient funds are not
21 available under section 200306 of title 54, United
22 States Code, to ensure the \$1,900,000,000 total,
23 then the maximum amount allocated to that section
24 shall be made available for the uses of the Fund.”.

1 **SEC. 5. TRANSPARENCY IN PROJECT FUNDING ALLOCA-**
2 **TION.**

3 Section 200303(c)(2)(B) of title 54, United States
4 Code, is amended by inserting “only in accordance with
5 the detailed submission to Congress under paragraph (1)”
6 after “allocated by the President” both places it appears.

7 **SEC. 6. APPROPRIATE CONSEQUENCES REGARDING FUND-**
8 **ING SOURCES.**

9 In the first fiscal year in which receipts under section
10 200302(c)(2) of title 54, United States Code, are unavail-
11 able for deposit in the Land and Water Conservation
12 Fund established under that section, the Land and Water
13 Conservation Fund shall be repealed, any existing unobli-
14 gated balances shall revert to the general Treasury, and
15 any future revenues and collections that would have been
16 deposited in that Fund shall instead be deposited in the
17 general Treasury.

18 **SEC. 7. ENSURING AVAILABILITY OF FUNDS FOR MAINTENANCE**
19 **BACKLOG.**

20 Section 200302(c) of title 54, United States Code,
21 is amended by striking “not less than”.

22 **SEC. 8. CONFORMING AMENDMENT.**

23 Section 200306(a)(2)(B) of title 54, United States
24 Code, is amended by adding at the end the following:

25 “(iii) LIMITATION.—Except for areas
26 specifically authorized by Act of Congress,

1 not more than 15 percent of the acreage
2 added to the National Forest System pur-
3 suant to this section shall be west of the
4 100th meridian.”.

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