

103^D CONGRESS
2^D SESSION

S. 2128

To authorize an entrance fee surcharge at the Grand Canyon National Park,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 18 (legislative day, MAY 16), 1994

Mr. MCCAIN introduced the following bill; which was read twice and referred
to the Committee on Energy and Natural Resources

A BILL

To authorize an entrance fee surcharge at the Grand Canyon
National Park, 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. FINDINGS.**

4 Congress finds the following:

5 (1) As of the date of enactment of this Act, the
6 existing infrastructure of Grand Canyon National
7 Park is not adequate to serve the purposes for which
8 the Park was established.

9 (2) Improving the infrastructure of the Park
10 would enhance the natural and cultural resources of

1 the Park and the quality of the experiences of visi-
2 tors to the Park.

3 (3) Through the development of a general man-
4 agement plan, the Director of the National Park
5 Service has identified reasonable measures that are
6 necessary to improve the infrastructure and related
7 services of the Park, including making improvements
8 to transportation facilities and visitor services, and
9 reusing historic structures appropriately.

10 (4) In order for the Director to implement the
11 general management plan referred to in paragraph
12 (3) at the Park, it is necessary for the Director to
13 be authorized to—

14 (A) enter into agreements with non-Fed-
15 eral entities to share the costs of the improve-
16 ments; and

17 (B) assess and collect a special surcharge
18 in addition to the entrance fees otherwise col-
19 lected by the National Park Service.

20 **SEC. 2. GRAND CANYON ENTRANCE FEE SURCHARGE.**

21 Notwithstanding any other provision of law, the Sec-
22 retary of the Interior shall—

23 (1) authorize the Superintendent of the Grand
24 Canyon National Park to charge and collect, in addi-
25 tion to the entrance fee collected pursuant to section

1 4 of the Land and Water Conservation Fund Act of
2 1965 (16 U.S.C. 460l-6a), a surcharge in an
3 amount not to exceed \$2 for each individual charged
4 such entrance fee; and

5 (2) remit to the special account for Grand Can-
6 yon National Park infrastructure improvement
7 amounts collected as a surcharge under such
8 authority.

9 **SEC. 3. SPECIAL ACCOUNT FOR GRAND CANYON NATIONAL**
10 **PARK INFRASTRUCTURE IMPROVEMENT.**

11 (a) ESTABLISHMENT.—The Secretary of the Treas-
12 ury, in consultation with the Secretary of the Interior,
13 shall establish in the Treasury of the United States a spe-
14 cial account for Grand Canyon National Park infrastruc-
15 ture improvement.

16 (b) ADMINISTRATION OF ACCOUNT.—The Secretary
17 of the Treasury shall—

18 (1) credit to the special account amounts remit-
19 ted pursuant to section 2(2); and

20 (2) make funds in the special account available
21 for use only as provided in subsection (c).

22 (c) USE OF FUNDS.—

23 (1) IN GENERAL.—The Secretary of the Inte-
24 rior, acting through the Director of the National
25 Park Service, may use funds in the special account

1 only to pay the Federal share of the cost of eligible
2 projects.

3 (2) DAILY OPERATIONS.—No funds in the spe-
4 cial account may be used for daily operation of the
5 Grand Canyon National Park.

6 **SEC. 4. ELIGIBLE PROJECTS.**

7 (a) ELIGIBLE PROJECTS.—Subject to subsection (b),
8 any project for the design, construction, operation, main-
9 tenance, repair, or replacement of a facility within the
10 Grand Canyon National Park is eligible for funding in ac-
11 cordance with this Act.

12 (b) LIMITATION.—A project referred to in subsection
13 (a) shall be consistent with—

14 (1) the laws governing the National Park
15 Service;

16 (2) the Act entitled “An Act to establish the
17 Grand Canyon National Park in the State of Ari-
18 zona”, approved February 26, 1919 (16 U.S.C. 221
19 et seq.), the Grand Canyon National Park Enlarge-
20 ment Act (16 U.S.C. 228a et seq.), and any related
21 law; and

22 (3) the general management plan for the Park.

1 **SEC. 5. COST-SHARING AGREEMENTS WITH NON-FEDERAL**
2 **ENTITIES.**

3 (a) AGREEMENTS REQUIRED.—The Director of the
4 National Park Service, in consultation with the Super-
5 intendent of the Grand Canyon National Park, shall enter
6 into a cost-sharing agreement with a non-Federal Govern-
7 ment entity for each eligible project.

8 (b) CONTENT.—The cost-sharing agreement shall
9 specify the Federal share and the non-Federal share of
10 the cost of the project and shall provide for payment of
11 the non-Federal share by the non-Federal entity.

12 (c) AUTHORITY TO COVER SEVERAL PROJECTS.—A
13 cost-sharing agreement may cover more than one eligible
14 project.

15 **SEC. 6. REGULATIONS.**

16 (a) REGULATIONS REQUIRED.—The Secretary of the
17 Interior shall prescribe regulations to carry out this Act.

18 (b) CONTENT.—The regulations shall include the fol-
19 lowing matters:

20 (1) The procedures for the management of the
21 special account.

22 (2) The manner in which funds for payment of
23 the non-Federal share of the cost of an eligible
24 project may be solicited and acknowledged.

1 (3) Provisions for ensuring the protection of the
2 natural, cultural, and other resources that the Park
3 was established to protect.

4 (4) Provisions to encourage funding from the
5 private sector only for projects that contribute to the
6 restoration and protection of the resources referred
7 to in paragraph (3).

8 (5) Protections against the commercialization of
9 the Grand Canyon National Park.

10 (6) Procedures to prevent the creation of a con-
11 flict of interest with respect to an employee of the
12 Federal Government.

13 (7) Provisions for continuous participation of
14 the general public in the oversight of the implemen-
15 tation of this Act.

16 (c) NOTICE AND PUBLIC COMMENT.—The Secretary
17 shall carry out subsection (a) in accordance with section
18 553 of title 5, United States Code (relating to publication
19 of notice and opportunity for public comment), without re-
20 gard to any applicable exception provided in such section.

21 **SEC. 7. REPORT.**

22 (a) REPORT REQUIRED.—Not later than 5 years
23 after the date of enactment of this Act, the Secretary of
24 the Interior shall submit to Congress a report on the

1 Grand Canyon National Park infrastructure improvement
2 authority provided in this Act.

3 (b) CONTENT OF REPORT.—The report shall include
4 the following matters:

5 (1) An assessment of the effectiveness of the
6 exercise of authority under this Act to improve the
7 infrastructure of the Grand Canyon National Park.

8 (2) Any recommended legislation with respect
9 to—

10 (A) the surcharge authorized under section
11 2;

12 (B) the special account;

13 (C) the use of the special account for fund-
14 ing eligible projects; or

15 (D) any other matter that the Secretary
16 determines to be related to the authority pro-
17 vided under this Act.

18 **SEC. 8. DEFINITIONS.**

19 As used in this Act:

20 (1) FACILITY.—The term “facility” includes
21 any structure, road, trail, utility, or other facility
22 that is used or to be used for or in support of—

23 (A) the protection or restoration of a natu-
24 ral or cultural resource;

25 (B) an interpretive service; or

1 (C) any other service or activity that the
2 Secretary determines to be related to the oper-
3 ation of the Grand Canyon National Park.

4 (2) FEDERAL SHARE.—The term “Federal
5 share”, with respect to the cost of an eligible
6 project, means the percent of the cost of such
7 project that is paid with Federal funds, including
8 funds disbursed from the special account.

9 (3) NON-FEDERAL SHARE.—The term “non-
10 Federal share”, with respect to the cost of an eligi-
11 ble project, means the percent of the cost of such
12 project that is paid with funds other than funds re-
13 ferred to in paragraph (2).

14 (4) ELIGIBLE PROJECT.—The term “eligible
15 project” is any project that is eligible for funding in
16 accordance with this Act.

17 (5) SPECIAL ACCOUNT.—The terms “special ac-
18 count for Grand Canyon National Park infrastruc-
19 ture improvement” and “special account” mean the
20 account established pursuant to section 3.

○