

104TH CONGRESS  
2D SESSION

# H. R. 3788

To authorize the Secretary of the Interior to assess up to \$2 per person visiting the Grand Canyon or other national park to secure bonds for capital improvements to the park, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 11, 1996

Mr. KOLBE introduced the following bill; which was referred to the Committee on Resources

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## A BILL

To authorize the Secretary of the Interior to assess up to \$2 per person visiting the Grand Canyon or other national park to secure bonds for capital improvements to the 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. SHORT TITLE.**

4 This Act may be cited as the “National Parks Capital  
5 Improvements Act of 1996”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1           (1) FUNDRAISING ORGANIZATION.—The term  
2           “fundraising organization” means an entity author-  
3           ized to act as a fundraising organization under sec-  
4           tion 3(a).

5           (2) NATIONAL PARK FOUNDATION.—The term  
6           “National Park Foundation” means the foundation  
7           established under the Act entitled “An Act to estab-  
8           lish the National Park Foundation”, approved De-  
9           cember 18, 1967 (16 U.S.C. 19e et seq.).

10          (3) PARK.—The term “park” means—  
11           (A) the Grand Canyon National Park; and  
12           (B) any other national park designated by  
13           the Secretary that has an approved general  
14           management plan with capital needs in excess  
15           of \$5,000,000.

16          (4) SECRETARY.—The term “Secretary” means  
17           the Secretary of the Interior.

18 **SEC. 3. FUNDRAISING ORGANIZATION.**

19          (a) IN GENERAL.—The Secretary may enter into a  
20          memorandum of agreement under section 4 with an entity  
21          to act as an authorized fundraising organization for the  
22          benefit of the park.

23          (b) BONDS.—The fundraising organization shall  
24          issue taxable bonds in return for the park surcharge col-  
25          lected under section 5.

1           (c) PROFESSIONAL STANDARDS.—The fundraising  
2 organization shall abide by all relevant professional stand-  
3 ards regarding the issuance of securities and shall comply  
4 with all Federal and State law.

5           (d) AUDIT.—The fundraising organization shall be  
6 subject to an audit by the Secretary.

7           (e) NO LIABILITY FOR BONDS.—The United States  
8 shall not be liable for the security of any bonds issued  
9 by the fundraising organization, except that if the sur-  
10 charge specified in section 5(a) is not imposed for any rea-  
11 son or if such surcharge is reduced or eliminated, the full  
12 faith and credit of the United States is pledged to the pay-  
13 ment of such bonds and the interest accruing on such  
14 bonds.

15 **SEC. 4. MEMORANDUM OF AGREEMENT.**

16           The fundraising organization shall enter into a  
17 memorandum of agreement that specifies—

18                   (1) the amount of the bond issue;

19                   (2) the maturity of the bonds, not to exceed 20  
20 years;

21                   (3) the per capita amount required to amortize  
22 the bond issue, provide for the reasonable costs of  
23 administration, and maintain a sufficient reserve  
24 consistent with industry standards;

1           (4) any project that will be funded with the  
2           bond proceeds and the specific responsibilities of the  
3           Secretary and the fundraising organization with re-  
4           spect to the project; and

5           (5) procedures for modifications of the agree-  
6           ment with the consent of both parties, including  
7           modifications relating to project priorities, based on  
8           changes in circumstances.

9   **SEC. 5. PARK SURCHARGE.**

10          (a) **IN GENERAL.**—Notwithstanding any other provi-  
11          sion of law, the Secretary of the Interior may authorize  
12          the Superintendent of the park to charge and collect, in  
13          addition to the entrance fee collected pursuant to section  
14          4 of the Land and Water Conservation Fund Act of 1965  
15          (16 U.S.C. 460~~l~~–6a), a surcharge in an amount not to  
16          exceed \$2 for each individual charged the entrance fee.

17          (b) **USE.**—The surcharge shall be used by the fund-  
18          raising organization to amortize the bond issue, provide  
19          for the reasonable costs of administration, and maintain  
20          a sufficient reserve consistent with industry standards.

21          (c) **EXCESS FUNDS.**—Any funds collected in excess  
22          of the amount necessary to amortize the bond issue, pay  
23          reasonable administrative expenses, and maintain a suffi-  
24          cient reserve, as determined by the bond underwriter, shall

1 be remitted to the National Park Foundation to be used  
2 for the benefit of all units of the National Park System.

3 **SEC. 6. USE OF BOND PROCEEDS.**

4 (a) ELIGIBLE PROJECTS.—

5 (1) IN GENERAL.—Subject to paragraph (2),  
6 bond proceeds under this Act may be used for a  
7 project for the design, construction, operation, main-  
8 tenance, repair, or replacement of a facility in the  
9 park. No part of such proceeds (other than interest  
10 as provided in subsection (b)) may be used to defray  
11 administrative expenses.

12 (2) LIMITATION.—A project referred to in para-  
13 graph (2) shall be consistent with—

14 (A) the laws governing the National Park  
15 System;

16 (B) any law governing the park; and

17 (C) the general management plan for the  
18 park.

19 (b) INTEREST ON BOND PROCEEDS.—(1) Any inter-  
20 est earned on bond proceeds may be used by the fundrais-  
21 ing organization to—

22 (A) meet reserve requirements; and

23 (B) defray administrative expenses incurred in  
24 connection with the management and sale of the  
25 bonds.

1       (2) All interest on bond proceeds not used for pur-  
2 poses of paragraph (1) shall be remitted to the National  
3 Park Foundation for the benefit of all units of the Na-  
4 tional Park System.

5 **SEC. 7. ADMINISTRATION.**

6       The Secretary, in consultation with the Secretary of  
7 Treasury, shall issue regulations to carry out this Act.

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