To amend title 54, United States Code, to reauthorize and reform the Land and Water Conservation Fund, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

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

A BILL

To amend title 54, United States Code, to reauthorize and reform the Land and Water Conservation Fund, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Protecting America’s Recreation and Conservation Act” or the “PARC Act”.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. Reauthorization.
Sec. 4. Statement of estimated requirements.
Sec. 5. Fund amounts for State purposes.
Sec. 6. Allocation of fund amounts for Federal purposes.
Sec. 7. Contracts for acquisition of land and water.
Sec. 8. Payment In-Lieu of Taxes program.
Sec. 9. Promoting Offshore Energy Exploration, Innovation, and Education.
Sec. 10. Statutory construction.
Sec. 11. Community Improvement through Innovation, Engagement, and Support Program.
Sec. 12. Prohibition on use of condemnation or eminent domain.

SEC. 3. REAUTHORIZATION.

Section 200302 of title 54, United States Code, is amended by—

(1) in subsection (b), in the language preceding paragraph (1), by striking “September 30, 2015” and inserting “September 30, 2022”; and

(2) in subsection (c)(1), by striking “September 30, 2015” and inserting “September 30, 2022”.

SEC. 4. STATEMENT OF ESTIMATED REQUIREMENTS.

Section 200304 of title 54, United States Code, is amended by striking “Not less than 40 percent of such appropriations shall be available for Federal purposes.”.

SEC. 5. FUND AMOUNTS FOR STATE PURPOSES.

(a) ALLOCATION.—Section 200305(a) of title 54, United States Code, is amended by inserting “Of the overall amount appropriated from the Fund for any fiscal year, not less than 45 percent shall be available to the States as provided in this section.” before “The Secretary may provide”.
(b) APPORTIONMENT AMONG STATES.—Section 200305(b) of title 54, United States Code, is amended—

(1) by amending paragraph (1) to read as follows:

“(1) Fifty percent shall be apportioned equally among the States.”;

(2) by amending paragraph (3) to read as follows:

“(3) Not less than 30 percent of the total allocation to each State shall be used in one or more communities with a population of greater than 20,000 (based on data from the most recent Census Bureau American Community Survey). Amounts provided to cities as grants under section 200311 of this title shall not be counted toward meeting the minimum percentage specified in this paragraph.”;

and

(3) in paragraph (4), by striking “without regard to the 10 percent limitation to an individual State specified in this subsection”.

SEC. 6. ALLOCATION OF FUND AMOUNTS FOR FEDERAL PURPOSES.

Section 200306(a) of title 54, United States Code, is amended—
(1) by amending paragraph (1) to read as follows:

“(1) ALLOCATION.—

“(A)(i) Of the overall amount appropriated from the Fund for any fiscal year, not more than 3.5 percent shall be available for acquisition of non-Federal land, water, or an interest in land or water by one or more of the following:

“(I) The National Park Service.

“(II) The United States Fish and Wildlife Service.

“(III) The Forest Service.

“(IV) The Bureau of Land Management.

“(ii) A parcel of non-Federal land, water, or an interest in land or water acquired with funds allocated under this subparagraph shall abut Federal land or water on not less than 75 percent of the parcel’s border and, except as provided in paragraph (2)(B)(ii), shall not be subject to size restrictions.

“(iii) Not more than 15 percent of the acreage acquired with funds allocated under
this subparagraph for any fiscal year shall be located west of the 100th meridian.

“(iv) Not less than 33 percent of the funds made available under this subparagraph shall be used to secure or enhance public access on existing Federal lands for hunting, recreational fishing, or recreational shooting where public access for those activities is impracticable.

“(B)(i) Of the overall amount appropriated from the Fund for any fiscal year, not more than 3.5 percent shall be available for high-priority deferred maintenance needs and clean-up efforts that support recreational hunting, recreational fishing, recreational shooting, or other recreational purposes, critical infrastructure, visitor services, or a combination thereof, on Federal land or water managed by one or more of the following:

“(I) The National Park Service.

“(II) The United States Fish and Wildlife Service.

“(III) The Forest Service.

“(IV) The Bureau of Land Management.
“(ii) Not less than 25 percent of the funds made available under this subparagraph shall be made available to non-governmental organizations to execute the activities described in subparagraph (B). To be eligible to receive funds under this clause, a non-governmental organization shall provide non-Federal funds to execute the activities described in subparagraph (B) in an amount that is equal to or greater than the amount provided to that non-governmental organization under this clause.

“(C) Of the overall amount appropriated from the Fund for any fiscal year, not more than 3.5 percent shall be available for the Forest Legacy Program established pursuant to section 7 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2103c), except that such amount may be used only—

“(i) to create or improve vehicular, off-highway vehicle, or other access to National Forest System land or State or private forested land for hunting, recreational fishing, recreational shooting, or other recreational purposes; or
“(ii) to protect from development forests where management activities occur consistent with a state-approved multiple-resource forest plan.

“(D) Of the overall amount appropriated from the Fund for any fiscal year, not more than 3.5 percent shall be available for the Cooperative Endangered Species Conservation Fund.

“(E) Of the overall amount appropriated from the Fund for any fiscal year, not more than 1 percent shall be available for the American Battlefield Protection Program.”;

(2) in paragraph (2)(B), by striking clause (iii); and

(3) by adding at the end of the following:

“(5) DEFINITIONS.—For this section:

“(A) HUNTING.—The term ‘hunting’ means use of a firearm, bow, or other authorized means in the lawful—

“(i) pursuit, shooting, capture, collection, trapping, or killing of wildlife;

“(ii) attempt to pursue, shoot, capture, collect, trap, or kill wildlife.

“(B) RECREATIONAL FISHING.—The term ‘recreational fishing’ means the lawful—
“(i) pursuit, capture, collection, or killing of fish; or

“(ii) attempt to pursue, capture, collect, or kill fish.

“(C) RECREATIONAL SHOOTING.—The term ‘recreational shooting’ means any form of sport, training, competition, or pastime, whether formal or informal, that involves the discharge of a rifle, handgun, or shotgun, or the use of a bow.”.

SEC. 7. CONTRACTS FOR ACQUISITION OF LAND AND WATER.

Section 200308 of title 54, United States Code, is amended by striking “$30,000,000” and inserting “$2,000,000”.

SEC. 8. PAYMENT IN-LIEU OF TAXES PROGRAM.

Of the overall amount appropriated from the Land and Water Conservation Fund established under section 200302 of title 54, United States Code, for any fiscal year, not less than 15 percent shall be available for the program under chapter 69 of title 31, United States Code (commonly known as “Payment in Lieu of Taxes Program”).
SEC. 9. PROMOTING OFFSHORE ENERGY EXPLORATION, INNOVATION, AND EDUCATION.

(a) ALLOCATION OF FUNDS AVAILABLE FROM LAND AND WATER CONSERVATION FUND.—

(1) MINIMUM ALLOCATION.—Of the overall amount appropriated from the Land and Water Conservation Fund established under section 200302 of title 54, United States Code, for any fiscal year, not less than 20 percent shall be available for promoting offshore energy exploration, innovation, and education.

(2) USE OF FUNDS.—Of the funds made available under this section—

(A) 5 percent shall be available to carry out the Outer Continental Shelf Federal energy permit streamlining pilot project under subsection (b);

(B) 5 percent shall be available to establish an Offshore Energy Innovation Hub under subsection (c); and

(C) 90 percent shall be available to award offshore energy education grants to institutions of higher education under subsection (d).

(b) PILOT PROJECT TO IMPROVE FEDERAL PERMIT COORDINATION ON THE OUTER CONTINENTAL SHELF.—
1 (1) Establishment.—The Secretary of the Interior (in this subsection referred to as the “Secretary”) shall carry out for fiscal years 2016 through 2022 a Federal energy permit streamlining pilot project for the Outer Continental Shelf (referred to in this subsection as the “OCS Pilot Project”). The purpose of the project is to collocate appropriate staff from the Bureau of Ocean Energy Management, the Bureau of Safety and Environmental Enforcement, the Coast Guard, and the National Marine Fisheries Service to streamline Federal permitting of energy activities on the Outer Continental Shelf of the United States, including permitting for—

(A) geophysical surveying, including magnetic, gravity, seismic, or other systems;

(B) oil and natural gas exploration, development, and production; and

(C) offshore renewable energy projects, including wind and tidal power generation.

(2) Memorandum of Understanding.—

(A) In General.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall lead in finalizing a memorandum of understanding to streamline Federal
permitting of energy activities on the Outer Continental Shelf and coordinate relevant activities across Federal agencies for purposes of this subsection, with—

(i) the Bureau of Ocean Energy Management;

(ii) the Bureau of Safety and Environmental Enforcement;

(iii) the Secretary of Commerce; and

(iv) the Secretary of Homeland Security.

(B) STATE PARTICIPATION.—The Secretary may request the Governors of Alaska, Texas, Louisiana, Mississippi, Alabama, Virginia, North Carolina, South Carolina, and Georgia to be signatories to the memorandum of understanding.

(3) PILOT OFFICES.—The Secretary shall establish pilot offices in the following locations:

(A) Anchorage, Alaska.

(B) Metairie, Louisiana.

(C) Virginia Beach, Virginia.

(D) Any other field office considered by the Secretary to be appropriate.

(4) ASSIGNMENT OF QUALIFIED STAFF.—
(A) IN GENERAL.—Not later than 30 days after the date of the signing of the memorandum of understanding under paragraph (2), all Federal agency signatory parties shall assign to each of the pilot offices established under paragraph (3) relevant staff from the agencies referred to in paragraph (1) who have expertise in the regulatory issues relating to the office in which the employee is employed, including, as applicable, particular expertise in—

(i) consultations and the preparation of biological opinions under section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536), including with respect to seismic permitting;

(ii) consistency reviews under the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.);

(iii) plan approvals and permits under the Outer Continental Shelf Lands Act (33 U.S.C. 1331 et seq.);

(iv) implementation and enforcement of section 328 of the Clean Air Act (42 U.S.C. 7627); and
(v) the preparation of analyses under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(B) DUTIES.—Each employee assigned under subparagraph (A) shall—

(i) not later than 90 days after the date of assignment, report to the pilot office established under paragraph (3) to which the employee is assigned;

(ii) be dedicated to and responsible for all Outer Continental Shelf energy-related activities administered by that pilot office for all issues relating to the jurisdiction of the home office or agency that assigned the employee; and

(iii) participate as part of a team of personnel working on Outer Continental Shelf energy-related activities described in subparagraphs (A) through (C) of paragraph (1).

(5) ADDITIONAL PERSONNEL.—The Secretary shall assign to each pilot office identified in paragraph (4) any additional personnel that are necessary to ensure the effective implementation of—

(A) the OCS Pilot Project; and
(B) other programs administered by the pilot offices, including inspection and enforcement relating to energy development on the Outer Continental Shelf.

(6) USE OF FUNDS.—

(A) USE OF LWCF FUNDS.—All funds made available under subsection (a)(2)(A) shall be used by the Secretary to establish pilot offices under this subsection and carry out activities through the pilot offices for activities described in subparagraphs (A) through (C) of paragraph (1).

(B) USE OF FEES COLLECTED BY PILOT OFFICES.—

(i) IN GENERAL.—The Secretary shall ensure that all fees collected by a pilot office in association with activities related to the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) listed under subparagraphs (A) through (C) of paragraph (1) are used by that office.

(ii) PROHIBITION ON NEW OR INCREASED FEES.—The Secretary may not establish any new fee or increase any exist-
ing fee for any activities conducted by a pilot office.

(7) SAVINGS PROVISION.—Nothing in this subsection affects—

(A) the operation of any other Federal or State law;

(B) any delegation of authority made by the head of a Federal agency whose employees are participating in the OCS Pilot Project; or

(C) the existing memorandum of agreement between the Department of the Interior and the Department of Defense on Mutual Concerns on the Outer Continental Shelf signed July 20, 1983, and any revision or replacement for that agreement that is agreed to by the Secretary of Defense and the Secretary of the Interior after that date.

(c) OFFSHORE ENERGY INNOVATION HUB.—

(1) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Interior (in this subsection referred to as the “Secretary”) shall use amounts available under subsection (a)(2)(B) to establish an Offshore Energy Innovation Hub.
(2) **SCOPE.**—The purpose of the Offshore Energy Innovation Hub shall be to foster collaboration among Federal, academic, and industry stakeholders on innovations directly related to energy production on the United States Outer Continental Shelf. Areas of focus shall be the following:

(A) **SAFETY TECHNOLOGIES.**—Materials and equipment that improve upon existing well control systems or containment systems (or both).

(B) **RESERVOIR CHARACTERIZATION.**—Predicting and monitoring the production behavior of complex reservoirs on the United States Outer Continental Shelf.

(C) **EXTENDED SYSTEM ARCHITECTURE.**—Subsea systems, power distribution, and data communications that improve recovery and extend production reach.

(D) **HIGH PRESSURE/HIGH TEMPERATURE COMPLETION SYSTEMS.**—Materials and equipment to reliably produce ultra-deepwater resources in corrosive environments.

(E) **METEOROLOGICAL AND OCEANIC FORECASTING.**—Systems to predict both atmos-
pheric and below-surface environments and engineering response.

(F) ARCTIC ENVIRONMENTS.—Exploration and production systems and techniques for ice conditions, including ice management and extended season development.

(3) LOCATION.—The Secretary shall establish the Offshore Energy Innovation Hub at a location that is in proximity to existing Outer Continental Shelf oil and gas development to ensure opportunities to test and apply innovative technologies and research in the field.

(d) PROMOTING THE NEXT GENERATION OF THE OFFSHORE ENERGY WORKFORCE.—

(1) IN GENERAL.—

(A) AWARD OF GRANTS.—In order to expand opportunities related to offshore energy development, the Secretary of the Interior shall use amounts available under subsection (a)(2)(C) to award offshore energy innovation grants in accordance with this subsection to institutions of higher education selected under paragraph (2).
(B) ADMINISTRATIVE COSTS.—The Secretary may use not more than 5 percent of such amounts to administer this subsection.

(2) SELECTION OF INSTITUTIONS.—

(A) IN GENERAL.—The Secretary shall select 20 institutions of higher education to receive grants under this subsection, from among institutions that—

(i) are nominated under subparagraph (B); and

(ii) are determined by the Secretary to have issued the greatest number of undergraduate and graduate degrees in 1 or more of the academic fields included in the list submitted under paragraph (5).

(B) NOMINATION OF INSTITUTIONS.—

(i) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 3 years thereafter, the Governor of each State may nominate for grants under this subsection—

(I) up to 4 institutions of higher education located in the State, of which at least 1 shall be a minority-serving institution, if applicable; and
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(II) at least 1 vocational institution located in the State.

(ii) Preference.—In making nominations under clause (i), each Governor shall give preference to institutions of higher education and vocational institutions that demonstrate a vigorous rate of admissions of veterans of the Armed Forces of the United States.

(3) Grants terms.—

(A) Award and availability of funds.—Grants shall be awarded under this subsection on an annual basis and grant funds shall remain available for use until expended.

(B) Use.—Of the funds awarded to each grantee each fiscal year—

(i) no less than half shall be made available in the form of scholarships or tuition assistance to incoming students in the academic fields included in the list submitted under paragraph (5); and

(ii) the remainder shall be used to promote science, technology, engineering, and mathematics curriculum development and other related projects that will advance
energy and mineral exploration and production on the Outer Continental Shelf of the United States.

(4) Fellowship and Internship Opportunities.—The Secretary shall establish fellowship and internship opportunities in the Department of the Interior for students in academic fields included in the list submitted under paragraph (5) to address future workforce needs of the Department.

(5) List of Academic Fields.—The Secretary shall conduct a survey of current Outer Continental Shelf leaseholders to prepare a list of science, technology, engineering, and math-related academic fields that address current and future workforce needs for offshore energy-related activities. The Secretary may periodically update this list through subsequent surveys of such leaseholders to better adapt to changing workforce needs.

(6) Definitions.—In this subsection:

(A) Institution of Higher Education.—The term “institution of higher education” has the meaning given that term in section 631(a) of the Higher Education Act of 1965 (20 U.S.C. 1132(a)).
(B) MINORITY-SERVING INSTITUTION.—
The term “minority-serving institution” means
any public or not-for-profit institution of higher
education described in paragraphs (2) through
(7) of section 371(a) of the Higher Education

(C) VOCATIONAL INSTITUTION.—The term
“vocational institution” means a postsecondary
vocational institution, as that term is defined in
section 102(c) of the Higher Education Act of
1965 (20 U.S.C. 1002(c)).

SEC. 10. STATUTORY CONSTRUCTION.
Any Federal law enacted before, on, or after the date
of the enactment of this Act that is inconsistent with the
various allocations provided for under this Act shall not
affect such allocations unless that Federal law provides
a citation specifically to this section of this Act.

SEC. 11. COMMUNITY IMPROVEMENT THROUGH INNOVA-
TION, ENGAGEMENT, AND SUPPORT PRO-
GRAM.

(a) COMMUNITY IMPROVEMENT THROUGH INNOVA-
TION, ENGAGEMENT, AND SUPPORT PROGRAM.—Chapter
2003 of title 54, United States Code, is amended by add-
ing at the end the following:
“§ 200311. Community Improvement through Innovation, Engagement, and Support Program

(a) Establishment.—The Secretary of the Interior, acting through the Director of the National Park Service, shall establish and administer a competitive urban parks and recreation matching grant program to provide Federal grants to communities with a population of not less than 100,000 (based on data from the most recent Census Bureau American Community Survey) for grants described in subsection (c).

(b) Funding.—Of the overall amount appropriated from the Fund for any fiscal year, not less than 5 percent, to remain available until expended, shall be available for carrying out the purposes of this section.

(c) Grants.—

(1) Authority of Secretary to make payments.—Grants offered under this section may be made by the Secretary, acting through the Director of the National Park Service, only for projects in one or more of the following categories:

(A) Rehabilitation and construction.—Cost of rehabilitation and construction, including planning and design, of parks, open spaces or indoor or outdoor recreation facilities.

(B) Acquisition.—Cost of acquisition of lands and waters, and interests in lands and
waters, for parks, open spaces or indoor or outdoor recreation facilities.

“(2) GRANT AMOUNTS.—Grants awarded under this section shall be for not more than $2,000,000

“(3) MATCHING REQUIREMENTS.—Grants awarded under this section shall cover not more than 50 percent of the cost of projects undertaken with those funds. The remaining share of the cost shall be borne by the grantee in a manner and with funds or services satisfactory to the Secretary.

“(4) NO ADDITIONAL FEDERAL FUNDS.—The Secretary shall not make a payment under this section for any project with respect to which financial assistance has been given under section 200305.

“(5) PAYMENT SCHEDULE.—The Secretary may make payments in keeping with the rate of progress toward the satisfactory completion of a project.

“(6) PAYMENT RECIPIENTS.—Payments for all projects shall be made by the Secretary to the mayor of the grantee city, the chief executive of a grantee special park district, or an agency of an appropriate unit of local government designated by the mayor. If consistent with an approved project, Federal funds provided under this section may be transferred by
the grantee city to a political subdivision of that city
or other appropriate public agency.

“(7) INFORMATION AND ACCOUNTING PROCEDURE.—No payment shall be made to any grantee
until the grantee has agreed to provide—

“(A) information to the Secretary as may
be reasonably necessary to enable the Secretary
to perform the Secretary’s duties under this
section; and

“(B) fiscal control and fund accounting
procedures as may be necessary to ensure prop-
er disbursement and accounting for Federal
funds paid to the grantee under this section.

“(8) RECORDS.—A grantee receiving Federal
funds under this section shall keep such records as
the Secretary shall prescribe, including records that
fully disclose—

“(A) the amount and the disposition by the
grantee of the Federal funds;

“(B) the total cost of the project or under-
taking for which the Federal funds are pro-
vided;

“(C) the amount and nature of that por-
tion of the cost of the project or undertaking
supplied by other sources; and
“(D) such other records as the Secretary determines necessary to facilitate an effective audit.

“(9) Access to Records.—As a condition of receiving Federal funds under this section, a grantee shall make available to the Secretary, and the Controller General, or any duly authorized representative of those officers, access to records described under paragraph (8).

“(10) Prohibition of Discrimination.—With respect to property acquired or developed with Federal funds under this section, discrimination on the basis of residence, including preferential reservation or membership systems, is prohibited except to the extent that reasonable differences in admission and other fees may be maintained on the basis of residence.

“(11) Coordination with Federal Agencies.—To ensure consistency in policies and actions under this section with other related Federal programs and activities and to ensure coordination of the planning, acquisition, and development assistance to cities under this section with other related Federal programs and activities—
“(A) the Secretary may issue such regulations as necessary; and

“(B) the grant may be provided only in accordance with those regulations.

“(d) CRITERIA FOR AWARDING GRANTS.—Not later than 120 days after the date of the enactment of this section, the Secretary of the Interior shall publish in the Federal Register, for a 60-day public comment period, the criteria used in determining eligibility for receiving grants under this section. Such criteria shall consider—

“(1) the number, size, and location of parks, open spaces, and indoor and outdoor recreation facilities in the city per capita;

“(2) the condition of such parks, open spaces, and indoor and outdoor recreation facilities;

“(3) the deficiency of access to such parks, open spaces, and indoor and outdoor recreation facilities;

“(4) the extent of local public commitment to parks, open spaces, and indoor and outdoor recreation facilities;

“(5) the extent to which a project funded with a grant under this section would engage and provide employment opportunities to disadvantaged local youth and returning veterans;
“(6) the extent to which the city or the specific area subject to the grant application is economically disadvantaged, based on Census Bureau data; and

“(7) the extent to which the project makes capital improvements and other measures to increase security and safety in urban parks and recreation areas.

“(e) NO NET LOSS.—No park, open space, or indoor and outdoor recreation facility or property that is rehabilitated, improved, constructed, or acquired with Federal funds made available under this section may be converted to other than public recreation purposes unless an equivalent property or facility is provided to replace it without cost to the Federal Government.

“(f) STATUS AND RECOMMENDATIONS.—Beginning 3 years after the date of the enactment of this section, and each year thereafter, the Secretary, acting through the Director of the National Park Service, shall summarize accomplishments of and challenges experienced in carrying out this section, and make recommendations for any modifications to the program or authorities determined to be necessary. Such summary and recommendations shall be made available on the Department of the Interior’s website.”.
(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 2003 of title 54, United States Code, is amended by adding at the end the following new item:

“200311. Community Improvement through Innovation, Engagement, and Support Program”.

(c) REPEAL OF SUPERSEDED PROGRAM.—Chapter 2005 of title 54, United States Code, is repealed.

SEC. 12. PROHIBITION ON USE OF CONDEMNATION OR EMINENT DOMAIN.

Funds made available from the Land and Water Conservation Fund established under section 200302 of title 54, United States Code, may not be used to acquire land, water, or interests in land or water through condemnation or an eminent domain proceeding.