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SUMMARY

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National Park Service Deferred Maintenance: Overview and Issues

The National Park Service (NPS) has a multibillion-dollar backlog of *deferred maintenance*—maintenance that was not performed as scheduled or as needed and was put off to a future time. NPS's deferred maintenance, also known as *deferred maintenance and repairs* or the *maintenance backlog*, was estimated for FY2023 at $23.263 billion. Other federal land management agencies also have deferred maintenance, but NPS's backlog is the largest and has drawn the most congressional attention.

During the past decade (FY2014-FY2023), NPS deferred maintenance grew by $11.769 billion (+102%) in nominal dollars and $6.430 billion (+38%) in inflation-adjusted dollars. Many factors might contribute to the growth or reduction of deferred maintenance, including the aging of NPS assets, availability of funding for maintenance activities, acquisition of new assets, agency management of the backlog, completion of individual projects, changes in construction and related costs, and alterations in the methods used to estimate deferred maintenance. NPS reported that a 60% nominal-dollar increase in the backlog between FY2020 and FY2021 was due in part to changes in how the agency estimates deferred maintenance. NPS's deferred maintenance is distributed unevenly among states and territories, with California, Wyoming, the District of Columbia, and Virginia having the largest amounts. The amounts also vary among individual park units. Among the various types of assets that NPS maintains, deferred maintenance is highest for the agency's buildings and paved roads.

Sources of funding to address NPS deferred maintenance have included discretionary appropriations, allocations from the Department of Transportation, park entrance and concessions fees, and donations, among others. Often it is not possible to determine the total amount of funding from these sources that NPS has allocated each year to address deferred maintenance, because NPS does not aggregate these amounts in its budget reporting. In 2020, the Great American Outdoors Act (GAOA; P.L. 116-152) provided a major new source of mandatory funding to address deferred maintenance of NPS and other federal land management agencies. The GAOA's National Parks and Public Land Legacy Restoration Fund (LRF) receives up to $1.900 billion annually for five years (FY2021-FY2025) based on federal energy development revenues, with 70% of the funds—up to $1.330 billion annually—going to NPS.

Congressional attention in the 118th Congress has focused on NPS's use of the LRF funding provided under the GAOA, including the agency's project selection priorities, the funds' impact in addressing the backlog, the reasons for changes in NPS's deferred maintenance estimates, and the possibility of reauthorizing deposits to the LRF beyond FY2025. Separately from the LRF, Congress also has debated the sufficiency of ongoing annual appropriations for NPS deferred maintenance, as well as appropriations for preventative maintenance that could keep assets from deteriorating to the point that deferred maintenance is accrued. Some in Congress also have expressed interest in potential actions to reduce the backlog without additional funding, such as through public-private partnerships or disposal of unneeded assets.

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The National Park Service's (NPS's) backlog of *deferred maintenance* (DM)—maintenance that was not performed as scheduled or as needed—is of ongoing interest to Congress. The agency estimated its DM needs for FY2023 at $23.263 billion.[1] Although other federal land management agencies also have DM backlogs, NPS's backlog is the largest. Because unmet maintenance needs may damage park resources, adversely affect visitors' enjoyment of the parks, and jeopardize safety, NPS DM has been a topic of concern for Congress and for nonfederal stakeholders. Potential issues for Congress include, among others, how to weigh NPS's maintenance needs against other financial demands within and outside the agency, how to prioritize limited DM funding among multiple parks and types of infrastructure, and how to ensure that NPS is efficiently and successfully managing funds to reduce the backlog. This report provides an overview and discussion of issues related to NPS DM. The report begins with general background and then contains more detailed sections on estimates of NPS DM, agency funding to address DM, and issues under consideration in the 118th Congress.

General Background

What Is Deferred Maintenance?

The Federal Accounting Standards Advisory Board (FASAB) defines *deferred maintenance and repairs* (DM&R) as "maintenance and repairs that were not performed when they should have been or were scheduled to be and which are put off or delayed for a future period."[2] Federal agencies and Members of Congress also refer to DM&R as *deferred maintenance* (DM, the term used in this report) or as the *maintenance backlog*.[3] The term DM encompasses both maintenance and repair needs.

As suggested by the above definition, DM does not include *all* maintenance and repairs, only those that were not accomplished when scheduled or needed and were put off to a future time. Another type of maintenance is *cyclic maintenance*—that is, maintenance performed at regular intervals to prevent asset deterioration, such as to replace a roof or upgrade an electrical system at a scheduled or needed time.[4] Although NPS considers cyclic maintenance separately from DM for

[1] National Park Service (NPS), "Infrastructure: By the Numbers," https://www.nps.gov/subjects/infrastructure/deferred-maintenance.htm. NPS's estimates of its own deferred maintenance (DM) typically have differed from estimates of NPS DM made by the Department of the Interior (DOI) for annual departmental financial reports. This discrepancy occurs primarily because NPS's estimates include certain concessioner-owned and -operated assets, as well as other assets that are not owned by NPS but for which NPS has maintenance responsibility. DOI's estimates exclude assets in these categories. For the DM estimates used in DOI financial reports (for NPS and other agencies), see CRS Report R43997, *Deferred Maintenance of Federal Land Management Agencies: FY2013-FY2022 Estimates and Issues*, by Carol Hardy Vincent. DOI's estimate of NPS DM for FY2023 was not available as of this report's publication.

[2] Financial Accounting Standards Advisory Board (FASAB), *Statement of Federal Financial Accounting Standards 42: Deferred Maintenance and Repairs: Amending Statements of Federal Financial Accounting Standards 6, 14, 29 and 32*, April 25, 2012, p. 5, as contained in FASAB, *FASAB Handbook of Federal Accounting Standards and Other Pronouncements, as Amended, as of June 30, 2022*, https://files.fasab.gov/pdffiles/2022_%20FASAB_%20Handbook.pdf. The FASAB is a federal advisory committee that develops accounting standards for U.S. government agencies.

[3] Historically, NPS referred to its deferred maintenance and repair needs as DM rather than DM&R. In FY2022, NPS changed its terminology to DM&R to accord with the term used by the FASAB. DOI Office of Inspector General (OIG), *The National Park Service Faces Challenges in Managing Its Deferred Maintenance*, September 2023, pp. 5 (footnote 7) and 33, https://www.doioig.gov/sites/default/files/2021-migration/Final%20Evaluation%20Report_NPS%20Deferred%20Maintenance_Public.pdf; hereinafter cited as "DOI OIG September 2023 report."

[4] The Government Accountability Office (GAO) defines *cyclic maintenance* as "significant, regularly occurring (continued...)

budgeting purposes, NPS has emphasized the importance of cyclic maintenance for preventing accrual of DM.[5] NPS also performs routine, day-to-day maintenance as part of its *facility operations* activities; such activities include, for example, mowing and weeding landscapes and trails, conducting custodial and janitorial functions, and removing litter.[6]

NPS's Deferred Maintenance Backlog

NPS estimated its total DM for FY2023 (the most recent year available) at $23.263 billion (**Table 1**).[7] Although all four major federal land management agencies—NPS, the Bureau of Land Management (BLM), the U.S. Fish and Wildlife Service (FWS), and the U.S. Forest Service (FS)—have DM backlogs, NPS's backlog is the largest. For FY2022, the most recent year for which comparable data are available for all four agencies, NPS's DM was nearly 3 times that reported by FS, more than 4 times that reported by BLM, and more than 10 times that reported by FWS.[8] One factor in the difference may be that NPS has more infrastructure assets (over 70,000 assets) than the other land management agencies.[9] DM for the four agencies and agency asset comparisons are discussed further in CRS Report R43997, *Deferred Maintenance of Federal Land Management Agencies: FY2013-FY2022 Estimates and Issues*.

Table 1. National Park Service (NPS) Deferred Maintenance Estimates, FY2023

($ in billions)

Asset Category	FY2023 DM Estimate
Paved Roads	$7.358
Buildings	$6.186
Water Systems	$1.563
Trails	$0.954
Wastewater Systems	$0.877
Unpaved Roads	$0.758
Housing	$0.472
Campgrounds	$0.160

maintenance projects designed to prevent assets from degrading to the point that they need to be repaired." GAO, *National Park Service: Process Exists for Prioritizing Asset Maintenance Decisions, But Evaluation Could Improve Efforts*, GAO-17-136, January 2017, p. 11, http://www.gao.gov/products/GAO-17-136; hereinafter cited as "GAO January 2017 report."

[5] See NPS, *Budget Justifications and Performance Information, Fiscal Year 2025*, p. ONPS-70. NPS's budget justifications for multiple years are available at https://www.nps.gov/aboutus/budget.htm. In this report, NPS budget justifications will hereinafter be cited by fiscal year, such as "NPS FY2025 budget justification."

[6] NPS FY2025 budget justification, p. ONPS-64.

[7] NPS, "Infrastructure: By the Numbers," https://www.nps.gov/subjects/infrastructure/deferred-maintenance.htm. For additional information, see footnote 1.

[8] For more information, see CRS Report R43997, *Deferred Maintenance of Federal Land Management Agencies: FY2013-FY2022 Estimates and Issues*, by Carol Hardy Vincent. For consistency of comparison, these calculations are based on DOI's estimates of NPS DM for its departmental financial reports, as opposed to NPS's independent estimates; see footnote 1 for more information.

[9] NPS, "Infrastructure: By the Numbers," https://www.nps.gov/subjects/infrastructure/deferred-maintenance.htm. NPS defines an *asset* as "real property that the National Park Service tracks and manages as a distinct, identifiable entity. These entities may be physical structures or groupings of structures; landscapes; or other tangible properties that have a specific service or function, such as a road, historic structure, campground, or sewage treatment plant" (NPS, "Identifying & Reporting Deferred Maintenance: Reports by State," https://www.nps.gov/subjects/infrastructure/identifying-reporting-deferred-maintenance.htm#states).

All Others	$4.935
Total	**$23.263**

Sources: NPS, *Budget Justifications and Performance Information, Fiscal Year 2025*, p. SpecEx-2; and NPS, "Infrastructure: By the Numbers," https://www.nps.gov/subjects/infrastructure/deferred-maintenance.htm.

Notes: DM = deferred maintenance. Totals may not sum precisely due to rounding. "Paved Roads" includes paved roadways, bridges, and tunnels. "All Others" includes utility systems, dams, constructed waterways, marinas, aviation systems, railroads, ships, monuments, fortifications, towers, interpretive media, and amphitheaters. Separately, NPS's FY2025 budget justification contains an alternate method of asset categorization, created by the Department of the Interior (DOI) for common reporting across DOI bureaus. For a breakdown according to this alternate categorization method, see p. SpecEx-2 of the budget justification.

NPS's DM estimates have increased over the past decade (FY2014-FY2023) in both nominal and inflation-adjusted dollars. **Figure 1** and **Table 2** show a growth in NPS DM of $11.769 billion (+102%) in nominal dollars and $6.430 billion (+38%) in inflation-adjusted dollars over the decade. In particular, NPS's DM estimate rose by 60% in nominal dollars (51% in inflation-adjusted dollars) in a single year (FY2020-FY2021), which NPS attributed in part to changes in its methods for estimating DM (see discussion below, "Estimating NPS Deferred Maintenance").

Figure 1. NPS Deferred Maintenance Estimates, FY2014-FY2023

($ in billions)

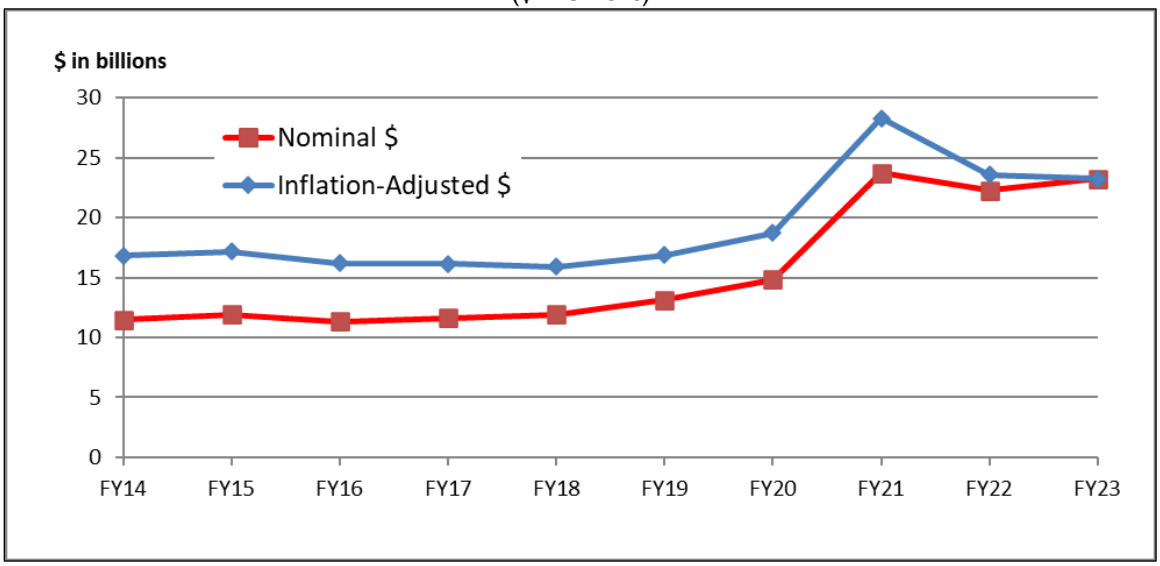

Table 2. NPS Deferred Maintenance Estimates, FY2014-FY2023

($ in billions)

	Nominal $	Inflation-Adjusted $
FY2014	11.493	16.832
FY2015	11.927	17.186
FY2016	11.332	16.183
FY2017	11.607	16.152
FY2018	11.920	15.927
FY2019	13.131	16.885
FY2020	14.851	18.707
FY2021	23.745	28.314
FY2022	22.288	23.592

	Nominal $	Inflation-Adjusted $
FY2023	23.263	23.263
Change, FY2014-FY2023	**+11.769**	**+6.430**

Sources for Figure 1 and Table 2: Nominal-dollar estimate for FY2014 was calculated by CRS based on ranges provided to CRS by the DOI Office of Budget. Nominal-dollar estimates for FY2015-FY2018 were archived by CRS from the NPS website. Nominal-dollar estimates for FY2019-FY2022 are from CRS communication with NPS Office of Legislative and Congressional Affairs, July 27, 2023. Nominal dollar estimate for FY2023 is from NPS, "Infrastructure: By the Numbers," https://www.nps.gov/subjects/infrastructure/deferred-maintenance.htm. See additional information in footnote 1. Adjustments for inflation (shown in 2023 dollars) use the Bureau of Economic Analysis, Table 3.9.4, "Price Indexes for Government Consumption Expenditures and Gross Investment," for nondefense structures, annual indexes, https://apps.bea.gov/itable/?reqid=19&step=2&isuri=1&categories=survey.

Multiple factors may contribute to growth or reduction of NPS DM. One key driver of growth in NPS maintenance needs has been the increasing age of agency infrastructure. Many NPS assets—such as visitor centers, roads, and other assets—were constructed by the Civilian Conservation Corps in the 1930s or as part of NPS's Mission 66 infrastructure initiative in the 1950s and 1960s.[10] As these structures have reached or exceeded the end of their anticipated life spans, unfunded costs of repair or replacement have contributed to the DM backlog. Further, agency officials point out that as time goes by and needed repairs are not made, the rate at which such assets deteriorate is accelerated and can result in "a spiraling burden."[11]

A related key factor is the amount of funding available to NPS to address DM. The sources and amounts of agency funding for DM have fluctuated over time and are discussed in greater detail below, in the section on "Funding for NPS Deferred Maintenance." In addition to funding for DM specifically, funding for routine and cyclic maintenance can affect DM, if a lack of available funds results in scheduled maintenance being deferred.

Some observers have expressed concern that growth in NPS DM may be at least partly due to inefficiencies in the agency's asset management strategies and/or the implementation of these strategies. NPS has taken steps over the past decade to improve its asset management systems and strategies. The Government Accountability Office (GAO) and the Department of the Interior's (DOI's) Office of Inspector General (OIG) have recommended further improvements.[12] Some aspects of NPS management of the DM backlog are discussed further in the report sections below.

Another issue is that the methods used by NPS to estimate DM have changed over time. NPS's methods are discussed in the section on "Estimating NPS Deferred Maintenance." In particular, NPS attributed a large jump in estimated DM between FY2020 and FY2021 partly to changes in its estimation methods, and additional changes have been implemented in other years. Also, NPS has worked to build and maintain a complete and accurate data set during the past decade.[13] What

[10] The Civilian Conservation Corps was a 1930s program established by President Franklin Roosevelt to create jobs and enhance the nation's natural resources. Under the Mission 66 program, Congress appropriated roughly $1 billion over a decade for NPS infrastructure improvements, leading up to NPS's 50th anniversary in 1966.

[11] NPS Park Facility Management Division, "Deferred Maintenance Backlog," September 24, 2014. See also DOI OIG September 2023 report, p. 3: "Deferring maintenance may result in significantly higher maintenance and operating costs or, in some cases, premature asset replacement"; and GAO, *Deferred Maintenance: Agencies Generally Followed Leading Practices in Selections but Faced Challenges*, GAO-24-106495, January 2024, p. 1, https://www.gao.gov/products/gao-24-106495 (hereinafter cited as "GAO January 2024 report"): "We have also previously found that deferring or delaying maintenance can diminish the quality of an asset and, in the long term, can shorten the life and value of an asset. Deferred maintenance may also result in significantly higher maintenance and repair costs."

[12] See, for example, DOI OIG September 2023 report, and GAO January 2017 report.

[13] For example, during the past decade, NPS was completing baseline assessments of the maintenance needs of its non-industry-standard assets (NPS FY2017 budget justification, pp. ONPS-Ops&Maint-7 to ONPS-Ops&Maint-8), and in (continued...)

portion of the overall change in NPS DM over the decade may be attributable to changes in methodology or data completeness, rather than to other factors, remains unclear.

From year to year, the completion of individual projects, changes in construction and repair costs, and similar factors play a role in the growth or reduction of NPS DM. The DM amounts reported by NPS for each fiscal year represent a snapshot of the backlog on the applicable date. The amount of DM changes frequently as NPS managers and staff complete or cancel maintenance work, recalculate costs, and record new maintenance and repair needs.

NPS Deferred Maintenance by State and Park

NPS reports DM estimates by state and territory, as well as by individual park, on its website.[14] The 20 states and territories with the highest FY2023 DM are shown in **Table 3**.

Table 3. States and Territories with the Highest NPS Deferred Maintenance, FY2023

($ in billions)

State/Territory	NPS DM Estimate, FY2023
California	4.439
Wyoming	1.787
Washington, DC	1.639
Virginia	1.423
Arizona	1.338
New York	1.301
Washington (state)	0.821
Maryland	0.689
Pennsylvania	0.683
Nevada	0.615
North Carolina	0.602
New Jersey	0.568
Colorado	0.558
Florida	0.542
Massachusetts	0.535
Mississippi	0.529
Texas	0.460
Utah	0.454
Hawaii	0.437
Tennessee	0.403

Source: CRS, using data from NPS, "Infrastructure: By the Numbers," https://www.nps.gov/subjects/infrastructure/deferred-maintenance.htm. DM = deferred maintenance.

FY2014, NPS reported unpaved roads for the first time as part of its DM estimate (CRS communication with DOI, February 27, 2015). The DOI OIG September 2023 report raised additional issues related to overall data accuracy in NPS's records (DOI OIG September 2023 report, pp. 14-16).

[14] NPS, "Infrastructure: By the Numbers," https://www.nps.gov/subjects/infrastructure/deferred-maintenance.htm. In this report, the term *states and territories* is inclusive of Washington, DC.

The states and territories with the highest NPS DM are not necessarily those with the most park acreage. For example, Alaska contains almost two-thirds of the total acreage in the National Park System but accounts for less than 1% of the agency's DM backlog. Instead, the amount, type, and condition of infrastructure in the NPS units, along with other factors, combine to determine the NPS DM in each state or territory. For example, paved roads are a major component of NPS DM, and the states and territories with NPS-administered parkways—the George Washington Memorial Parkway (Virginia, Maryland, and Washington, DC), the Baltimore-Washington Parkway (Maryland), the Suitland Parkway (Maryland and DC), the Natchez Trace Parkway (mainly in Mississippi and Tennessee), the Blue Ridge Parkway (North Carolina and Virginia), and the John D. Rockefeller Jr. Memorial Parkway (Wyoming)—are all among the 20 states and territories with the highest DM.[15]

Table 4 shows the 20 individual park units with the highest amounts of DM. Various factors may contribute to the relatively high DM estimates for these park units as compared with others. For example, some units, such as Yellowstone National Park and Grand Canyon National Park, are older parks whose infrastructure was largely built in the mid-20th century. Some units, such as Gateway National Recreation Area, Golden Gate National Recreation Area, and the National Mall and Memorial Parks, are located in or near urban areas and may contain more developed infrastructure than some more remotely located parks. The costs of labor and materials to execute DM projects also may be higher in these urban areas. Three of the units with the highest estimated DM are national parkways, consistent with the relatively high portion of NPS's overall DM that is related to road needs.

Table 4. NPS Units with the Highest Deferred Maintenance, FY2023

($ in billions)

Park Unit	State/Territory	NPS DM Estimate, FY2023
Yellowstone National Park	ID, MT, WY	1.494[a]
Yosemite National Park	CA	1.275
National Mall and Memorial Parks	DC	0.968[b]
Gateway National Recreation Area	NJ, NY	0.964[c]
Grand Canyon National Park	AZ	0.823
George Washington Memorial Parkway	DC, MD, VA	0.680[d]
Natchez Trace Parkway	AL, MS, TN	0.641[e]
San Francisco Maritime National Historical Park	CA	0.597
Lake Mead National Recreation Area	AZ, NV	0.587[f]
Golden Gate National Recreation Area	CA	0.540
Blue Ridge Parkway	NC, VA	0.449[g]
Death Valley National Park	CA, NV	0.416[h]
Chesapeake & Ohio Canal National Historical Park	DC, MD, WV	0.400[i]
Statue of Liberty National Monument[j]	NY	0.396
Point Reyes National Seashore	CA	0.305

[15] However, Wyoming's total is due mainly to DM for Yellowstone National Park ($1.440 billion) rather than DM for the John D. Rockefeller Jr. Memorial Parkway ($17 million), which has significantly lower DM than most of the other parkways.

Park Unit	State/Territory	NPS DM Estimate, FY2023
Mount Rainier National Park	WA	0.290
Olympic National Park	WA	0.289
Grand Teton National Park	WY	0.287
Sequoia and Kings Canyon National Park	CA	0.272
Boston National Historical Park	MA	0.271

Source: CRS, using data from NPS, "Infrastructure: By the Numbers," https://www.nps.gov/subjects/infrastructure/deferred-maintenance.htm.

a. DM for Yellowstone National Park consists of less than $1 million in Idaho, $53 million in Montana, and $1.440 billion in Wyoming.
b. The National Mall and Memorial Parks include 14 individual memorials, monuments, and other park units (e.g., Vietnam Veterans Memorial).
c. DM for Gateway National Recreation Area consists of $351 million in New Jersey and $613 million in New York.
d. DM for the George Washington Memorial Parkway (which also includes Arlington House; Clara Barton National Historic Site; LBJ Memorial Grove on the Potomac; Potomac Heritage National Scenic Trail; and Theodore Roosevelt Island) consists of $78 million in the District of Columbia, $80 million in Maryland, and $522 million in Virginia.
e. DM for the Natchez Trace Parkway (which also includes Natchez Trace National Scenic Trail and Tupelo National Battlefield) consists of $20 million in Alabama, $483 million in Mississippi, and $138 million in Tennessee.
f. DM for Lake Mead National Recreation Area is attributed entirely to Nevada, although a portion of the unit is in Arizona.
g. DM for the Blue Ridge Parkway consists of $294 million in North Carolina and $156 million in Virginia.
h. DM for Death Valley National Park is attributed entirely to California, although a portion of the unit is in Nevada.
i. DM for the Chesapeake & Ohio Canal National Historical Park consists of $57 million in the District of Columbia and $343 million in Maryland. (No DM for the unit is attributed to West Virginia.)
j. Includes Ellis Island.

Estimating NPS Deferred Maintenance

NPS estimates the DM needs of park assets through a multi-step process. Park staff record data about the condition of individual assets in a software system, which generates estimates of each asset's maintenance and repair needs.[16] Over the years, NPS has evolved its methods for estimating DM.[17] The changes have included, among others, redefining the set of assets for which DM is tracked and changing the inputs and formulas that generate financial estimates of DM needs. NPS has stated that such changes aim to create more reliable DM estimates over time, bring estimation methods into line with industry standards, and create consistency across agencies in how DM needs are calculated.[18] In a September 2023 report, the DOI OIG found that despite

[16] For more information on NPS's process, see DOI OIG September 2023 report, pp. 7-9. NPS has used its Facility Management Software System both to estimate DM and to prioritize and track DM projects. Two primary factors in the prioritization are an asset's condition (measured through a *facility condition index* rating) and its importance to the NPS missions of resource preservation and visitor use (measured through an *asset priority index* rating).

[17] Other federal land management agencies also have evolved their methods of calculating DM. For a discussion of methodological changes over time for multiple agencies, including NPS, see CRS Report R43997, *Deferred Maintenance of Federal Land Management Agencies: FY2013-FY2022 Estimates and Issues*, by Carol Hardy Vincent, section on "Methodologies Used by Agencies."

[18] See, for example, NPS, "Infrastructure: Frequently Asked Questions" (question on "Why did the National Park Service maintenance backlog double since 2018?"), https://www.nps.gov/subjects/infrastructure/faqs.htm.

changes to date, the data in NPS's software system remain "inaccurate and unreliable … cast[ing] doubt on the NPS' deferred maintenance estimates—possibly underestimating the figures in some cases and overestimating in others."[19]

Over the past few years, several methodological changes in particular have affected the agency's DM estimates. According to NPS and the DOI OIG, such changes include the following.

- Starting with its DM estimates for FY2021, NPS changed its DM cost estimating formula by adding a "blanket" 35% markup to DM for non-transportation assets.[20] NPS stated that this markup was equivalent to a markup used by the Federal Highway Administration (FHWA) in estimating DM needs for NPS transportation assets (e.g., park roads) and that the markup thus created "consistency" between transportation and non-transportation assets.[21] Similar to FHWA's markup, NPS's markup is intended to reflect costs of compliance, design, construction management, and project management, which were not accounted for in earlier estimates.[22]
- Starting with its DM estimates for FY2022, NPS changed its process for calculating many park assets' DM needs. NPS had previously calculated DM for its assets based on the estimated costs from open DM work orders at the end of each fiscal year. As of FY2022, NPS shifted to a method based on its visual condition assessments of assets, which are considered in conjunction with the current replacement value for an asset.[23] NPS stated that the condition assessment method is "an accepted industry standard" that will provide "a more comprehensive, consistent, and timely identification of condition deficiencies and estimate of the NPS portfolio repair needs."[24] NPS stated that the new process is being rolled out gradually and will be fully implemented in FY2024.[25]
- Starting with its DM estimates for FY2023, NPS changed the set of assets for which it tracks and reports DM.[26] Prior to this time, NPS tracked a set of

[19] DOI OIG September 2023 report, p. 1. NPS is taking several steps in response to the DOI OIG report, as discussed in the OIG report.

[20] Ibid., pp. 6, 41.

[21] See NPS responses to the DOI OIG's draft of the September 2023 report, in ibid., pp. 41, 45, 56. The Federal Highway Administration (FHWA) works with NPS (and other land management agencies) to estimate and address DM for certain transportation-related assets.

[22] Ibid., p. 41. More specifically, the 35% markup breaks down to 5% for compliance, 17% for design, 8% for construction management, and 5% for project management.

[23] Ibid., pp. 11, 24, 33. Using this "parametric condition assessment" method, NPS makes visual assessments of various aspects of an asset (e.g., for a trail, the plants and trees along the trail, the trail surface, constructed trail features such as steps or bridges, etc.) and scores them on a scale of 0 to 9 based on their condition (e.g., score of 9 for "great condition," score of 1 for "poor condition," or score of 0 if the aspect is not applicable). NPS then uses a "parametric scoring tool" to convert the condition scores to DM estimates. The visual assessments are to be performed annually, with a "comprehensive review" every five years.

[24] NPS FY2025 budget justification, p. SpecEx-1.

[25] DOI OIG September 2023 report, pp. 2, 5. NPS is using condition assessments for industry-standard assets, while using the older work order method for concessioner-occupied assets and non-industry standard assets, and using assessments made by FHWA for paved roads, parking areas, bridges, and tunnels (NPS FY2024 budget justification, p. SpecEx-1).

[26] Information in this paragraph is from NPS's FY2025 budget justification; CRS communication with the NPS Office of Legislative and Congressional Affairs on August 1, 2023, and April 17, 2024; and previous NPS Asset Inventory Summaries archived by CRS from the NPS website.

approximately 75,000 assets to produce its DM estimates.[27] However, NPS reported on somewhat different groupings of NPS assets to two other entities—the FASAB, for annual DOI agency financial reports, and the General Services Administration (GSA), for its Federal Real Property Profile (FRPP)—owing to specific reporting requirements for these two entities.[28] Starting with its reporting of FY2023 DM, NPS has aligned its base asset portfolio with the portfolio reported to the GSA for the FRPP. As a result, NPS now reports a portfolio of approximately 72,000 assets (rather than the 75,000 assets used earlier).[29]

- For DM estimates in FY2023, NPS incorporated a new "road model update" from FHWA to estimate DM for NPS transportation assets. NPS stated that the new financial model "cumulatively account[s] for general inflation from recent years" and is responsible for a 36% increase in estimated DM for NPS paved roads between FY2022 and FY2023.[30]

It can be difficult to determine to what extent methodological changes such as these have been responsible for variations in NPS's estimated DM over the years. The DOI OIG found that of the approximately $8.8 billion increase in NPS DM between FY2020 and FY2021, approximately $3.7 billion was attributable to the new 35% markup for non-transportation assets.[31] NPS stated that other factors in the FY2020-FY2021 increase included insufficient funding for annual maintenance needs (thus creating more DM) and increased construction and maintenance costs due to inflation.[32]

In other cases, such as with the shift to estimating DM through condition assessments rather than work orders, the effects of the change on DM estimates are unclear, especially since the shift is not yet fully implemented. The DOI OIG found that this shift could potentially increase the accuracy of NPS's DM estimates, in that the OIG had found data gaps and inaccuracies in the work order data that NPS was using prior to the shift. However, since the OIG did not assess the new method's accuracy and since that method is not yet fully implemented, the OIG concluded that concerns about the accuracy of NPS's DM estimates remain.[33] Also unclear are the impacts, if any, of the FY2023 change in the portfolio of assets NPS tracks, as compared with the set of assets tracked in FY2022 and previous years. To the extent that NPS is tracking DM for fewer assets than it previously did, this could have the effect of lowering estimated DM compared with earlier years.

In general, the DOI OIG found that NPS "does not have a monitoring mechanism to ensure the accuracy and completeness of its … data" and that "without reliable data, the NPS cannot make informed decisions on how to manage its deferred maintenance, improve program effectiveness and accountability, and potentially enhance decision making."[34] However, the OIG noted steps

[27] These assets were reported in NPS's Real Property Inventory Report (previously called the Asset Inventory Summary).

[28] See DOI, "Agency Financial Reports," at https://www.doi.gov/pfm/afr; and General Services Administration (GSA), "Federal Real Property Profile Management System," at https://www.gsa.gov/policy-regulations/policy/real-property-policy-division-overview/asset-management/federal-real-property-profile-frpp. The reporting parameters for these two entities are distinct from each other, and both differ from the prior NPS Real Property Inventory Report. Also see footnote 1.

[29] NPS FY2025 budget justification, pp. SpecEx-1 to SpecEx-2; and NPS FY2024 budget justification, p. SpecEx-2.

[30] NPS FY2025 budget justification, pp. SpecEx-1 to SpecEx-2.

[31] DOI OIG September 2023 report., p. 6.

[32] Ibid., p. 50.

[33] DOI OIG September 2023 report, p. 54.

[34] Ibid., p. 15.

NPS has taken to improve data quality and monitoring, such as directing park staff to rectify data anomalies and to annually review the accuracy of condition assessment scoring.[35]

Funding for NPS Deferred Maintenance

NPS has used discretionary appropriations, allocations from the Department of Transportation, park entrance and recreation fees, donations, and other funding sources to address the DM backlog. Often it is not possible to determine the total amount of funding from these sources that NPS has allocated each year to address DM, because NPS does not specifically aggregate these amounts in its budget reporting.[36] Beginning in FY2021, NPS received a notable increase in its financial resources to address DM with the establishment of the National Parks and Public Land Legacy Restoration Fund (Legacy Restoration Fund, or LRF; 54 U.S.C. §§200401-200402), a five-year fund for DM of multiple land management agencies.

The Legacy Restoration Fund

In 2020, the Great American Outdoors Act (GAOA) established the LRF to address DM of five agencies (NPS, FS, BLM, FWS, and the Bureau of Indian Education).[37] The fund receives annual deposits over five years (FY2021-FY2025) of amounts equal to 50% of all federal energy development revenues—from oil, gas, coal, or renewable energy—that are credited in the preceding fiscal year as miscellaneous receipts to the Treasury, up to a cap of $1.900 billion annually. NPS receives a 70% share, with the remainder going to the other agencies at specified percentages. To date (FY2021-FY2024), the LRF has received the maximum allowable deposit of $1.900 billion each year, with 70% of this total ($1.330 billion annually) going to NPS. If the maximum also were deposited in FY2025, NPS would receive approximately $6.650 billion for DM over the fund's lifetime.

The GAOA contains provisions for allocating LRF funding to individual DM projects. The GAOA directs the President to submit lists of projects to be addressed with LRF funds in agencies' annual budget submissions to Congress.[38] Congress, in appropriations acts, may accept the President's proposals or may provide alternate allocations (while adhering to the overall funding percentages defined for each agency).[39] To date, appropriators have generally, but not always, allocated the NPS funds as proposed by NPS.[40]

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[35] Ibid., pp. 23-24.

[36] Although it is not possible to determine amounts allocated specifically to NPS DM, GAO has estimated amounts allocated for *all* NPS infrastructure management, from sources other than the National Parks and Public Land Legacy Restoration Fund (LRF), for FY2018-FY2022 (GAO January 2024 report, p. 7). These estimates include funding for all types of maintenance (DM, cyclic maintenance, and day-to-day maintenance activities) as well as for activities that go beyond maintenance, such as infrastructure modernization. GAO estimated that during FY2018-FY2022, NPS's annual non-LRF funding for all types of infrastructure management ranged from $1.701 billion to $2.008 billion.

[37] For more information, see CRS In Focus IF11636, *The Great American Outdoors Act (P.L. 116-152)*, by Carol Hardy Vincent, Laura B. Comay, and Bill Heniff Jr.

[38] 54 U.S.C. §200402(h). For the first year of the fund (FY2021), the President was directed to submit a project list within 90 days of the GAOA's enactment (54 U.S.C. §200402(g)).

[39] 54 U.S.C. §200402(i)(1).

[40] For FY2021, Congress allocated the funding as proposed by NPS. For FY2022, Congress allocated funding at NPS's requested levels for 33 of 36 proposed projects, did not include funding for 2 proposed projects, and funded 1 project at less than requested, while providing funding for an LRF contingency fund that had not been in the request. The agency can use the contingency fund for unforeseen expenses associated with project execution. For FY2023, Congress allocated funding at NPS's requested levels for 24 of 27 proposed projects, did not include funding for 3 proposed (continued...)

The GAOA requires that NPS and other agencies use the LRF funding for "priority deferred maintenance projects," and that at least 65% of each agency's monies over the term of the fund be used for non-transportation projects.[41] DOI and NPS have developed additional selection criteria for GAOA projects.[42] The DOI-wide criteria prioritize projects that address a significant amount of DM, maximize return on investment, and safeguard staff and visitors.[43] Within NPS, a committee of "senior managers" makes the project selections and considers additional criteria including the business case for the investment and the timeliness of obligation.[44] The committee also considers the extent to which projects address critical assets at risk of failure; have critical life, health, safety, or environmental impacts; address accessibility needs; involve demolition or disposal of unneeded facilities; and have a relatively high percentage of net construction costs that address DM.[45] Finally, NPS has in some years prioritized "large-scale projects" for LRF funding, since the LRF may be the only source with sufficient funds to complete these projects, whereas smaller-scale projects could be addressed through other, smaller funding sources.[46] Some stakeholders have suggested that additional or different criteria should be considered when selecting projects, as discussed below under "Issues for Congress." In early 2024, GAO examined the land management agencies' processes for selecting LRF projects and found that the agencies, including NPS, "generally followed leading practices for managing deferred maintenance in their processes for selecting projects for LRF funding."[47]

Annual Appropriations for NPS Deferred Maintenance

Outside of the LRF, much of the funding used to address NPS DM has come from annual appropriations, primarily through the agency's Repair and Rehabilitation program and the Line-Item Construction program. Both of these programs fund DM along with other construction and maintenance activities, such as upgrades for accessibility, capital improvements, and work to address structural fire needs.[48] For this reason, it is unclear how much funding under these programs each year has gone directly to address the DM backlog.

- The ***Repair and Rehabilitation*** (R&R) program, within NPS's Operation of the National Park System (ONPS) budget account,[49] focuses on complex,

projects, and provided more than requested for the contingency fund. Appropriators also funded, as community project funding/congressionally directed spending, one additional DM project in FY2023 (at Ozark National Scenic Riverways) that was not in the NPS proposal. For FY2024, Congress allocated funding for all NPS's proposed projects at requested levels while also providing more than requested for the contingency fund.

[41] 54 U.S.C. §200402(e).

[42] For a detailed discussion of both DOI's and NPS's criteria for project selection, see GAO January 2024 report, pp. 15-21.

[43] NPS FY2025 budget justification, p. LRF-2.

[44] Ibid., p. LRF-3.

[45] Ibid.

[46] See, for example, NPS FY2024 budget justification, p. LRF-3; and NPS FY2023 budget justification, p. LRF-2. NPS did not include this criterion in its FY2025 budget justification.

[47] GAO January 2024 report, p. 19. The "leading practices" identified in the report were derived from the National Research Council. The strategies include establishing clear objectives and setting priorities among the outcomes to be achieved, establishing performance goals and measures, identifying primary delivery methods, aligning property portfolios with mission needs and disposing of unneeded assets, identifying risks posed by lack of timely investment, and identifying mission-critical and mission-supportive assets (pp. 19-21).

[48] CRS communication with NPS Offices of Budget, Commercial Services, and Park Facility Management, May 25, 2017.

[49] Specifically, "Repair and Rehabilitation" is a budget line item within the "Facility Maintenance" program component (continued...)

nonrecurring repair needs in cases where preventative maintenance is no longer sufficient to maintain the facility's condition.[50] R&R funds are used for projects with anticipated costs of less than $2 million each. These projects may include both DM and other types of maintenance.[51] The FY2024 appropriation for R&R in P.L. 118-42 was $111.0 million.

- The ***Line-Item Construction*** program, in NPS's Construction account, provides funding for projects that repair, replace, or improve high-priority assets.[52] This funding is used for projects expected to cost $2 million or more.[53] NPS prioritizes projects based on "monetary and nonmonetary benefits, return on investment, and overall risk."[54] As with the R&R program, the projects may include both DM and other types of construction or maintenance work.[55] The FY2024 appropriation in P.L. 118-42 for Line-Item Construction was $80.6 million.
- Portions of ***other NPS discretionary budget activities and accounts*** also are sometimes used for DM. These include various programs within the ONPS and Construction accounts as well as NPS's Centennial Challenge account (discussed below under "Other NPS Funding for Deferred Maintenance").

Combined annual appropriations for Repair and Rehabilitation and Line-Item Construction—the two primary sources of annual appropriations for NPS DM—have declined since the LRF funding became available. Comparing FY2020 combined funding for the two programs (prior to establishment of the LRF) with FY2024 combined funding, the appropriations decreased by 54% in nominal dollars.[56]

Transportation Funding from the Highway Trust Fund

Like other federal land management agencies, NPS receives mandatory appropriations from the Highway Trust Fund to address transportation needs, including transportation-related DM.[57] As with discretionary appropriations, NPS uses these funds for both DM and other work on transportation assets (e.g., preventative maintenance), and does not record the portion of funding that is used specifically to address DM.[58]

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of the "Facility Operations and Maintenance" budget activity, which in turn lies within the Operation of the National Park System (ONPS) account. See NPS FY2025 budget justification, p. ONPS-69.

[50] NPS FY2025 budget justification, p. ONPS-67.

[51] For example, NPS estimated that over the FY2012-FY2017 period, a range from 49% to 83% of Repair and Rehabilitation program funds were specifically targeted to DM, as opposed to other types of maintenance. CRS communication with NPS Park Facility Management Division, May 5, 2020; and CRS communication with NPS Offices of Budget, Commercial Services, and Park Facility Management, May 25, 2017.

[52] NPS FY2025 budget justification, p. CONST-7. This budget activity also supports construction of new facilities "when supported by an approved planning document, economic analysis, and business case" (p. CONST-9).

[53] Ibid., p. ONPS-67.

[54] Ibid., p. CONST-9.

[55] For example, NPS estimated that over the FY2012-FY2017 period, annual Line-Item Construction funds used specifically for DM ranged from a low of 59% to a high of 87%. CRS communication with NPS Park Facility Management Division, May 5, 2020; and CRS communication with NPS Offices of Budget, Commercial Services, and Park Facility Management, May 25, 2017.

[56] The combined funding was $418.9 million in FY2020 and $191.58 million in FY2024.

[57] For information on the Highway Trust Fund, see CRS Report R47573, *Funding and Financing Highways and Public Transportation Under the Infrastructure Investment and Jobs Act (IIJA)*, by Robert S. Kirk and William J. Mallett.

[58] Under the Federal Lands Transportation Program (FLTP; 23 U.S.C. §203), allowable uses of the funding include, (continued...)

Funds are provided to NPS by FHWA, primarily through the Federal Lands Transportation Program (FLTP), which was most recently reauthorized by the Infrastructure Investment and Jobs Act (IIJA).[59] Under the IIJA, NPS's annual FLTP allocation grows from $332.4 million in FY2022 to $360.0 million in FY2026; the FY2024 amount is $346.2 million. Through related federal highway programs in the IIJA, such as the Federal Lands Access Program and others, NPS could receive additional funding.[60]

In FY2023 (the most recent year reported), the federal highway programs funded more than half of NPS's spending on transportation maintenance and improvements.[61] NPS has noted, however, that these are often complicated, high-cost projects requiring greater investments than can be supported by the available funding from the FLTP and related programs.[62] NPS has stated that the cost of such "megaprojects" can range from $25 million to nearly $1 billion, with the costs of some individual projects exceeding the entirety of NPS's FLTP allocation for a given year.[63] Mandatory appropriations from the LRF—the GAOA's DM fund—also may be used on transportation projects, although the GAOA funding for transportation projects is capped at no more than 35% of NPS's total LRF allotment over the five-year life of the fund.[64]

Park Entrance and Recreation Fees

Park entrance and recreation fees collected under the Federal Lands Recreation Enhancement Act may be used for DM, among other purposes.[65] The fees are available for use without further appropriation, and most are retained at the collecting parks.[66] Fee collections may be used for purposes benefiting visitors, including facility maintenance and repair, interpretation and visitor services, law enforcement, and others. NPS policies require parks to obligate at least 55% of the

among others, transportation planning, program administration, research, preventative maintenance, engineering, rehabilitation, restoration, construction, and reconstruction of federal lands transportation facilities.

[59] Infrastructure Investment and Jobs Act (IIJA), P.L. 117-58, §11101.

[60] The Federal Lands Access Program (23 U.S.C. §204) funds planning, maintenance, and repair activities on roads and other transportation facilities that are on, are adjacent to, or provide access to federal lands. Other programs include the Nationally Significant Federal Lands and Tribal Projects Program (P.L. 117-58, §11127). For more information, see Federal Highway Administration, Office of Federal Lands Highway, "Programs," at https://flh.fhwa.dot.gov/programs/.

[61] NPS FY2025 budget justification, p. FLTP-2. The remaining transportation improvements were funded through sources such as NPS discretionary appropriations in the ONPS account, the LRF, and transportation fees collected under authority at 54 U.S.C. §101531.

[62] See, for example, NPS, "Mega Projects: Transportation Needs Beyond the Capacity of the Core Program," archived from the web on April 16, 2022, https://web.archive.org/web/20220416031908/https://www.nps.gov/subjects/transportation/megaprojects.htm.

[63] Ibid., and fact sheets for individual projects (e.g., Memorial Bridge, archived from the web on April 27, 2021, https://web.archive.org/web/20210427075629/https://www.nps.gov/articles/memorial-bridge-repair-and-reconstruction.htm; and Colonial Parkway, archived from the web on March 2, 2021, https://web.archive.org/web/20210302233541/https://www.nps.gov/articles/colonial-parkway.htm).

[64] 54 U.S.C. §200402(e)(2).

[65] Federal Lands Recreation and Enhancement Act (FLREA; 16 U.S.C. §§6801-6814). For more information, see CRS In Focus IF10151, *Federal Lands Recreation Enhancement Act: Overview and Issues*, by Carol Hardy Vincent.

[66] In most cases, at least 80% of the revenue collected is retained and used at the site where it was generated. The remaining collections are placed in a central fund that can be used throughout the park system. Some parks retain 100% of the fee collections, and parks could retain as low as 60% if the collected revenue exceeded "the reasonable needs of the unit" for that fiscal year (16 U.S.C. §6806(c)(1)(B)).

collections to "deferred and preventative facility maintenance projects."[67] NPS estimates entrance and recreation fee collections of $365.5 million for FY2024.[68]

Concessions Franchise Fees

NPS collects concessions franchise fees from park concessioners that provide services such as lodging and dining at park units. The fees, collected under the National Park Service Concessions Management Improvement Act of 1998, are typically set as a percentage of a concessioner's gross receipts.[69] The fees are available for use without further appropriation and are mainly retained at the collecting parks.[70] They may be used to reduce DM (with priority given to concessions-related DM),[71] and they also may be used for other NPS concessions-related activities, such as contract development and payment of leasehold surrender interest (an amount owed to concessioners that have invested in improvements to NPS infrastructure).[72] In its FY2025 budget justification, NPS estimates concessions fee collections of $156.1 million for FY2024.[73]

Other NPS Funding for Deferred Maintenance

The National Park Service Centennial Act (Centennial Act) established the NPS ***Centennial Challenge Fund***.[74] The fund provides a federal match to private-sector donations for NPS projects and programs that "further the mission of the Service and … enhance the visitor experience in System units."[75] The fund receives both discretionary appropriations and offsetting collections made up of certain amounts from sales of entrance passes to seniors.[76] In selecting projects and programs to receive the funding, the Secretary of the Interior is to prioritize DM, physical improvements to visitor service facilities, and trail maintenance.[77] The FY2024 appropriation for the Centennial Challenge Fund in P.L. 118-42 was $12.0 million, and NPS estimates that senior pass sales will provide an additional $7.5 million for the fund in FY2024.[78]

The Centennial Act also established the NPS ***Second Century Endowment*** and directed that the endowment receive revenues from senior pass sales totaling $10 million annually.[79] In addition, the endowment is authorized to receive gifts, devises, and bequests from donors. The funds may be used for projects approved by the Secretary of the Interior that further the mission and purposes of NPS, including projects on the maintenance backlog. For FY2023 (the most recent

[67] NPS FY2025 budget justification, p. RecFee-2.

[68] Ibid., p. Rec Fee-1. The total includes fees collected under FLREA and the Deed-Restricted Parks Fee Program, which covers three parks prohibited by deed restrictions from collecting entrance fees.

[69] NPS Concessions Management Improvement Act of 1998, 54 U.S.C. §§101911 et seq.; see especially §101917.

[70] The collecting unit retains 80% of the fees, and the remainder are placed in a special account to support activities throughout the park system (54 U.S.C. §101917(c)).

[71] CRS communication with NPS Offices of Budget, Commercial Services, and Park Facility Management, May 25, 2017.

[72] NPS FY2025 budget justification, p. OPA-2.

[73] Ibid., p. OPA-1. The amount includes both concessions franchise fees and an earlier type of fee used in some older concessions contracts ("concessions improvement accounts").

[74] National Park Service Centennial Act, P.L. 114-289.

[75] 54 U.S.C. §103501(c).

[76] Specifically, any amounts collected in excess of $10 million from NPS sales of age-discounted National Parks and Federal Recreational Lands Passes for seniors are to be deposited into the Centennial Challenge Fund as offsetting collections (54 U.S.C. §103501(b)).

[77] 54 U.S.C. §103502(a)(3).

[78] NPS FY2025 budget justification, p. CCF-1.

[79] 54 U.S.C. §101121.

year available), the National Park Foundation, which administers the endowment, reported spending $2.3 million from the endowment on unspecified projects.[80]

Other NPS mandatory appropriations also have been partially used for DM. These include donations, monies collected under the Park Building Lease and Maintenance Fund, transportation fees collected under the Transportation Systems Fund, and rents and payroll deductions for the use and occupancy of government quarters, among others. NPS estimated varying amounts for these mandatory appropriations for FY2024.[81] Congress also has provided additional mandatory appropriations for NPS DM on some occasions. For instance, P.L. 117-169, commonly known as the Inflation Reduction Act of 2022, provided a one-time appropriation of $200 million for "priority" NPS DM projects.[82]

Issues for Congress

In the 118th Congress, debate about NPS DM has focused on the agency's use of the LRF funding provided under the GAOA, including NPS's project selection priorities, the funds' impact in addressing the backlog, and the possibility of reauthorizing the LRF deposits for additional years. Under the current authorization, FY2025 is the final year of LRF funding. Some Members of Congress and other stakeholders advocate for extending the deposits to support progress by NPS and other land management agencies in addressing their maintenance backlogs, whereas others feel that limited federal funding should be directed toward other priorities.

Some question whether the LRF has been an effective tool for NPS, given that the NPS backlog has grown rather than shrunk since FY2020 (**Figure 1**). NPS emphasizes that despite factors leading to growth in the DM estimates—changes in DM estimation methods, inflation in the costs to execute projects, and new maintenance needs—the LRF is playing a major role in addressing the backlog. NPS has stated that, once its LRF-funded projects are completed (which may take multiple years), the FY2024 projects will collectively address approximately $1.25 billion in DM, the FY2023 projects will address approximately $1.19 billion, and the FY2022 projects will address approximately $0.84 billion, with the proposed projects for FY2025 anticipated to address $0.94 billion if fully funded.[83] (Similar estimates for the FY2021 projects were not published in NPS budget justifications.) GAO has stated that another positive impact of the LRF is that it has "fostered a cultural change [at the land management agencies] toward maintaining better data on deferred maintenance."[84] Nonetheless, GAO still noted issues with unclear

[80] National Park Foundation, *Financial Statements for the Years Ended September 30, 2023 and 2022*, p. 32, https://annualreport.nationalparks.org/wp-content/uploads/2024/04/National-Park-Foundation-FY2023-Audited-Financial-Statements.pdf.

[81] NPS FY2025 budget justification, pp. RecFee-1, OPA-1, and MTF-1.

[82] NPS reported that this funding was used for DM at the Presidio of San Francisco. Testimony of NPS Director Chuck Sams in U.S. Congress, House Committee on Natural Resources, *Examining the Implementation of the Great American Outdoors Act and the Growing National Park Service Deferred Maintenance Backlog*, 118th Cong., 1st sess., April 18, 2023, H.Hrg. 118-16, pp. 13-15, https://www.govinfo.gov/content/pkg/CHRG-118hhrg51886/pdf/CHRG-118hhrg51886.pdf; hereinafter cited as "H.Hrg. 118-16."

[83] NPS budget justifications for FY2022-FY2025. These estimates were applied to NPS's proposed projects for each fiscal year. In some cases, Congress allocated funding for a few projects differently, which could affect the estimates (see footnote 40 for more information). The amount of DM addressed for a given project is not the same as the amount of LRF funding going to the project. According to GAO, some projects may address a lower amount of DM than the actual cost of the project (for instance, because a portion of the investment addressed construction not classified as DM). Alternatively, a project in some cases may address a higher amount of DM than the project cost (for instance, if the agency replaces an asset that had high DM with a lower-cost solution). GAO January 2024 report, p. 17.

[84] Testimony of Cardell Johnson, GAO, in U.S. Congress, House Committee on Natural Resources, Subcommittee on (continued...)

reporting by NPS and other DOI agencies on reasons for changes in DM estimates, which have compromised the availability of information Congress may need for its decisionmaking.[85] GAO stated that, "in the absence of additional information on agencies' DM&R estimates, Congress and the public are limited in their ability to determine the true impact of DM&R on agency operations or the actual amount of funding needed to address the DM&R backlog."[86] Some observers have suggested that, if the LRF funding is reauthorized, Congress may wish to specifically mandate oversight of how the agencies develop and report their DM estimates.[87]

In considering the possibility of an LRF reauthorization, some Members also have contemplated whether any potential future funding should come with additional requirements for project selection, such as requirements related to the geographic distribution of selected projects. Some Members have expressed concern about uneven distribution of the current NPS LRF funding across states and regions.[88] NPS's criteria for LRF project selection have not explicitly included geographic distribution; in contrast, FS's criteria for choosing LRF projects have included a requirement that 40% of LRF funding go to "regional priority projects" across the FS regions.[89] (In practice, projects have been selected in all the NPS regions, although the funding across states and regions has been uneven.[90]) A related concern for some has been the distribution of LRF funds among larger versus smaller parks and urban versus rural parks.[91]

NPS has expressed that the current flexibilities in selecting LRF projects have allowed the agency to focus on "large-scale projects" that "have been historically out of reach with discretionary appropriations."[92] In support, some observers have pointed out that targeting LRF funds to large infrastructure projects, while potentially narrowing the number of parks served, may indirectly benefit parks around the country with smaller DM project needs by freeing up other DM funding sources (such as annual appropriations and recreation fees) to be targeted to these smaller

Federal Lands, *National Park Service's Deferred Maintenance Backlog: Perspectives from the Government Accountability Office and the Inspector General*, hearing, 118th Cong., 2nd sess., January 10, 2024, pp. 5-6, https://naturalresources.house.gov/uploadedfiles/testimony_johnson.pdf; hereinafter cited as "House Natural Resources Committee January 2024 hearing."

[85] GAO, *Federal Real Property: Agencies Should Provide More Information About Increases in Deferred Maintenance and Repair*, GAO-24-105485, November 2023, pp. 18-24, https://www.gao.gov/products/gao-24-105485. GAO stated that "agency officials said they do not report additional information on their DM&R estimates because they are not required to do so" (p. 25).

[86] Ibid., p. 26.

[87] See testimony of Mark Greenblatt, DOI Inspector General, and Cardell Johnson, GAO, at House Natural Resources Committee January 2024 hearing.

[88] See, for example, remarks of Rep. Tom Tiffany and questions for the record from Rep. Bruce Westerman, H.Hrg. 118-16, pp. 2, 9; and questions for the record from Sen. Steve Daines, Senate Committee on Energy and Natural Resources, Subcommittee on National Parks, *Implementation of the Great American Outdoors Act*, 117th Cong., 2nd sess., February 9, 2022, S.Hrg. 117-462, p. 69, https://www.govinfo.gov/content/pkg/CHRG-117shrg46848/pdf/CHRG-117shrg46848.pdf; hereinafter cited as "S.Hrg. 117-462."

[89] The U.S. Forest Service stated that "this model of supporting both national and regional priorities was developed because the Forest Service recognizes community and state priorities may not result in projects that are selected nationally. As a result of this approach, the Forest Service project list provides an investment in deferred maintenance reduction that values both locally and nationally significant projects." Testimony of Forest Service Deputy Chief Christopher French, S.Hrg. 117-462.

[90] For information on the NPS regions, see NPS, "About Us," https://www.nps.gov/aboutus/contactinformation.htm. For lists and maps of NPS's LRF project locations, see NPS, "National Parks and Public Land Legacy Restoration Fund," https://www.nps.gov/subjects/infrastructure/legacy-restoration-fund.htm.

[91] For example, see remarks of Reps. Tom Tiffany, Bruce Westerman, and Pete Stauber, H.Hrg. 118-16, pp. 2, 13-14, 26; and questions for the record from Sen. Mazie Hirono, S.Hrg. 117-462, pp. 72-73.

[92] NPS FY2024 budget justification, p. LRF-3.

projects.[93] NPS has stated that its use of some LRF funding for traveling "maintenance action teams" has allowed the agency to address maintenance needs at "under-resourced small and medium-sized parks, achieving geographic distribution of projects throughout the country."[94] Some Members have advocated for higher portions of the LRF funding to be allocated to these teams.[95] Some stakeholders also have recommended establishing new NPS hiring authorities to build staff capacity to plan and execute DM projects at smaller or under-resourced parks.[96]

Outside of debates about the LRF, some Members of Congress have advocated for prioritizing annual appropriations for NPS deferred (and cyclic) maintenance, especially in light of declines in this annual funding since enactment of the LRF (see section on "Annual Appropriations for NPS Deferred Maintenance").[97] Some emphasize the importance of annual appropriations for preventing further growth of the backlog and point out that the GAOA, which established the LRF, stated that no amounts in the LRF were to be used to "supplant discretionary funding made available for annually recurring facility operations, maintenance, and construction needs."[98] In contrast, some other Members of Congress, as well as NPS officials on some occasions, have expressed that the availability of LRF funding could allow annual appropriations to be used for NPS priorities other than maintenance (such as facility improvements), given limitations on overall funding for NPS and other DOI agencies.[99]

Some stakeholders have proposed additional options to increase funding for NPS infrastructure maintenance, beyond annual appropriations and the LRF. Options could include increasing the revenues that NPS collects, such as by raising park fees (e.g., through across-the-board entrance fee hikes, congestion pricing for highly popular attractions, or a surcharge for international visitors) or introducing tolling on park highways that are used as commuter routes (e.g., in the region around Washington, DC).[100] Some have proposed funding NPS DM through visa fees paid

[93] See, for example, statement for the record of the National Parks Second Century Action Coalition, at S.Hrg. 117-462, p. 114.

[94] NPS, "Infrastructure: Maintenance Action Teams," https://www.nps.gov/subjects/infrastructure/maintenance-action-teams.htm. Also see testimony of Shannon Estenoz, DOI Assistant Secretary for Fish and Wildlife and Parks, at S.Hrg. 117-462, p. 26.

[95] See, for example, questions for the record from Representative Bruce Westerman in H.Hrg. 118-16, p. 9; and House Committee on Natural Resources, hearing memorandum, "Oversight Hearing on 'Examining the Implementation of the Great American Outdoors Act and the Growing National Park Service Deferred Maintenance Backlog,'" April 18, 2023, p. 8. The LRF allocations for NPS maintenance action teams were $14.1 million for FY2021, $0 for FY2022, $20.0 million for FY2023, and $25.0 million for FY2024. NPS's FY2025 budget request proposes $25.0 million from the LRF for maintenance action teams.

[96] See, for example, statements for the record of the Coalition to Protect America's National Parks and the Pew Charitable Trusts at S.Hrg. 117-462, pp. 101 and 129.

[97] For example, see remarks by Senator Angus King in U.S. Congress, Senate Committee on Energy and Natural Resources, *Hearing to Examine the President's Budget Request for the U.S. Department of the Interior for Fiscal Year 2025*, hearing, 118th Cong., 2nd sess., May 2, 2024, https://www.energy.senate.gov/hearings/2024/5/full-committee-hearing-to-examine-the-president-s-budget-request-for-the-u-s-department-of-the-interior-for-fiscal-year-2025; and remarks by Representative Ed Case at House Natural Resources Committee January 2024 hearing.

[98] 54 U.S.C. §200402(f)(2).

[99] For example, see testimony of NPS Director Charles Sams in H.Hrg. 118-16, p. 7; and remarks by Representative David Joyce in U.S. Congress, House Committee on Appropriations, Subcommittee on Interior, Environment, and Related Agencies, *Fiscal Year 2023 Budget Request for the National Park Service*, hearing, 117th Cong., 2nd sess., May 18, 2022, hearing transcript available at https://plus.cq.com/doc/congressionaltranscripts-6540556?2.

[100] See S. 2783 in the 116th Congress; questions for the record by Rep. Tom McClintock in H.Hrg. 115-39, p. 12; Pew Charitable Trusts, *Protecting Our Parks: A Strategic Approach to Reducing the Deferred Maintenance Backlog Facing the National Park Service*, Spring 2019, https://www.pewtrusts.org/-/media/assets/2019/05/protecting-our-parks-report_low-res.pdf, hereinafter cited as Pew Charitable Trusts, *Protecting Our Parks*; and Property and Environment Research Center (PERC), *How Overseas Visitors Can Help Steward Our National Parks*, December 2023, https://www.perc.org/2023/12/21/how-international-visitors-can-help-steward-our-national-parks/.

by foreign visitors to the United States, monies from the Land and Water Conservation Fund, income tax overpayments and contributions, taxes on outdoor recreation gear, motorfuel taxes, DOI land sales, or revenues from coin and postage stamp sales.[101] Others have opposed such proposals as diverting federal funds from other valued uses or imposing unnecessary fees on the public.

Various proposals have focused on ways NPS could reduce DM without the use of additional funds. Some have suggested that this could be accomplished by increasing the role of nonfederal partners in park management (e.g., by leasing more historic buildings to private businesses or transitioning NPS-operated campgrounds to concessioner management); by promoting volunteer assistance (e.g., through conservations service corps); by expanding the role of friends-of-the-park groups and similar nonprofits in NPS maintenance and construction projects; by disposing of unneeded structures in poor repair; or by transferring some NPS assets (e.g., commuter roads) out of federal ownership.[102] NPS and other stakeholders have identified challenges in considering some of these options, including challenges related to the costs and procedures for disposing of unneeded assets,[103] limitations to authorities for federal-nonfederal partnerships for infrastructure project management,[104] and regulatory and market obstacles to expanded use of leasing

[101] See, for example, Heritage Foundation, *Budget Proposals: Interior, Environment, and Related Agencies*, May 20, 2019, https://www.heritage.org/blueprint-balance/budget-proposals/interior-environment-and-related-agencies; Heritage Foundation, "Permanent Reauthorization of Land and Water Conservation Fund Opens Door to Permanent Land Grabs," January 22, 2019, https://www.heritage.org/environment/report/permanent-reauthorization-land-and-water-conservation-fund-opens-door-permanent; Resources for the Future, *Efficiency and Equity of an Outdoor Recreation Equipment Tax to Fund Public Lands*, December 2020, https://www.rff.org/publications/working-papers/efficiency-and-equity-of-an-outdoor-recreation-equipment-tax-to-fund-public-lands; statement for the record by the Western Energy Alliance, S.Hrg. 117-462, pp. 139-140; Center for Western Priorities, *Funding America's Public Lands Future*, November 2019, https://westernpriorities.org/resource/funding-americas-public-lands-future/; and National Park Hospitality Association and National Parks Conservation Association, *Sustainable Supplementary Funding for America's National Parks*, March 19, 2013. Also see S. 2783 (116th Congress), H.R. 2863 (115th Congress); S. 268 (114th Congress); H.R. 5220 (113th Congress); H.R. 1731 (110th Congress); H.R. 3094 (110th Congress); S. 2817 (110th Congress); S. 886 and H.R. 1124 (109th Congress); and H.R. 5358 (108th Congress).

[102] See, for example, H.R. 1577 (115th Congress); Pew Charitable Trusts, *Protecting Our Parks*; PERC, *Fixing National Park Maintenance for the Long Haul*, November 2020, https://www.perc.org/wp-content/uploads/2020/11/fixing-national-park-maintenance.pdf, hereinafter cited as PERC, *Fixing National Park Maintenance*; questions for the record by Representatives Don Young, Jim Costa, and Tom McClintock, H.Hrg. 115-39, pp. 9-12; and testimony of Jessica Wahl, Outdoor Recreation Roundtable, in U.S. Congress, Senate Committee on Energy and Natural Resources, *Deferred Maintenance Needs and Potential Solutions on Federal Lands Administered by the Department of the Interior and the USDA Forest Service*, 116th Cong., 1st sess., June 18, 2019, S.Hrg. 116-307, pp. 39-41, https://www.govinfo.gov/content/pkg/CHRG-116shrg37803/pdf/CHRG-116shrg37803.pdf, hereinafter cited as "S.Hrg. 116-307."

[103] NPS identifies assets that are candidates for disposal as part of its real property reporting to the GSA (Federal Real Property Public Data Set, https://www.gsa.gov/policy-regulations/policy/real-property-policy/asset-management/federal-real-property-profile-frpp/federal-real-property-public-data-set). For FY2023, NPS identified 1,087 assets (of a total 71,808 assets) as having the disposal determination; it did not include any DM needs for these assets in its DM total (NPS FY2025 budget justification, p. SpecEx-3). GAO found in 2016 that legal requirements—such as the requirement in the McKinney-Vento Homeless Assistance Act (P.L. 100-77, as amended) that federal buildings slated for disposal must be assessed for their potential to provide homeless assistance before being disposed of by other means—have created obstacles for NPS disposal of unneeded properties (GAO, *Federal Real Property: Improving Data Transparency and Expanding the National Strategy Could Help Address Long-Standing Challenges*, GAO-16-275, March 2016, http://www.gao.gov/assets/680/676406.pdf). More recently, NPS has noted that approval received from the Department of Housing and Urban Development to streamline McKinney-Vento requirements for NPS demolition projects has "significantly shorten[ed] the time it takes to work through regulatory requirements" (NPS FY2024 budget justification, p. CONST-34).

[104] See, for example, testimony of Dan Puskar, Public Lands Alliance, at S.Hrg. 116-307, pp. 33-34.

authority.[105] Debate continues on the optimal strategies for reducing NPS deferred maintenance and the extent to which this should be a priority for NPS and for Congress.

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[105] See, for example, letter from Olivia B. Ferreter, Deputy Assistant Secretary for Budget, Finance, Performance, and Acquisition, Department of the Interior, to the Senate Committee on Appropriations, Subcommittee on Interior, Environment, and Related Agencies, March 29, 2018, included as Attachment 3 to H.Hrg. 115-39.