Appalachian Trail Conservancy

***Via electronic mail***

September 04, 2025

Chairman Bruce Westerman
Committee on Natural Resources
U.S. House of Representatives
1324 Longworth House Office Building
Washington, D.C. 20515

Ranking Member Jared Huffman
Committee on Natural Resources
U.S. House of Representatives
1332 Longworth House Office Building
Washington, D.C. 20515

Honorable Chairman Westerman and Ranking Member Huffman,

I write in support of extending and improving the National Parks and Public Land Legacy Restoration Fund (LRF), established through the Great American Outdoors Act (GAOA). The LRF addresses deferred maintenance needs across four federal land management agencies and Bureau of Indian Education schools. By funding the reduction of deferred maintenance for the beneficiary agencies, Congress increases the ability of these lands to receive and inspire visitors, which also increases the economic activity of our rural gateway communities, improves rural transportation infrastructure, and facilitates citizen stewards to work side-by-side with our federal land managers. This benefits all Americans. Our public lands belong to all of us, collectively, and provide opportunities for recreation, education, spiritual expression, and promote the economic vitality of largely rural areas. They are a part of our national identity and are the cornerstone of our national heritage and the LRF is a powerful tool to conserve them and promote prosperity.

As our primary federal agency stewardship partners are the National Park Service (NPS) and the USDA Forest Service (USFS), our testimony focuses on the shared stewardship overseen by those land managers. We applaud the work of our agency partners, in coordination with partners like ATC and the A.T. Clubs, and urge the extension of the LRF, with some improvements, which we outline below. All improvements are in addition to those made in S. 1547, the America the Beautiful Act by Senators Daines, King, Cramer, and Warner, which we endorse. Furthermore, we urge the Committee to hold at least one more hearing so that the USFS, other LRF beneficiary agencies, and NGO stewardship partners are able to provide additional perspective that the Committee may find valuable as it evaluates and, hopefully, extends the LRF.

ATC was founded in 1925 to bring the dream of a continent-spanning trail running the ridgelines of the Appalachian Mountains into existence. Since then, we have worked with the USDA Forest Service (USFS) and National Park Service (NPS) as well as the 30 local A.T. Clubs and 14 state governments to operate the first NGO-agency partnership unit in the federal lands system. The ANST runs nearly 2,197 miles from Springer Mountain in Georgia to Katahdin in Maine and includes upwards of 375,000 acres of publicly or privately conserved land. Over 5,000 volunteers annually contribute more than $7 million in volunteer labor, not to mention unrecorded personal contributions by A.T. Clubs and trail maintainers. The ANST is not a mere footpath; rather, it is a conserved corridor with one of the most extensive facility asset portfolios in the National Park System, tended to by a small, but crack staff at the NPS and the legion of volunteers, with ATC helping move information and resources to where they need to go. Our USFS partner, as the Trail's "consulting administrator" and land manager for nearly 50% of its length, also provide essential leadership and support in our dynamic Cooperative Management System.

Our public lands cannot steward themselves. Annual appropriations for both the NPS and USFS have fallen over the past several years, depriving them of the funds they need to keep their assets—natural and manufactured—in the state desired by both the land managers and the public. America's public lands are widely loved, with the National Forest System (NFS) and National Park System (NPS) receiving a combined, estimated nearly 500 million recreational visits—more than the total population of the U.S.A.—in 2024 across their combined 278 million acres. In establishing the LRF, Congress provided a financial jolt to these agencies to specifically address facility assets, things like A.T. treadway, privies, shelters, boundary line, bridges, and parking areas. Although the volunteers organized through the A.T. Clubs and specialty crews, either Club or ATC-led provide the vast majority of project design and labor on the Trail, without funding provided by the NPS as well as oversight and compliance assistance from it and the USFS, none of their work for the American people is possible.

When originally envisioned, the LRF was designed purely for the NPS and specifically for deferred maintenance projects that are so costly that they would eat up the entirety of the relevant NPS budget line items. These are major infrastructure assets like water and wastewater systems, bridges, roads, employee/visitor housing.[1] As discussions around the original proposal progressed, the legislation was expanded to include additional DOI agencies, namely the U.S. Fish and Wildlife Service (USFWS, specifically the National Wildlife Refuge System), Bureau of Land Management, and Bureau of Indian Education schools. Sustained advocacy and the wisdom of Congress brought the USFS into the LRF as well. Although these very large projects are important, as the LRF's five-year authorization has marched on, our agency partners have invested in projects of varying sizes, including a $15 million, multi-state, multi-agency project investment by the NPS in the A.T.'s vulnerable New England states[2].

The NPS was honest in the lead up to passage of the GAOA that its deferred maintenance backlog had become so significant that it needed to perform a system-wide review of the metrics used to calculate and track deferred maintenance. ATC and the A.T. Clubs collaborated significantly with our NPS partners on this "parametrics" review, which is one reason why we have confidence that it was needed, and that it exposed how crucial the LRF would be (indeed,

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[1] Per the *Response to Senate Energy and Natural Resources Committee Oversight Letter on the Legacy Restoration Fund*, August 15, 2024, the Department of the Interior (DOI) reports that across its agencies, there are nine projects over $100 million and 167 projects over $10 million, while the USFS has seven projects between $10 and $100 million.

[2] Because of the versatility of the National Trails System Act, the administrator of a given National Scenic or Historic Trail may invest in sections of another land manager responsible for part of a trail, such as the NPS is doing for this project. The NPS' collaboration with the USFS, ATC, and New England A.T. Clubs on this is worthy of its own testimony, which we hope to provide to the Committee once ground has broken on this project. We are grateful to the NPS for this investment.

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has been), in caring for our public land facility assets.[3] Currently, the NPS reports $23.26 billion (about 55% of the current, total agency backlog) and the USFS reports $10.8 billion (about 21% of the current, total, agency backlog), the majority of which for the latter being tied to transportation assets.

Funded from fiscal years 2021 through 2025, the LRF has allocated $1.9 billion annually from energy development revenue on federal lands and waters to address deferred maintenance projects.[4] By law, the LRF cannot be used for land acquisition, new construction, or any purpose other than addressing deferred maintenance. Its scope is intentionally narrow and regular, cyclic maintenance must still be funded through annual appropriations. While many of these projects are technical in nature, they are not invisible. Visitors and communities know when a bridge is rebuilt, when a wastewater system is rehabilitated, when eroded treadway is replaced, or when a campground reopens. These investments make a tangible difference in how people experience and access public lands by strengthening agencies' ability to complete their various missions and serve the American public.

Each agency has approached implementation differently. The NPS initially emphasized the large, complex projects and it has often bundled transportation, utilities, and visitor facilities into a single package. Early on, the USFS prioritized its outward- (public-) facing assets, including reserving 10% of its annual allocation to its vast trail system, before moving on to addressing projects more inward-facing, such as employee housing and administrative facilities. The USFS, because it was not initially included in the LRF, worked at a breakneck pace to develop its initial list of projects, inviting in partners from around the country to brainstorm on what work should be prioritized. These and the other agencies' varied approaches are a strength of the program and provide lessons across the systems which should be explored via Committee oversight.

**Transportation System Deferred Maintenance**

When initially developed, the LRF was focused on the NPS, so its structure was specific to that agency. This oversight process ahead of (we urge) the introduction of extension legislation, should evaluate the conditions across all agencies, which may result in appropriately different treatment across them. Because transportation projects are often very expensive and there are separate fund sources that are made available through programs administered by the Federal Highways Administration (FHWA) and the Department of Transportation (DOT), the LRF includes a transportation asset cap of no more than 35% of all allocated funds annually. While this may make sense for the NPS, it may not make sense for the USFS.

The Forest Transportation System (FTS) illustrates the scale of the deferred maintenance challenge. The FTS includes some 368,000 miles of roads, more than twice the length of the Interstate Highway System. Of these, 65,000 miles are maintained for passenger vehicles, providing road access to vast areas of rural America and its residents and gateway communities.

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[3] The USFS reviews its backlog in an alternative fashion and on an alternative timeline, due to both cultural and funding differences between it and the NPS.

[4] Some federal lands, including NPS units, and others, have been withdrawn from mineral exploration and development. Of the agencies receiving LRF funds, only the BLM and USFS generate energy development revenues.

They are multipurpose, providing immense value and return on investment. Recreation on national forests generates about $15.2 billion annually and supports 178,000 jobs, compared to about $5.2 billion from timber and $9.5 billion from mineral extraction. Recreation is now the USFS' largest economic driver, and its road system is essential to sustaining that contribution. The National Park Service maintains 13,900 miles of roads that support more than 325 million annual visits. These systems are not amenities; they are the arteries of public access, rural commerce, and community life. The Park Service contributes another $23 billion annually to the national economy, again driven primarily by access through its transportation infrastructure.

Despite this scale and importance, agencies have different access to funding streams to maintain these roads, bridges, trails, and other assets. Within the five-year surface transportation law (most recently the Investment in Infrastructure and Jobs Act), the Federal Lands Transportation Program (FLTP), which funds transportation facilities within or adjacent to federal lands, directs approximately $332–360 million annually to NPS—about $27,000 per mile of road—while the Forest Service receives only $24–28 million annually, about $400 per mile. The current replacement value of NPS transportation assets is $51.5 billion; for the Forest Service, it is $100 billion. Respectively, they report they would require $730 million and $635 million per year to maintain their assets at desired standards. Thus, when evaluating available funding streams for addressing deferred transportation maintenance, the importance of the LRF for the Forest Service cannot be overstated. The Forest Service's deferred maintenance backlog is $10.8 billion, of which approximately $6 billion is transportation infrastructure.

The DOT's federal lands programs authorized $1.7 billion for FY 2022–2026, of which about $1.3 billion went to NPS and only about $370 million was shared among the other federal land managing agencies. Because of this, ATC believes adjusting the cap to 45 percent for the Forest Service would align the program with portfolio realities. These investments are essential to rural economies, safe visitor access, and the long-term sustainability of public lands. We recognize that simply raising the cap may not be enough, and that, consistent with conversations with Committee members, emphasis on rehabilitating roads rated "Class Five" to "Class Three," or those that see higher traffic and use and are therefore maintained at a higher standard.[5]

**Improved Hiring Flexibility**

The only way that deferred maintenance projects can be pursued is with the human beings who design, review, and implement project plans. The LRF was crafted so that the funds could be used on staff capacity and not simply project costs, which has been essential to the success of the Fund by preventing the 'borrowing' of agency employees from other responsibilities. In seeking to make an economy of scale and maximize returns, the NPS developed and then the DOI shared "Maintenance Action Teams," which are facilities staff who move from project to project and unit to unit, lending their expertise and increasing manpower on the ground to address priority deferred maintenance needs. The MATs have supported many projects across the NPS and FWS: 114 for FWS and 92 for NPS[6]. These teams accelerate projects without pulling staff off the day-

[5] The USFS maintains about 64,700 miles of roads within these classes. Roads used for resource extraction are paid for by those with approved rights to harvest assets, and should not be eligible for LRF investment.
[6] U.S. Department of the Interior, *Great American Outdoors Act – Legacy Restoration Fund, Maintenance Action Team (MAT) Project Data, FY 2025 Q2*.

to-day responsibilities that keep campgrounds, trailheads, and visitor services operating and are an excellent example of the agencies leveraging the law to maximize impact.

With the significant staff turnover this year compounding a—from our perspective—longtime, slow decrease of needed agency employees tending to deferred maintenance and other issues, we believe that a specific hiring authority for LRF may further increase efficiency. A hiring authority, with flexibility to hire local employees rather than pursue national searches, would give our agency partners a greater ability to speedily pare down the backlog. Additionally, as USDA proceeds with reorganization and significant staffing changes are anticipated, direct hiring authority for LRF projects would allow agencies to dedicate staff to project development, contracting, and oversight, reducing delays and preserving core capacity for operations. Direct-hire authority has been granted in disaster supplementals (e.g. PL 118-158) and it would be equally appropriate here (see legislative language appended at the end of this testimony). Ensuring that LRF work does not diminish the ability of agencies to keep lands open, accessible, and safe is critical.

**Accountability Study to Strengthen Public-Private Partnerships**

Transparency and accountability will help strengthen the program. The GAOA required a Government Accountability (GAO) review of LRF implementation, which was completed in January 2024. Senators King and Daines (then chairman and ranking member of the relevant Senate subcommittee) dispatched an oversight letter[7] requesting agencies provide detailed breakdowns of how funds were allocated by state, project type, and project size, and agencies responded with substantial data in late summer 2024. Each agency has leveraged the LRF differently, whether in terms of project size, location, asset type, or partnership/private contributions. Because the GAOA requires only that LRF funds be used on "deferred maintenance," there is no statutory emphasis on improving recreation, employee needs (e.g. housing), or that each year a set number of projects or amount of LRF dollars be spent across geographical regions, or within units of varying sizes, or with a match requirement from non-agency partners. An in-depth review of how each agency has employed their LRF allocations, where, and for what kind of asset, would provide Congress valuable information not just in the implementation of the LRF, but on how each agency uses annual appropriations to steward facility assets.

We recommend that Congress request a GAO study to synthesize this information as well as new information and assess how, by agency and across agencies, LRF dollars are distributed. While we trust the agencies' processes appropriately invest in projects of varying sizes and types across a range of units (whether measured by geographical location, acreage, total facility portfolio asset, or any of the other metrics that have been raised in conversations with Members and partners), GAO attention to this question would provide greater confidence to the Committee that investments are being shared fairly across American communities. We recommend this review also include partnership contributions, whether by "Friends" groups, cooperative managers like ATC and the A.T. Clubs, corps, or other, non-governmental entities.

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[7] U.S. Senate Committee on Energy and Natural Resources, Subcommittee on National Parks, *Letter from Senators King and Daines to Secretaries Haaland and Vilsack regarding Legacy Restoration Fund Oversight*, May 3, 2024

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**More Proportional Distribution of Funds**

The LRF is the result of sustained advocacy by experienced partners, and we are grateful for their leadership as well as the wisdom of Congress in establishing it. The majority of momentum behind the LRF was built when it was focused on the NPS, which explains the breakdown of annual LRF funds between the beneficiary agencies. The current split is 70 percent for NPS, 15 percent for USFS, and 5 percent each for BLM, FWS, and BIE. Had the origin of the LRF been to support each of these agencies, we expect the breakdown would be different. Extending the law provides the opportunity to adjust these allocations so they are more in line with each agencies' share of the total backlog, reflecting the reality that each of them provide important services to the American people, in different geographical regions, with different recreational experiences, with separate legislative requirements and functional needs.

Reported backlogs from Senators Daines and King's oversight letter of 2024 show $23.26 billion for NPS, $10.8 billion for USFS, $4.5 billion for BLM, $2.7 billion for FWS, and at least $804 million for BIE. A reallocation ensuring that the USFS receives 21% more closely align with actual burdens. This adjustment would also reflect the on-the-ground inventory of assets by the agencies. In rural regions where timber and mineral wealth was extracted for decades, recreation is now the driver of economic activity. For example, approximately 97% of the Forest Service's LRF contract obligations are with small businesses and 45% are with small, disadvantaged businesses. A fairer allocation would return value to these communities and invest in their long-term stability. This is relevant because lands managed by the multi-use agencies, such as the USFS, are the ones that have available for extraction. Indeed, our eastern (A.T.) national forests were established in part to *re*-forest headwaters areas that had been overharvested and negatively impacted by extraction.[8]

As stated above, we endorse S. 1547, the America the Beautiful Act, and the improvements it makes to the current GAOA text. In particular, we support increasing the annual distribution to $2 billion, expanding the applicability of funds within the USFWS, facilitating private donations and publicizing LRF funding for projects, the two-year operating list not reliant on annual appropriations, and the eight-year extension. These changes will ensure that the LRF continues to reduce backlogs, deliver projects efficiently, and support rural economies. They will also maintain momentum at a time when rising construction costs make delays more expensive. We believe the additional changes outlined in this letter will further improve an excellent law.

The LRF was created to do the large, often unglamorous work that sustains public lands: keeping roads drivable, bridges safe, water systems functioning, and visitor facilities reliable. It has succeeded in that mission in many ways, but the work is not finished. With targeted updates and continued oversight, Congress can extend and strengthen this program to meet its full potential. We appreciate the opportunity to contribute to this discussion and look forward to working with the Committee to ensure that the Legacy Restoration Fund continues to serve the American people. We also respectfully urge the Committee to conduct oversight similar to this NPS-

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[8] Many within the A.T. CMS, including ATC, would argue that our eastern forests have not yet recovered, and that additional investment is necessary to better serve ecosystem services, recreational opportunities, and community needs.

focused hearing to receive testimony and perspective from the other beneficiary agencies, stewardship, and community partners.

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**S.4802[9] -**
SEC. 125. The Secretary of the Interior may recruit and directly appoint qualified individuals into the competitive service who are certified as maintaining a permanent and exclusive residence within, or contiguous to, a field unit, into any position at or below grades GS-9 or WG-15 or equivalent within such field unit: Provided, That any action authorized herein shall be consistent with the merit principles of section 2301 of title 5, and with the public notice

**H.R. 10545[10]**
Requirements of section 3327 of title 5: Provided further, That appointments under this authority shall be considered compliant with all applicable provisions of chapter 33 of title 5.
SEC. 2701. Notwithstanding section 3304 of title 5, United States Code, and without regard to the provisions of sections 3309 through 3318 of such title 5, the Secretary of the Interior and the Secretary of Agriculture, acting through the Chief of the Forest Service, may recruit and directly appoint highly qualified individuals into the competitive service to address critical hiring needs for the planning and execution of the projects and activities funded in this title: Provided, That such authority shall not apply to positions in the Excepted Service or the Senior Executive Service: Provided further, That any action authorized herein shall be consistent with the merit principles of section 2301 of such title 5, and the Department of the Interior and the Department of Agriculture shall comply with the public notice requirements of section 3327 of such title 5: Provided further, That the authority under this section shall terminate on September 30, 2029: Provided further, That amounts provided by this section are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

As legislation is formulated, if your staff would like to further discuss this or other topics they may contact ATC's Director of Federal Policy Brendan Mysliwiec at bmysliwiec@appalachiantrail.org or 207-370-0540.

Respectfully,

Brendan Mysliwiec
Director of Federal Policy
Appalachian Trail ConservancyS

[9] S. 4802, 118th Cong. (2024) (as reported by S. Comm. on Appropriations, July 25, 2024)
[10] Public Law 118–158, *American Relief Act, 2025*, 138 Stat. 1722 (Dec. 21, 2024)