

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 5729  
OFFERED BY MR. WESTERMAN OF ARKANSAS**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “North Rim Restoration  
3 Act”.

**4 SEC. 2. DEFINITIONS.**

5       In this Act:

6           (1) COVERED AREA.—The term “covered area”  
7       means the areas within Grand Canyon National  
8       Park impacted by the Dragon Bravo Fire.

9           (2) SECRETARY.—The term “Secretary” means  
10       the Secretary of the Interior, acting through the Di-  
11       rector of the National Park Service.

**12 SEC. 3. EMERGENCY CONTRACTING AUTHORITY.**

13       (a) IN GENERAL.—Notwithstanding any requirement  
14       for a Presidential emergency or disaster declaration, the  
15       Secretary is authorized to use the emergency acquisition  
16       flexibilities under part 18 of title 48, Code of Federal Reg-  
17       ulations (and any successor regulations), including the in-  
18       creased micro-purchase thresholds, simplified acquisition

1 thresholds, and other higher-level emergency flexibilities,  
2 in contracting for the following services within the covered  
3 area:

4 (1) Forest management or restoration activities  
5 carried out in response to the Dragon Bravo Fire.

6 (2) Rebuilding, planning, development, and de-  
7 sign of structures affected by the Dragon Bravo  
8 Fire.

9 (3) Improvements to the grounds and struc-  
10 tures.

11 (4) Recovery efforts.

12 (5) Any activity listed in section 4(a).

13 (b) PROCESS FOR OTHER SERVICES.—Unless other-  
14 wise provided by law or regulation, the authority granted  
15 under subsection (a) does not apply to contracts for serv-  
16 ices other than those described in paragraphs (1) through  
17 (4) of subsection (a).

18 (c) REPORT.—Not later than 180 days after the Sec-  
19 retary begins to use the authorization under subsection  
20 (a), and every 180 days thereafter until the date that is  
21 180 days after the date described in subsection (e), the  
22 Secretary shall submit to the Committees on Natural Re-  
23 sources and Oversight and Government Reform of the  
24 House of Representatives and the Committees on Energy  
25 and Natural Resources and Homeland Security and Gov-

1 ernmental Affairs of the Senate a report on all expendi-  
2 tures related to the recovery efforts for the Dragon Bravo  
3 Fire, including the following:

4 (1) The expected cost of recovery efforts.

5 (2) Cost expenditures.

6 (3) Cost overruns.

7 (4) Identification of contractors performing the  
8 work associated with the recovery from the Dragon  
9 Bravo Fire.

10 (5) Any affiliations or conflicts of interest be-  
11 tween the contractor and the contracting office at  
12 the Grand Canyon National Park or the National  
13 Park Service.

14 (6) Any waste, fraud, or abuse detected during  
15 the recovery efforts.

16 (7) Any contracts that came in under expected  
17 expenses.

18 (8) An estimated time of completion for all  
19 projects and full recovery efforts related to the  
20 Dragon Bravo Fire.

21 (9) If an extension is needed for this authority  
22 to complete projects associated with the Dragon  
23 Bravo Fire.

24 (d) EXTENSION.—If, after the date of the enactment  
25 of this Act, a new wildfire within the covered area and

1 impacts recovery efforts related to the Dragon Bravo Fire,  
2 the Secretary may request a 12-month extension of the  
3 authority granted under subsection (a), subject to congres-  
4 sional approval.

5 (e) EXPIRATION.—The authority granted under sub-  
6 section (a) shall expire on the date that is the earlier of  
7 the following:

8 (1) 7 years after the date of the enactment of  
9 this Act.

10 (2) The date on which projects and recovery ef-  
11 forts within the covered area are completed, as de-  
12 termined by the Secretary.

13 **SEC. 4. LIMITED SOLE-SOURCE PROCUREMENT AUTHOR-**  
14 **ITY.**

15 (a) IN GENERAL.—Notwithstanding chapter 33 of  
16 title 41, United States Code, or any other provision of law  
17 relating to the use of competitive procedures for the pro-  
18 curement of services, supplies, or construction materials  
19 and services, subject to a determination made by the Sec-  
20 retary under subsection (b), the Secretary may enter into  
21 one or more contracts, on a noncompetitive basis, for the  
22 planning, design, repair, construction, reconstruction, re-  
23 habilitation, stabilization, replacement, or operation of as-  
24 sets supporting the recovery and reopening of the Grand  
25 Canyon National Park North Rim, including—

1 (1) employee housing and related facilities;

2 (2) water, wastewater, power, communications,  
3 and other utility systems;

4 (3) visitor-facing facilities and infrastructure,  
5 including lodging, food service, retail, transportation,  
6 and associated public-use facilities; and

7 (4) maintenance, administration, and other  
8 back-of-house assets necessary for safe and contin-  
9 uous operation of North Rim services.

10 (b) DETERMINATION REQUIRED.—The Secretary  
11 may utilize the authority provided in subsection (a) if the  
12 Secretary determines, in writing, that—

13 (1) the concessioner currently holding a valid  
14 concession contract for operations at the North Rim  
15 of Grand Canyon National Park on the date of en-  
16 actment of this Act is uniquely positioned to execute  
17 one or more procurement contracts identified under  
18 subsection (a) due to the concessioner's current  
19 operational responsibilities, site access, integration  
20 with existing concession infrastructure, or continuity  
21 needs essential to expedited North Rim recovery;  
22 and

23 (2) use of noncompetitive procedures under sub-  
24 section (a) with this concessioner is necessary to en-

1       sure public health and safety, protection of park re-  
2       sources, or continuity of essential services.

3       (c) EXPIRATION.—The authority granted under sub-  
4       section (a) shall expire on the date that is 7 years after  
5       the date of enactment of this Act.

6       (d) RELATIONSHIP TO EXISTING CONCESSION CON-  
7       TRACT.—Any procurement action conducted or contract  
8       awarded under this section shall be considered separate  
9       from, and shall not modify, amend, or extend the duration  
10      of, or provide any leasehold surrender interest or other  
11      benefit, under a concession contract issued under section  
12      101913 of title 54, United States Code, or related authori-  
13      ties.

14      (e) RULE OF CONSTRUCTION.—Nothing in this sec-  
15      tion shall be construed to—

16           (1) authorize the award of any concession con-  
17           tract or lease without full compliance with applicable  
18           concession contracting law; or

19           (2) prevent the Secretary from using competi-  
20           tive procedures if the Secretary determines such pro-  
21           cedures to be in the best interest of the United  
22           States.

