

## EVERY KID OUTDOORS ACT

AUGUST 3, 2018.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. BISHOP of Utah, from the Committee on Natural Resources, submitted the following

### R E P O R T

[To accompany H.R. 3186]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources to whom was referred the bill (H.R. 3186) to establish an Every Kid Outdoors program, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Every Kid Outdoors Act”.

#### SEC. 2. DEFINITIONS.

In this Act:

(1) FEDERAL LAND AND WATERS.—The term “Federal land and waters” means any Federal land or body of water under the jurisdiction of any of the Secretaries to which the public has access.

(2) PROGRAM.—The term “program” means the Every Kid Outdoors program established under section 3(a).

(3) SECRETARIES.—The term “Secretaries” means—

(A) the Secretary of the Interior, acting through—

- (i) the Director of the National Park Service;
- (ii) the Director of the United States Fish and Wildlife Service;
- (iii) the Director of the Bureau of Land Management; and
- (iv) the Commissioner of Reclamation;

(B) the Secretary of Agriculture, acting through the Chief of the Forest Service;

(C) the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration; and

(D) the Secretary of the Army, acting through the Chief of Engineers of the Corps of Engineers.

(4) STATE.—The term “State” means each of the several States, the District of Columbia, American Samoa, Guam, the Northern Mariana Islands, Puerto

Rico, the Virgin Islands of the United States, and any other territory or possession of the United States.

(5) **STUDENT OR STUDENTS.**—The term “student” or “students” means any fourth grader or home-schooled learner 10 years of age residing in the United States, including any territory or possession of the United States.

**SEC. 3. EVERY KID OUTDOORS PROGRAM.**

(a) **ESTABLISHMENT.**—The Secretaries shall jointly establish a program, to be known as the “Every Kid Outdoors program”, to provide free access to Federal land and waters for students and accompanying individuals in accordance with this section.

(b) **ANNUAL PASSES.**—

(1) **IN GENERAL.**—At the request of a student, the Secretaries shall issue a pass to the student, which allows access to Federal lands and waters for which access is subject to an entrance, standard amenity, or day use fee, free of charge for the student and—

(A) in the case of a per-vehicle fee area—

(i) any passengers accompanying the student in a private, non-commercial vehicle; or

(ii) not more than 3 adults accompanying the student on bicycles; or

(B) in the case of a per-person fee area, not more than 3 adults accompanying the student.

(2) **TERM.**—A pass described in paragraph (1) shall be effective during the period beginning on September 1 and ending on August 31 of the following year.

(3) **PRESENCE OF A STUDENT IN GRADE FOUR REQUIRED.**—A pass described in paragraph (1) shall be effective only if the student to which the pass was issued is present at the point of entry to the applicable Federal land or water.

(c) **OTHER ACTIVITIES.**—In carrying out the program, the Secretaries—

(1) may collaborate with State Park systems that opt to implement a complementary Every Kid Outdoors State park pass;

(2) may coordinate with the Secretary of Education to implement the program;

(3) shall maintain a publicly available website with information about the program;

(4) may provide visitor services for the program; and

(5) may support approved partners of the Federal land and waters by providing the partners with opportunities to participate in the program.

(d) **REPORTS.**—The Secretary of the Interior, in coordination with each Secretary, shall prepare a comprehensive report to Congress each year describing—

(1) the implementation of the program;

(2) the number and geographical distribution of students who participated in the program; and

(3) the number of passes described in subsection (b)(1) that were distributed.

(e) **SUNSET.**—The authorities provided in this Act, including the reporting requirement, shall expire on the date that is seven years after the date of enactment of this Act.

**PURPOSE OF THE BILL**

The purpose of H.R. 3186 is to establish an Every Kid Outdoors program.

**BACKGROUND AND NEED FOR LEGISLATION**

Since 2015, the Department of the Interior, through the “Every Kid in a Park” initiative, has offered fourth graders and their families free entrance to our national parks and other federal lands. The initiative launched prior to the National Park Service’s Centennial in 2016 as one way to connect with and create the next generation of park visitors. Funding and support for the initiative comes through the National Park Service’s budget for youth engagement programs as well as from private donations and volunteer hours.<sup>1</sup> To date, “Every Kid in a Park” has facilitated edu-

<sup>1</sup> Korte, Gregory. “Obama to Give Free Parks Admission to Fourth Graders.” USA Today, Gannett Satellite Information Network, 19 Feb. 2015. [www.usatoday.com/story/news/politics/2015/02/19/obama-free-national-park-admission/23640451/](http://www.usatoday.com/story/news/politics/2015/02/19/obama-free-national-park-admission/23640451/).

cational activities for more than 350,000 fourth graders across the country and has provided an outdoor classroom for teachers and students across the 417 National Park Service units and other federal lands.<sup>2</sup>

In developing the “Every Kid in a Park” initiative, the Department of the Interior focused on children 10 years of age, the age of most fourth graders, based on research that indicates children ages 9–11 are at a unique developmental stage where they begin to understand how the world around them works in more concrete ways.<sup>3</sup> By targeting this age group, the initiative strives to provide every child in the United States with the opportunity to visit his or her federal lands and waters by age 11, thereby establishing a lifelong connection to our parks and other public lands.

H.R. 3186 codifies the “Every Kid in a Park” initiative by directing seven bureaus in four agencies to jointly establish the “Every Kid Outdoors” program to provide any fourth grader or home-schooled learner 10 years of age residing in the United States and any U. S. territory or possession with free access to publicly accessible federal lands and waters. The bureaus that would establish and administer the program are the National Park Service, the U.S. Fish and Wildlife Service, the Bureau of Land Management, the Bureau of Reclamation, the U.S. Forest Service, the National Oceanic and Atmospheric Administration, and the U.S. Army Corps of Engineers.

A companion bill has been introduced in the Senate as S. 1522 by Senator Martin Heinrich (D–NM).

#### COMMITTEE ACTION

H.R. 3186 was introduced on July 11, 2017, by Congresswoman Niki Tsongas (D–MA). The bill was primarily referred to the Committee on Natural Resources, and additionally to the Committee on Agriculture and the Committee on Transportation and Infrastructure. Within the Natural Resources Committee, the bill was referred to the Subcommittee on Federal Lands and the Subcommittee on Water, Power and Oceans. On May 16, 2018, the Natural Resources Committee met to consider the bill. The Subcommittees were discharged by unanimous consent. Congresswoman Madeleine Z. Bordallo (D–GU) offered an amendment designated 050; it was adopted by unanimous consent. Congressman Rob Bishop (R–UT) offered an amendment designated #1; it was adopted by unanimous consent. No further amendments were offered, and the bill, as amended, was ordered favorably reported to the House of Representatives by unanimous consent.

#### COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources’ oversight findings and recommendations are reflected in the body of this report.

<sup>2</sup>United States. Cong. Senate. Senate Energy & Natural Resources Subcommittee on National Parks. *Hearing on S. 1522* July. 19, 2017. 115th Cong. 1st sess. Washington. (statement of Bob Vogel, Acting Deputy Director, National Park Service, U.S. Department of the Interior).

<sup>3</sup>*Ibid.* at 2.

COMPLIANCE WITH HOUSE RULE XIII AND CONGRESSIONAL BUDGET  
ACT

1. Cost of Legislation and the Congressional Budget Act. With respect to the requirements of clause 3(c)(2) and (3) of rule XIII of the Rules of the House of Representatives and sections 308(a) and 402 of the Congressional Budget Act of 1974, the Committee has received the following estimate for the bill from the Director of the Congressional Budget Office:

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, June 8, 2018.*

Hon. ROB BISHOP,  
*Chairman, Committee on Natural Resources,  
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 3186, the Every Kid Outdoors Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Janani Shankaran.

Sincerely,

MARK P. HADLEY  
(For Keith Hall, Director).

Enclosure.

*H.R. 3186—Every Kid Outdoors Act*

H.R. 3186 would establish the Every Kid Outdoors program, which would allow fourth grade students and certain accompanying adults free access to federal public lands and waters administered by the Department of the Interior, the Forest Service, the Army Corps of Engineers, and the National Oceanic and Atmospheric Administration where an entrance fee is charged. Because the bill would codify the existing Every Kid in a Park program, CBO estimates that implementing that provision would result in no additional costs.

The bill also would require the participating agencies to submit an annual report to the Congress on the program. Based on the costs of similar reports, CBO estimates that implementing that provision would cost less than \$500,000 over the 2019–2023 period; such spending would be subject to the availability of appropriated funds.

Enacting H.R. 3186 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

CBO estimates that enacting H.R. 3186 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2029.

H.R. 3186 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

The CBO staff contact for this estimate is Janani Shankaran. The estimate was reviewed by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

2. General Performance Goals and Objectives. As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is to establish an Every Kid Outdoors program.

EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

COMPLIANCE WITH H. RES. 5

Directed Rule Making. This bill does not contain any directed rule makings.

Duplication of Existing Programs. This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such program was not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111-139 or identified in the most recent Catalog of Federal Domestic Assistance published pursuant to the Federal Program Information Act (Public Law 95-220, as amended by Public Law 98-169) as relating to other programs.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW

If enacted, this bill would make no changes to existing law.

K. MICHAEL CONAWAY, TEXAS,  
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## COMMITTEE CORRESPONDENCE

**U.S. House of Representatives**  
Committee on Agriculture

Room 1301, Longworth House Office Building  
Washington, DC 20515-0001

(202) 225-2371

June 14, 2018

The Honorable Rob Bishop  
Chairman, Committee on Natural Resources  
1324 Longworth HOB  
Washington, D.C. 20515

Dear Chairman Bishop:

Thank you for the opportunity to review the relevant provisions of the text of H.R. 3186, the Every Kid Outdoors Act, which was favorably reported out of your Committee on May 16, 2018. As you are aware, the bill was primarily referred to the Committee on Natural Resources, while the Agriculture Committee received an additional referral.

I recognize and appreciate your desire to bring this legislation before the House in an expeditious manner. Accordingly, I agree to discharge H.R. 3186 from further consideration by the Committee on Agriculture. I do so with the understanding that by discharging the bill, the Committee on Agriculture does not waive any future jurisdictional claim on this or similar matters. Further, the Committee on Agriculture reserves the right to seek the appointment of conferees, if it should become necessary.

I ask that you insert a copy of our exchange of letters into the *Congressional Record* during consideration of this measure on the House floor.

Thank you for your courtesy in this matter and I look forward to continued cooperation between our respective committees.

Sincerely,

  
K. Michael Conaway  
Chairman

cc: The Honorable Raúl Grijalva  
The Honorable Collin C. Peterson  
The Honorable Paul Ryan, Speaker  
Mr. Thomas J. Wickham, Parliamentarian

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DEMOCRATIC STAFF DIRECTOR

**U.S. House of Representatives**  
**Committee on Natural Resources**  
**Washington, DC 20515**

August 1, 2018

The Honorable K. Michael Conaway  
Chairman  
Committee on Agriculture  
1301 Longworth HOB  
Washington, DC 20515

Dear Mr. Chairman:

On May 16, 2018, the Committee on Natural Resources ordered favorably reported H.R. 3186, the Every Kid Outdoors Act. This bill was additionally referred to the Committee on Agriculture.

I thank you for allowing the Committee on Agriculture to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Agriculture represented on the conference committee. Finally, I would be pleased to include this letter and your response in the bill report and in the Congressional Record.

Thank you for your response and cooperation. I look forward to further opportunities to work with you this Congress.

Sincerely,



Rob Bishop  
Chairman  
Committee on Natural Resources



Committee on Transportation and Infrastructure  
U.S. House of Representatives

Bill Shuster  
Chairman

Washington, DC 20515

Peter A. DeFazio  
Ranking Member

July 19, 2018

Christopher W. Vlooson, Staff Director

Katherine W. Dedrick, Democratic Staff Director

The Honorable Rob Bishop  
Chairman  
Committee on Natural Resources  
1324 Longworth House Office Building  
Washington, DC 20515

Dear Chairman Bishop:

I write concerning H.R. 3186, the *Every Kid Outdoors Act*. This legislation includes matters that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

In order to expedite Floor consideration of H.R. 3186, the Committee on Transportation and Infrastructure will forgo action on this bill. However, this is conditional on our mutual understanding that forgoing consideration of the bill does not prejudice the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within the Committee's Rule X jurisdiction. I appreciate you working with us on the base text of the bill and request you urge the Speaker to name members of the Committee to any conference committee named to consider such provisions.

Please place a copy of this letter and your response acknowledging our jurisdictional interest in the *Congressional Record* during House Floor consideration of the bill. I look forward to working with the Committee on Natural Resources as the bill moves through the legislative process.

Sincerely,

Bill Shuster  
Chairman

cc: The Honorable Paul D. Ryan  
The Honorable Peter A. Defazio  
The Honorable Raúl M. Grijalva  
Mr. Thomas J. Wickham, Jr., Parliamentarian

ROB BISHOP OF UTAH  
CHAIRMAN

CODY STEWART  
STAFF DIRECTOR

RAUL GRIJALVA OF ARIZONA  
RANKING MEMBER

DAVID WATKINS  
DEMOCRATIC STAFF DIRECTOR

**U.S. House of Representatives**  
**Committee on Natural Resources**  
**Washington, DC 20515**

August 1, 2018

The Honorable Bill Shuster  
Chairman  
Committee on Transportation and Infrastructure  
2165 Rayburn House Office Building  
Washington, D.C. 20515

Dear Mr. Chairman:

On May 16, 2018, the Committee on Natural Resources ordered favorably reported H.R. 3186, the Every Kid Outdoors Act. This bill was additionally referred to the Committee on Transportation and Infrastructure.

I thank you for allowing the Committee on Transportation and Infrastructure to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Transportation and Infrastructure represented on the conference committee. Finally, I would be pleased to include this letter and your response in the bill report and in the Congressional Record.

Thank you for your response and cooperation. I look forward to further opportunities to work with you this Congress.

Sincerely,



Rob Bishop  
Chairman  
Committee on Natural Resources