AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

116TH CONGRESS
1st Session

HOUSE OF REPRESENTATIVES

REPORT
116–277

LAND AND WATER CONSERVATION FUND PERMANENT FUNDING ACT

NOVEMBER 8, 2019.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. GRIJALVA, from the Committee on Natural Resources, submitted the following

R E P O R T

together with

DISSENTING VIEWS

[To accompany H.R. 3195]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 3195) to amend title 54, United States Code, to provide permanent, dedicated funding for the Land and Water Conservation Fund, 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 "Land and Water Conservation Fund Permanent Funding Act".

SEC. 2. PERMANENT FULL FUNDING OF THE LAND AND WATER CONSERVATION FUND.

(a) IN GENERAL.—Section 200303 of title 54, United States Code, is amended to read as follows:

"§ 200303. Availability of funds

"(a) IN GENERAL.—For each fiscal year beginning after the date of the enactment of this section, amounts deposited in the Fund under section 200302 shall be made available for expenditure, without further appropriation or fiscal year limitation, to carry out the purposes of the Fund (including accounts and programs made available from the Fund under the Consolidated and Further Continuing Appropriations Act, 2015 (Public Law 113–235; 128 Stat. 2130)).

"(b) ADDITIONAL AMOUNTS.—Amounts made available under subsection (a) shall be in addition to amounts made available to the Fund under section 105 of the Gulf

of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note; Public Law 109–432) or otherwise appropriated from the Fund.

"(c) ALLOCATION AUTHORITY.—

"(1) SUBMISSION OF COST ESTIMATES.—The President shall submit to Congress detailed account, program, and project allocations to be funded under subsection (a) as part of the annual budget submission of the President.

"(2) ALTERNATE ALLOCATION.—

"(A) IN GENERAL.—Appropriations Acts may provide for alternate allocation of amounts made available under subsection (a), including allocations by account and program.

"(B) ALLOCATION BY PRESIDENT.—

"(i) NO ALTERNATE ALLOCATIONS.—If Congress has not enacted legislation establishing alternate allocations by the date that is 120 days after the date on which the applicable fiscal year begins, amounts made available under subsection (a) shall be allocated by the President.

"(ii) INSUFFICIENT ALTERNATE ALLOCATION.—If Congress enacts legislation establishing alternate allocations for amounts made available under subsection (a) that are less than the full amount appropriated under that subsection, the difference between the amount appropriated and the alternate allocation shall be allocated by the President.

"(3) RECREATIONAL PUBLIC ACCESS.—Amounts expended from the Fund under this section shall be consistent with the requirements for recreational public access for hunting, fishing, recreational shooting, or other outdoor recreational purposes under section 200306(c).

"(4) ANNUAL REPORT.—The President shall submit to Congress an annual report that describes the final allocation by account, program, and project of amounts made available under subsection (a), including a description of the status of obligations and expenditures.".

(b) CONFORMING AMENDMENT.—Section 200302(c) of title 54, United States Code, is amended by striking paragraph (3).

(c) CLERICAL AMENDMENT.—The table of sections for chapter 2003 of title 54, United States Code, is amended by striking the item relating to section 200303 and inserting the following:

"200303. Availability of funds.".

PURPOSE OF THE BILL

The purpose of H.R. 3195 is to amend title 54, United States Code, to provide permanent, dedicated funding for the Land and Water Conservation Fund, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

The Land and Water Conservation Fund Act of 1965[1] was enacted to preserve, develop, and bolster public access to outdoor recreation on public lands. For over 50 years, the Land and Water Conservation Fund (LWCF or the Fund) has carried out a simple, bipartisan idea: use revenues from the depletion of one resource, oil and gas, to conserve another, our land and water, in order to provide recreational opportunities for all Americans. These goals are achieved through the federal acquisition of lands, waters, and other interests therein and through state grants for recreational planning, acquisitions, the development of recreational facilities, or for other related purposes.

Since FY1978, LWCF has been authorized to accrue $900 million annually, and, in FY2019, Congress passed permanent authorization for LWCF, ensuring the Fund would be authorized to receive $900 million annually in perpetuity.[2] These funds come from three specific sources: the federal motorboat fuel tax, surplus property taxes, and revenues from oil and gas leases on the Outer Conti-

[1] Pub. L. No. 88–578, 78 Stat. 897 (1964).

[2] John D. Dingell, Jr. Conservation, Management, and Recreation Act, Pub. L. No. 116–9, § 3001, 133 Stat. 580, 754 (2019).

nental Shelf (OCS). LWCF has historically accumulated most of its money from OCS leases—around 95% of money credited to LWCF since 1965 has come from OCS leases.[3] LWCF also receives additional funds under the Gulf of Mexico Energy Security Act of 2006 (GOMESA).[4] Under GOMESA, additional revenues from OCS leasing are credited to LWCF and can be used only for state grants to support outdoor recreation.

Although LWCF is permanently authorized to receive $900 million annually, the expenditure of those funds remains subject to Congressional appropriations.[5] Congressional appropriations have varied widely since the Fund's establishment, with Congress appropriating the fully authorized level on only two occasions—FY1998 and FY2001. Typically, Congress appropriates about half of LWCF's authorized funding level: since the Fund's inception, $40.9 billion has been credited to the LWCF, but only $18.9 billion has been appropriated to LWCF projects and acquisitions—leaving an unappropriated balance of $22 billion.[6]

This appropriations shortfall has limited LWCF funding for projects across the nation. To ensure that the revenues collected in LWCF each year go toward funding LWCF projects and acquisitions, H.R. 3195 amends the Land and Water Conservation Fund Act of 1965 to guarantee that the $900 million in annual LWCF revenues are available without further congressional appropriation, providing mandatory spending authority of $900 million annually from the LWCF. The bill stipulates that the $900 million in annual mandatory appropriations would be in addition to the mandatory appropriations under GOMESA.

H.R. 3195 would also amend the Land and Water Conservation Fund Act of 1965 to ensure that this authorization of mandatory funding does not limit congressional oversight. H.R. 3195 includes provisions requiring that when the President submits their budget proposal to the Congress, it must include a list detailing each project to be funded by LWCF, including project descriptions and dollar amounts. Congress, through the appropriations process, would then have the authority to modify the President's proposed list. The bill also stipulates that the President be required to submit an annual report to the Congress detailing project-level funding information, including obligations and expenditures.

COMMITTEE ACTION

H.R. 3195, the Land and Water Conservation Fund Permanent Funding Act, was introduced on June 11, 2019, by Representative Jefferson Van Drew (D–NJ). The bill was referred solely to the Committee on Natural Resources. On June 19, 2019, the Committee met to consider the bill. The Subcommittee was discharged by unanimous consent. Chair Raúl Grijalva (D–AZ) offered an amendment in the nature of a substitute. Representative Tom McClintock (R–CA) offered and withdrew an amendment designated McClintock #1 to the amendment in the nature of a sub-

[3] *See* CAROL HARDY VINCENT, CONG. RESEARCH SERV., RL33531, LAND AND WATER CONSERVATION FUND: OVERVIEW, FUNDING HISTORY, AND ISSUES 3 (updated June 19, 2019).

[4] Tax Relief and Health Care Act of 2006, Pub. L. No. 109–432, div. C, tit. 1, 120 Stat. 2922, 3000 (2006).

[5] However, the money credited to the LWCF from GOMESA is not subject to appropriation (*i.e.*, mandatory appropriation).

[6] VINCENT, *supra* note 3, at 3.

stitute. Representative Bruce Westerman (R–AR) offered an amendment designated Westerman #2 to the amendment in the nature of a substitute. The amendment was not agreed to by a roll call vote of 12 yeas and 21 nays, as follows:

Date:

COMMITTEE ON NATURAL RESOURCES
116th Congress - Roll Call

Bill / Motion: H.R. 3195

Amendment: Mr. Westerman #2 amendment to the Grijalva amendment in the nature of a substitute

Disposition: Not agreed to by a roll call vote of 12 yeas and 21 nays.

	DEM. MEMBERS (25)	YEAS	NAYS	PRESENT
1	Mr. Brown, MD		X	
2	Mr. Cartwright, PA		X	
3	Mr. Case, HI		X	
4	Mr. Clay, MO		X	
5	Mr. Costa, CA	X		
6	Mr. Cox, CA		X	
7	Mr. Cunningham, SC		X	
8	Ms. DeGette, CO			
9	Mrs. Dingell, MI		X	
10	Mr. Gallego, AZ		X	
11	Mr. Grijalva, AZ (*Chair*)		X	
12	Ms. Haaland, NM		X	
13	Mr. Horsford, NV		X	
14	Mr. Huffman, CA		X	
15	Mr. Levin, CA		X	
16	Mr. Lowenthal, CA		X	
17	Mr. McEachin, VA			
18	Ms. Napolitano, CA		X	
19	Mr. Neguse, CO		X	
20	Mr. Sablan, CNMI		X	
21	Mr. San Nicolas, GU		X	
22	Mr. Soto, FL		X	
23	Mr. Van Drew, NJ		X	
24	Mr. Tonko, NY		X	
25	Ms. Velázquez, NY			
	REP. MEMBERS (19)	**Y**	**N**	**P**
1	*Mr. Bishop, UT (Ranking)*	X		
2	*Ms. Cheney, WY*	X		
3	*Mr. Cook, CA*	X		
4	*Mr. Curtis, UT*			
5	*Mr. Fulcher, ID*	X		
6	*Mr. Gohmert, TX*	X		
7	*Ms. González-Colón, PR*	X		
8	*Mr. Gosar, AZ*			
9	*Mr. Graves, LA*	X		
10	*Mr. Hern, OK*	X		
11	*Mr. Hice, GA*	X		
12	*Mr. Johnson, LA*			
13	*Mr. Lamborn, CO*	X		
14	*Mr. McClintock, CA*			
15	*Mrs. Radewagen, AS*			
16	*Mr. Webster, FL*			
17	*Mr. Westerman, AR*	X		
18	*Mr. Wittman, VA*			
19	*Mr. Young, AK*			
	TOTALS	12	21	
	Total: 44 / Quorum: 15 / Report: 23	**YEAS**	**NAYS**	**PRESENT**

10/21/2019 5:51 PM

Representative Paul Gosar (R–AZ) offered an amendment designated Gosar.126 to the amendment in the nature of a substitute. The amendment was not agreed to by roll call vote of 14 yeas and 20 nays, as follows:

Date: June 19, 2019

COMMITTEE ON NATURAL RESOURCES
116th Congress - Roll Call

Bill / Motion: H.R. 3195

Amendment: Mr. Gosar.126 amendment to the Grijalva amendment in the nature of a substitute

Disposition: Not agreed to by a roll call vote of 14 yeas and 20 nays.

	DEM. MEMBERS (25)	YEAS	NAYS	PRESENT
1	Mr. Brown, MD		X	
2	Mr. Cartwright, PA		X	
3	Mr. Case, HI		X	
4	Mr. Clay, MO		X	
5	Mr. Costa, CA	X		
6	Mr. Cox, CA	X		
7	Mr. Cunningham, SC		X	
8	Ms. DeGette, CO			
9	Mrs. Dingell, MI		X	
10	Mr. Gallego, AZ		X	
11	Mr. Grijalva, AZ (*Chair*)		X	
12	Ms. Haaland, NM		X	
13	Mr. Horsford, NV		X	
14	Mr. Huffman, CA		X	
15	Mr. Levin, CA		X	
16	Mr. Lowenthal, CA		X	
17	Mr. McEachin, VA			
18	Ms. Napolitano, CA		X	
19	Mr. Neguse, CO		X	
20	Mr. Sablan, CNMI		X	
21	Mr. San Nicolas, GU		X	
22	Mr. Soto, FL		X	
23	Mr. Van Drew, NJ		X	
24	Mr. Tonko, NY		X	
25	Ms. Velázquez, NY			
	REP. MEMBERS (19)	**Y**	**N**	**P**
1	*Mr. Bishop, UT (Ranking)*	X		
2	*Ms. Cheney, WY*	X		
3	*Mr. Cook, CA*	X		
4	*Mr. Curtis, UT*			
5	*Mr. Fulcher, ID*	X		
6	*Mr. Gohmert, TX*	X		
7	*Ms. González-Colón, PR*	X		
8	*Mr. Gosar, AZ*			
9	*Mr. Graves, LA*	X		
10	*Mr. Hern, OK*	X		
11	*Mr. Hice, GA*	X		
12	*Mr. Johnson, LA*			
13	*Mr. Lamborn, CO*	X		
14	*Mr. McClintock, CA*			
15	*Mrs. Radewagen, AS*			
16	*Mr. Webster, FL*			
17	*Mr. Westerman, AR*	X		
18	*Mr. Wittman, VA*	X		
19	*Mr. Young, AK*			
	TOTALS	14	20	
	Total: 44 / Quorum: 15 / Report: 23	**YEAS**	**NAYS**	**PRESENT**

10/21/2019 5:52 PM

Representative Gosar offered an amendment designated Gosar.127 to the amendment in the nature of a substitute. The amendment was not agreed to by a roll call vote of 13 yeas and 21 nays, as follows:

Date: June 19, 2019

COMMITTEE ON NATURAL RESOURCES
116th Congress - Roll Call

Bill / Motion: H.R. 3195

Amendment: Mr. Gosar.127 amendment to the Grijalva amendment in the nature of a substitute

Disposition: Not agreed to by a roll call vote of 13 yeas and 21 nays.

	DEM. MEMBERS (25)	YEAS	NAYS	PRESENT
1	Mr. Brown, MD		X	
2	Mr. Cartwright, PA		X	
3	Mr. Case, HI		X	
4	Mr. Clay, MO		X	
5	Mr. Costa, CA		X	
6	Mr. Cox, CA	X		
7	Mr. Cunningham, SC		X	
8	Ms. DeGette, CO			
9	Mrs. Dingell, MI		X	
10	Mr. Gallego, AZ		X	
11	Mr. Grijalva, AZ (*Chair*)		X	
12	Ms. Haaland, NM		X	
13	Mr. Horsford, NV		X	
14	Mr. Huffman, CA		X	
15	Mr. Levin, CA		X	
16	Mr. Lowenthal, CA		X	
17	Mr. McEachin, VA			
18	Ms. Napolitano, CA		X	
19	Mr. Neguse, CO		X	
20	Mr. Sablan, CNMI		X	
21	Mr. San Nicolas, GU		X	
22	Mr. Soto, FL		X	
23	Mr. Van Drew, NJ		X	
24	Mr. Tonko, NY		X	
25	Ms. Velázquez, NY			
	REP. MEMBERS (19)	**Y**	**N**	**P**
1	*Mr. Bishop, UT (Ranking)*	X		
2	*Ms. Cheney, WY*	X		
3	*Mr. Cook, CA*	X		
4	*Mr. Curtis, UT*			
5	*Mr. Fulcher, ID*	X		
6	*Mr. Gohmert, TX*	X		
7	*Ms. González-Colón, PR*	X		
8	*Mr. Gosar, AZ*			
9	*Mr. Graves, LA*	X		
10	*Mr. Hern, OK*	X		
11	*Mr. Hice, GA*	X		
12	*Mr. Johnson, LA*			
13	*Mr. Lamborn, CO*	X		
14	*Mr. McClintock, CA*			
15	*Mrs. Radewagen, AS*			
16	*Mr. Webster, FL*			
17	*Mr. Westerman, AR*	X		
18	*Mr. Wittman, VA*	X		
19	*Mr. Young, AK*			
	TOTALS	13	21	
	Total: 44 / Quorum: 15 / Report: 23	**YEAS**	**NAYS**	**PRESENT**

10/21/2019 5:53 PM

Representative Gosar offered an amendment designated Gosar.128 to the amendment in the nature of a substitute. The amendment was not agreed to by a roll call vote of 13 yeas and 21 nays, as follows:

Date: June 19, 2019

COMMITTEE ON NATURAL RESOURCES
116th Congress - Roll Call

Bill / Motion: H.R. 3195

Amendment: Mr. Gosar.128 amendment to the Grijalva amendment in the nature of a substitute

Disposition: Not agreed to by a roll call vote of 13 yeas and 21 nays.

	DEM. MEMBERS (25)	YEAS	NAYS	PRESENT
1	Mr. Brown, MD		X	
2	Mr. Cartwright, PA		X	
3	Mr. Case, HI		X	
4	Mr. Clay, MO		X	
5	Mr. Costa, CA		X	
6	Mr. Cox, CA		X	
7	Mr. Cunningham, SC		X	
8	Ms. DeGette, CO			
9	Mrs. Dingell, MI		X	
10	Mr. Gallego, AZ		X	
11	Mr. Grijalva, AZ (*Chair*)		X	
12	Ms. Haaland, NM		X	
13	Mr. Horsford, NV		X	
14	Mr. Huffman, CA		X	
15	Mr. Levin, CA		X	
16	Mr. Lowenthal, CA		X	
17	Mr. McEachin, VA			
18	Ms. Napolitano, CA		X	
19	Mr. Neguse, CO		X	
20	Mr. Sablan, CNMI		X	
21	Mr. San Nicolas, GU	X		
22	Mr. Soto, FL		X	
23	Mr. Van Drew, NJ		X	
24	Mr. Tonko, NY		X	
25	Ms. Velázquez, NY			
	REP. MEMBERS (19)	**Y**	**N**	**P**
1	*Mr. Bishop, UT (Ranking)*	X		
2	*Ms. Cheney, WY*	X		
3	*Mr. Cook, CA*	X		
4	*Mr. Curtis, UT*			
5	*Mr. Fulcher, ID*	X		
6	*Mr. Gohmert, TX*	X		
7	*Ms. González-Colón, PR*	X		
8	*Mr. Gosar, AZ*			
9	*Mr. Graves, LA*	X		
10	*Mr. Hern, OK*	X		
11	*Mr. Hice, GA*	X		
12	*Mr. Johnson, LA*			
13	*Mr. Lamborn, CO*	X		
14	*Mr. McClintock, CA*			
15	*Mrs. Radewagen, AS*			
16	*Mr. Webster, FL*			
17	*Mr. Westerman, AR*	X		
18	*Mr. Wittman, VA*	X		
19	*Mr. Young, AK*			
	TOTALS	13	21	
	Total: 44 / Quorum: 15 / Report: 23	**YEAS**	**NAYS**	**PRESENT**

10/21/2019 6:00 PM

Representative Gosar offered an amendment designated Gosar.129 to the amendment in the nature of a substitute. The amendment was not agreed to by a roll call vote of 14 yeas and 20 nays, as follows:

Date: June 19, 2019

COMMITTEE ON NATURAL RESOURCES
116th Congress - Roll Call

Bill / Motion: H.R. 3195

Amendment: Mr. Gosar.129 amendment to the Grijalva amendment in the nature of a substitute

Disposition: Not agreed to by a roll call vote of 14 yeas and 20 nays.

	DEM. MEMBERS (25)	YEAS	NAYS	PRESENT
1	Mr. Brown, MD		X	
2	Mr. Cartwright, PA		X	
3	Mr. Case, HI		X	
4	Mr. Clay, MO		X	
5	Mr. Costa, CA	X		
6	Mr. Cox, CA	X		
7	Mr. Cunningham, SC		X	
8	Ms. DeGette, CO			
9	Mrs. Dingell, MI		X	
10	Mr. Gallego, AZ		X	
11	Mr. Grijalva, AZ (*Chair*)		X	
12	Ms. Haaland, NM		X	
13	Mr. Horsford, NV		X	
14	Mr. Huffman, CA		X	
15	Mr. Levin, CA		X	
16	Mr. Lowenthal, CA		X	
17	Mr. McEachin, VA			
18	Ms. Napolitano, CA		X	
19	Mr. Neguse, CO		X	
20	Mr. Sablan, CNMI		X	
21	Mr. San Nicolas, GU		X	
22	Mr. Soto, FL		X	
23	Mr. Van Drew, NJ		X	
24	Mr. Tonko, NY		X	
25	Ms. Velázquez, NY			
	REP. MEMBERS (19)	**Y**	**N**	**P**
1	*Mr. Bishop, UT (Ranking)*	X		
2	*Ms. Cheney, WY*	X		
3	*Mr. Cook, CA*	X		
4	*Mr. Curtis, UT*			
5	*Mr. Fulcher, ID*	X		
6	*Mr. Gohmert, TX*	X		
7	*Ms. González-Colón, PR*	X		
8	*Mr. Gosar, AZ*			
9	*Mr. Graves, LA*	X		
10	*Mr. Hern, OK*	X		
11	*Mr. Hice, GA*	X		
12	*Mr. Johnson, LA*			
13	*Mr. Lamborn, CO*	X		
14	*Mr. McClintock, CA*			
15	*Mrs. Radewagen, AS*			
16	*Mr. Webster, FL*			
17	*Mr. Westerman, AR*	X		
18	*Mr. Wittman, VA*	X		
19	*Mr. Young, AK*			
	TOTALS	14	20	
	Total: 44 / Quorum: 15 / Report: 23	**YEAS**	**NAYS**	**PRESENT**

10/21/2019 6:01 PM

Representative Gosar offered an amendment designated Gosar.133 to the amendment in the nature of a substitute. The amendment was not agreed to by a roll call vote of 12 yeas and 22 nays, as follows:

Date: June 19, 2019

COMMITTEE ON NATURAL RESOURCES
116th Congress - Roll Call

Bill / Motion: H.R. 3195

Amendment: Mr. Gosar.133 amendment to the Grijalva amendment in the nature of a substitute

Disposition: Not agreed to by a roll call vote of 12 yeas and 22 nays.

	DEM. MEMBERS (25)	YEAS	NAYS	PRESENT
1	Mr. Brown, MD		X	
2	Mr. Cartwright, PA		X	
3	Mr. Case, HI		X	
4	Mr. Clay, MO		X	
5	Mr. Costa, CA		X	
6	Mr. Cox, CA		X	
7	Mr. Cunningham, SC		X	
8	Ms. DeGette, CO			
9	Mrs. Dingell, MI		X	
10	Mr. Gallego, AZ		X	
11	Mr. Grijalva, AZ (*Chair*)		X	
12	Ms. Haaland, NM		X	
13	Mr. Horsford, NV		X	
14	Mr. Huffman, CA		X	
15	Mr. Levin, CA		X	
16	Mr. Lowenthal, CA		X	
17	Mr. McEachin, VA			
18	Ms. Napolitano, CA		X	
19	Mr. Neguse, CO		X	
20	Mr. Sablan, CNMI		X	
21	Mr. San Nicolas, GU		X	
22	Mr. Soto, FL		X	
23	Mr. Van Drew, NJ		X	
24	Mr. Tonko, NY		X	
25	Ms. Velázquez, NY			
	REP. MEMBERS (19)	**Y**	**N**	**P**
1	*Mr. Bishop, UT (Ranking)*	X		
2	*Ms. Cheney, WY*	X		
3	*Mr. Cook, CA*	X		
4	*Mr. Curtis, UT*			
5	*Mr. Fulcher, ID*	X		
6	*Mr. Gohmert, TX*	X		
7	*Ms. González-Colón, PR*	X		
8	*Mr. Gosar, AZ*			
9	*Mr. Graves, LA*	X		
10	*Mr. Hern, OK*	X		
11	*Mr. Hice, GA*	X		
12	*Mr. Johnson, LA*			
13	*Mr. Lamborn, CO*	X		
14	*Mr. McClintock, CA*			
15	*Mrs. Radewagen, AS*			
16	*Mr. Webster, FL*			
17	*Mr. Westerman, AR*	X		
18	*Mr. Wittman, VA*	X		
19	*Mr. Young, AK*			
	TOTALS	12	22	
	Total: 44 / Quorum: 15 / Report: 23	**YEAS**	**NAYS**	**PRESENT**

10/21/2019 6:01 PM

Representative Garret Graves (R–LA) offered an amendment designated Graves #1 to the amendment in the nature of a substitute. The amendment was not agreed to by a roll call vote of 12 yeas and 22 nays, as follows:

Date: June 19, 2019

COMMITTEE ON NATURAL RESOURCES
116th Congress - Roll Call

Bill / Motion: H.R. 3195

Amendment: Mr. Graves #1 amendment to the Grijalva amendment in the nature of a substitute

Disposition: Not agreed to by a roll call vote of 12 yeas and 22 nays.

	DEM. MEMBERS (25)	YEAS	NAYS	PRESENT
1	Mr. Brown, MD		X	
2	Mr. Cartwright, PA		X	
3	Mr. Case, HI		X	
4	Mr. Clay, MO		X	
5	Mr. Costa, CA		X	
6	Mr. Cox, CA		X	
7	Mr. Cunningham, SC		X	
8	Ms. DeGette, CO			
9	Mrs. Dingell, MI		X	
10	Mr. Gallego, AZ		X	
11	Mr. Grijalva, AZ (*Chair*)		X	
12	Ms. Haaland, NM		X	
13	Mr. Horsford, NV		X	
14	Mr. Huffman, CA		X	
15	Mr. Levin, CA		X	
16	Mr. Lowenthal, CA		X	
17	Mr. McEachin, VA			
18	Ms. Napolitano, CA		X	
19	Mr. Neguse, CO		X	
20	Mr. Sablan, CNMI		X	
21	Mr. San Nicolas, GU		X	
22	Mr. Soto, FL		X	
23	Mr. Van Drew, NJ		X	
24	Mr. Tonko, NY		X	
25	Ms. Velázquez, NY			
	REP. MEMBERS (19)	**Y**	**N**	**P**
1	*Mr. Bishop, UT (Ranking)*	X		
2	*Ms. Cheney, WY*	X		
3	*Mr. Cook, CA*	X		
4	*Mr. Curtis, UT*			
5	*Mr. Fulcher, ID*	X		
6	*Mr. Gohmert, TX*	X		
7	*Ms. González-Colón, PR*	X		
8	*Mr. Gosar, AZ*			
9	*Mr. Graves, LA*	X		
10	*Mr. Hern, OK*	X		
11	*Mr. Hice, GA*	X		
12	*Mr. Johnson, LA*			
13	*Mr. Lamborn, CO*	X		
14	*Mr. McClintock, CA*			
15	*Mrs. Radewagen, AS*			
16	*Mr. Webster, FL*			
17	*Mr. Westerman, AR*	X		
18	*Mr. Wittman, VA*	X		
19	*Mr. Young, AK*			
	TOTALS	12	22	
	Total: 44 / Quorum: 15 / Report: 23	**YEAS**	**NAYS**	**PRESENT**

10/21/2019 6:01 PM

Representative Graves offered an amendment designated Graves #2 to the amendment in the nature of a substitute. The amendment was not agreed to by a roll call vote of 12 yeas and 22 nays, as follows:

Date: June 19, 2019

COMMITTEE ON NATURAL RESOURCES
116th Congress - Roll Call

Bill / Motion: H.R. 3195

Amendment: Mr. Graves #2 amendment to the Grijalva amendment in the nature of a substitute

Disposition: Not agreed to by a roll call vote of 12 yeas and 22 nays.

	DEM. MEMBERS (25)	YEAS	NAYS	PRESENT
1	Mr. Brown, MD		X	
2	Mr. Cartwright, PA		X	
3	Mr. Case, HI		X	
4	Mr. Clay, MO		X	
5	Mr. Costa, CA		X	
6	Mr. Cox, CA		X	
7	Mr. Cunningham, SC		X	
8	Ms. DeGette, CO			
9	Mrs. Dingell, MI		X	
10	Mr. Gallego, AZ		X	
11	Mr. Grijalva, AZ (*Chair*)		X	
12	Ms. Haaland, NM		X	
13	Mr. Horsford, NV		X	
14	Mr. Huffman, CA		X	
15	Mr. Levin, CA		X	
16	Mr. Lowenthal, CA		X	
17	Mr. McEachin, VA			
18	Ms. Napolitano, CA		X	
19	Mr. Neguse, CO		X	
20	Mr. Sablan, CNMI		X	
21	Mr. San Nicolas, GU		X	
22	Mr. Soto, FL		X	
23	Mr. Van Drew, NJ		X	
24	Mr. Tonko, NY		X	
25	Ms. Velázquez, NY			
	REP. MEMBERS (19)	**Y**	**N**	**P**
1	*Mr. Bishop, UT (Ranking)*	X		
2	*Ms. Cheney, WY*	X		
3	*Mr. Cook, CA*	X		
4	*Mr. Curtis, UT*			
5	*Mr. Fulcher, ID*	X		
6	*Mr. Gohmert, TX*	X		
7	*Ms. González-Colón, PR*	X		
8	*Mr. Gosar, AZ*			
9	*Mr. Graves, LA*	X		
10	*Mr. Hern, OK*	X		
11	*Mr. Hice, GA*	X		
12	*Mr. Johnson, LA*			
13	*Mr. Lamborn, CO*	X		
14	*Mr. McClintock, CA*			
15	*Mrs. Radewagen, AS*			
16	*Mr. Webster, FL*			
17	*Mr. Westerman, AR*	X		
18	*Mr. Wittman, VA*	X		
19	*Mr. Young, AK*			
	TOTALS	12	22	
	Total: 44 / Quorum: 15 / Report: 23	**YEAS**	**NAYS**	**PRESENT**

10/21/2019 6:02 PM

Representative Graves offered an amendment designated Graves #3 to the amendment in the nature of a substitute. The amendment was not agreed to by a roll call vote of 13 yeas and 20 nays, as follows:

Date: June 19, 2019

COMMITTEE ON NATURAL RESOURCES
116th Congress - Roll Call

Bill / Motion: H.R. 3195

Amendment: Mr. Graves #3 amendment to the Grijalva amendment in the nature of a substitute

Disposition: Not agreed to by a roll call vote of 13 yeas and 20 nays.

	DEM. MEMBERS (25)	YEAS	NAYS	PRESENT
1	Mr. Brown, MD		X	
2	Mr. Cartwright, PA		X	
3	Mr. Case, HI		X	
4	Mr. Clay, MO		X	
5	Mr. Costa, CA		X	
6	Mr. Cox, CA	X		
7	Mr. Cunningham, SC		X	
8	Ms. DeGette, CO			
9	Mrs. Dingell, MI		X	
10	Mr. Gallego, AZ		X	
11	Mr. Grijalva, AZ (*Chair*)		X	
12	Ms. Haaland, NM		X	
13	Mr. Horsford, NV		X	
14	Mr. Huffman, CA			
15	Mr. Levin, CA		X	
16	Mr. Lowenthal, CA		X	
17	Mr. McEachin, VA			
18	Ms. Napolitano, CA		X	
19	Mr. Neguse, CO		X	
20	Mr. Sablan, CNMI		X	
21	Mr. San Nicolas, GU		X	
22	Mr. Soto, FL		X	
23	Mr. Van Drew, NJ		X	
24	Mr. Tonko, NY		X	
25	Ms. Velázquez, NY			
	REP. MEMBERS (19)	**Y**	**N**	**P**
1	*Mr. Bishop, UT (Ranking)*	X		
2	*Ms. Cheney, WY*	X		
3	*Mr. Cook, CA*	X		
4	*Mr. Curtis, UT*			
5	*Mr. Fulcher, ID*	X		
6	*Mr. Gohmert, TX*	X		
7	*Ms. González-Colón, PR*	X		
8	*Mr. Gosar, AZ*			
9	*Mr. Graves, LA*	X		
10	*Mr. Hern, OK*	X		
11	*Mr. Hice, GA*	X		
12	*Mr. Johnson, LA*			
13	*Mr. Lamborn, CO*	X		
14	*Mr. McClintock, CA*			
15	*Mrs. Radewagen, AS*			
16	*Mr. Webster, FL*			
17	*Mr. Westerman, AR*	X		
18	*Mr. Wittman, VA*	X		
19	*Mr. Young, AK*			
	TOTALS	13	20	
	Total: 44 / Quorum: 15 / Report: 23	**YEAS**	**NAYS**	**PRESENT**

10/21/2019 6:03 PM

Representative Graves offered an amendment, as amended by unanimous consent, designated Graves #4 to the amendment in the nature of a substitute. The amendment was not agreed to by a roll call vote of 12 yeas and 21 nays, as follows:

Date: June 19, 2019

COMMITTEE ON NATURAL RESOURCES
116th Congress - Roll Call

Bill / Motion: H.R. 3195

Amendment: Mr. Graves #4 amendment (as amended by unanimous consent) to the Grijalva amendment in the nature of a substitute

Disposition: Not agreed to by a roll call vote of 12 yeas and 21 nays.

	DEM. MEMBERS (25)	YEAS	NAYS	PRESENT
1	Mr. Brown, MD		X	
2	Mr. Cartwright, PA		X	
3	Mr. Case, HI		X	
4	Mr. Clay, MO		X	
5	Mr. Costa, CA		X	
6	Mr. Cox, CA		X	
7	Mr. Cunningham, SC		X	
8	Ms. DeGette, CO			
9	Mrs. Dingell, MI		X	
10	Mr. Gallego, AZ		X	
11	Mr. Grijalva, AZ (*Chair*)		X	
12	Ms. Haaland, NM		X	
13	Mr. Horsford, NV		X	
14	Mr. Huffman, CA			
15	Mr. Levin, CA		X	
16	Mr. Lowenthal, CA		X	
17	Mr. McEachin, VA			
18	Ms. Napolitano, CA		X	
19	Mr. Neguse, CO		X	
20	Mr. Sablan, CNMI		X	
21	Mr. San Nicolas, GU		X	
22	Mr. Soto, FL		X	
23	Mr. Van Drew, NJ		X	
24	Mr. Tonko, NY		X	
25	Ms. Velázquez, NY			
	REP. MEMBERS (19)	**Y**	**N**	**P**
1	*Mr. Bishop, UT (Ranking)*	X		
2	*Ms. Cheney, WY*	X		
3	*Mr. Cook, CA*	X		
4	*Mr. Curtis, UT*			
5	*Mr. Fulcher, ID*	X		
6	*Mr. Gohmert, TX*	X		
7	*Ms. González-Colón, PR*	X		
8	*Mr. Gosar, AZ*			
9	*Mr. Graves, LA*	X		
10	*Mr. Hern, OK*	X		
11	*Mr. Hice, GA*	X		
12	*Mr. Johnson, LA*			
13	*Mr. Lamborn, CO*	X		
14	*Mr. McClintock, CA*			
15	*Mrs. Radewagen, AS*			
16	*Mr. Webster, FL*			
17	*Mr. Westerman, AR*	X		
18	*Mr. Wittman, VA*	X		
19	*Mr. Young, AK*			
	TOTALS	12	21	
	Total: 44 / Quorum: 15 / Report: 23	**YEAS**	**NAYS**	**PRESENT**

10/21/2019 6:03 PM

Representative Graves offered an amendment designated Graves #5 to the amendment in the nature of a substitute. The amendment was not agreed to by a roll call vote of 13 yeas and 20 nays, as follows:

Date: June 19, 2019

COMMITTEE ON NATURAL RESOURCES
116th Congress - Roll Call

Bill / Motion: H.R. 3195

Amendment: Mr. Graves #5 amendment to the Grijalva amendment in the nature of a substitute

Disposition: Not agreed to by a roll call vote of 13 yeas and 20 nays.

	DEM. MEMBERS (25)	YEAS	NAYS	PRESENT
1	Mr. Brown, MD		X	
2	Mr. Cartwright, PA		X	
3	Mr. Case, HI		X	
4	Mr. Clay, MO		X	
5	Mr. Costa, CA	X		
6	Mr. Cox, CA		X	
7	Mr. Cunningham, SC		X	
8	Ms. DeGette, CO			
9	Mrs. Dingell, MI		X	
10	Mr. Gallego, AZ		X	
11	Mr. Grijalva, AZ (*Chair*)		X	
12	Ms. Haaland, NM		X	
13	Mr. Horsford, NV		X	
14	Mr. Huffman, CA			
15	Mr. Levin, CA		X	
16	Mr. Lowenthal, CA		X	
17	Mr. McEachin, VA			
18	Ms. Napolitano, CA		X	
19	Mr. Neguse, CO		X	
20	Mr. Sablan, CNMI		X	
21	Mr. San Nicolas, GU		X	
22	Mr. Soto, FL		X	
23	Mr. Van Drew, NJ		X	
24	Mr. Tonko, NY		X	
25	Ms. Velázquez, NY			
	REP. MEMBERS (19)	**Y**	**N**	**P**
1	*Mr. Bishop, UT (Ranking)*	X		
2	*Ms. Cheney, WY*	X		
3	*Mr. Cook, CA*	X		
4	*Mr. Curtis, UT*			
5	*Mr. Fulcher, ID*	X		
6	*Mr. Gohmert, TX*	X		
7	*Ms. González-Colón, PR*	X		
8	*Mr. Gosar, AZ*			
9	*Mr. Graves, LA*	X		
10	*Mr. Hern, OK*	X		
11	*Mr. Hice, GA*	X		
12	*Mr. Johnson, LA*			
13	*Mr. Lamborn, CO*	X		
14	*Mr. McClintock, CA*			
15	*Mrs. Radewagen, AS*			
16	*Mr. Webster, FL*			
17	*Mr. Westerman, AR*	X		
18	*Mr. Wittman, VA*	X		
19	*Mr. Young, AK*			
	TOTALS	13	20	
	Total: 44 / Quorum: 15 / Report: 23	**YEAS**	**NAYS**	**PRESENT**

10/21/2019 6:04 PM

Representative Graves offered an amendment designated Graves #6 to the amendment in the nature of a substitute. The amendment was not agreed to by voice vote. Representative Graves offered an amendment designated Graves #7 to the amendment in the nature of a substitute. The amendment was not agreed to by a roll call vote of 14 yeas and 20 nays, as follows:

Date: June 19, 2019

COMMITTEE ON NATURAL RESOURCES
116th Congress - Roll Call

Bill / Motion: H.R. 3195

Amendment: Mr. Graves #7 amendment to the Grijalva amendment in the nature of a substitute

Disposition: Not agreed to by a roll call vote of 14 yeas and 20 nays.

	DEM. MEMBERS (25)	YEAS	NAYS	PRESENT
1	Mr. Brown, MD		X	
2	Mr. Cartwright, PA		X	
3	Mr. Case, HI		X	
4	Mr. Clay, MO		X	
5	Mr. Costa, CA		X	
6	Mr. Cox, CA	X		
7	Mr. Cunningham, SC		X	
8	Ms. DeGette, CO			
9	Mrs. Dingell, MI		X	
10	Mr. Gallego, AZ		X	
11	Mr. Grijalva, AZ (*Chair*)		X	
12	Ms. Haaland, NM		X	
13	Mr. Horsford, NV		X	
14	Mr. Huffman, CA			
15	Mr. Levin, CA		X	
16	Mr. Lowenthal, CA		X	
17	Mr. McEachin, VA			
18	Ms. Napolitano, CA		X	
19	Mr. Neguse, CO		X	
20	Mr. Sablan, CNMI		X	
21	Mr. San Nicolas, GU		X	
22	Mr. Soto, FL		X	
23	Mr. Van Drew, NJ		X	
24	Mr. Tonko, NY		X	
25	Ms. Velázquez, NY			
	REP. MEMBERS (19)	**Y**	**N**	**P**
1	*Mr. Bishop, UT (Ranking)*	X		
2	*Ms. Cheney, WY*	X		
3	*Mr. Cook, CA*	X		
4	*Mr. Curtis, UT*			
5	*Mr. Fulcher, ID*	X		
6	*Mr. Gohmert, TX*	X		
7	*Ms. González-Colón, PR*	X		
8	*Mr. Gosar, AZ*	X		
9	*Mr. Graves, LA*	X		
10	*Mr. Hern, OK*	X		
11	*Mr. Hice, GA*	X		
12	*Mr. Johnson, LA*			
13	*Mr. Lamborn, CO*	X		
14	*Mr. McClintock, CA*			
15	*Mrs. Radewagen, AS*			
16	*Mr. Webster, FL*			
17	*Mr. Westerman, AR*	X		
18	*Mr. Wittman, VA*	X		
19	*Mr. Young, AK*			
	TOTALS	14	20	
	Total: 44 / Quorum: 15 / Report: 23	**YEAS**	**NAYS**	**PRESENT**

10/21/2019 6:04 PM

Representative Graves offered an amendment designated Graves #8 to the amendment in the nature of a substitute. The amendment was not agreed to by voice vote. The amendment in the nature of a substitute offered by Chair Grijalva was adopted by voice vote. The bill, as amended, was ordered favorably reported to the House of Representatives by a roll call vote of 21 yeas and 13 nays, as follows:

Date: June 19, 2019

COMMITTEE ON NATURAL RESOURCES
116th Congress - Roll Call

Bill / Motion: H.R. 3195

Amendment: Final Passage

Disposition: H.R. 3195, as amended, was adopted and favorably reported to the House of Representatives by a roll call vote of 21 yeas and 13 nays.

	DEM. MEMBERS (25)	YEAS	NAYS	PRESENT
1	Mr. Brown, MD	X		
2	Mr. Cartwright, PA	X		
3	Mr. Clay, MO	X		
4	Mr. Case, HI	X		
5	Mr. Costa, CA	X		
6	Mr. Cox, CA	X		
7	Mr. Cunningham, SC	X		
8	Ms. DeGette, CO			
9	Mrs. Dingell, MI	X		
10	Mr. Gallego, AZ	X		
11	Mr. Grijalva, AZ (*Chair*)	X		
12	Ms. Haaland, NM	X		
13	Mr. Horsford, NV	X		
14	Mr. Huffman, CA			
15	Mr. Levin, CA	X		
16	Mr. Lowenthal, CA	X		
17	Mr. McEachin, VA			
18	Ms. Napolitano, CA	X		
19	Mr. Neguse, CO	X		
20	Mr. Sablan, CNMI	X		
21	Mr. San Nicolas, GU	X		
22	Mr. Soto, FL	X		
23	Mr. Van Drew, NJ	X		
24	Mr. Tonko, NY	X		
25	Ms. Velázquez, NY			
	REP. MEMBERS (19)	**Y**	**N**	**P**
1	*Mr. Bishop, UT (Ranking)*		X	
2	*Ms. Cheney, WY*		X	
3	*Mr. Cook, CA*		X	
4	*Mr. Curtis, UT*			
5	*Mr. Fulcher, ID*		X	
6	*Mr. Gohmert, TX*		X	
7	*Ms. González-Colón, PR*		X	
8	*Mr. Gosar, AZ*		X	
9	*Mr. Graves, LA*		X	
10	*Mr. Hern, OK*		X	
11	*Mr. Hice, GA*		X	
12	*Mr. Johnson, LA*			
13	*Mr. Lamborn, CO*		X	
14	*Mr. McClintock, CA*			
15	*Mrs. Radewagen, AS*			
16	*Mr. Webster, FL*			
17	*Mr. Westerman, AR*		X	
18	*Mr. Wittman, VA*		X	
19	*Mr. Young, AK*			
	TOTALS	21	13	
	Total: 44 / Quorum: 15 / Report: 23	**YEAS**	**NAYS**	**PRESENT**

10/21/2019 6:05 PM

HEARINGS

For the purposes of section 103(i) of H. Res. 6 of the 116th Congress—the following hearing was used to develop or consider H.R. 3195: full Committee markup held on June 19, 2019.

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.

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, August 20, 2019.

Hon. RAÚL M. GRIJALVA,
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. 3195, the Land and Water Conservation Fund Permanent Funding Act.

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

Sincerely,

PHILLIP L. SWAGEL,
Director.

Enclosure.

At a Glance

H.R. 3195, Land and Water Conservation Fund Permanent Funding Act

As ordered reported by the House Committee on Natural Resources on June 19, 2019

By Fiscal Year, Millions of Dollars	2019	2019-2024	2019-2029
Direct Spending (Outlays)	0	2,975	7,225
Revenues	0	0	0
Deficit Effect	0	2,975	7,225
Spending Subject to Appropriation (Outlays)	0	*	Not estimated

Statutory pay-as-you-go procedures apply?	Yes	**Mandate Effects**	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2030?	> $5 billion	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No

* = between zero and $500,000.

The bill would

- Make amounts deposited into the Land and Water Conservation Fund (LWCF) available without further appropriation to the Department of the Interior and the Forest Service
- Create a process for the President and the Congress to establish annual allocations from the fund
- Require the President to report annually to the Congress on the status of obligations and outlays from the LWCF, and on allocations by account, program, and project

Estimated budgetary effects would primarily stem from

- Federal acquisition of land and funding for state grants to acquire land and water for outdoor recreation

Detailed estimate begins on the next page.

Bill summary: H.R. 3195 would authorize the Department of the Interior (DOI) and the Forest Service, which is within the Department of Agriculture, to spend amounts in the Land and Water Conservation Fund without further appropriation or fiscal year limitation. In addition, the bill would create a process for the President and the Congress to establish annual funding allocations. Finally, under H.R. 3195, the President would be required to report annually to the Congress on the status of LWCF obligations and outlays and on allocations by account, program, and project.

Estimated federal cost: The estimated budgetary effect of H.R. 3195 is shown in Table 1. The costs of the legislation fall within budget function 300 (natural resources and the environment).

TABLE 1.—ESTIMATED INCREASES IN DIRECT SPENDING UNDER H.R. 3195

	By fiscal year, in millions of dollars—												
	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2019–2024	2019–2029
INCREASES IN DIRECT SPENDING													
Estimated Budget Authority	0	22,085	900	900	900	900	900	900	900	900	900	25,685	30,185
Estimated Outlays	0	275	500	675	750	775	800	825	850	875	900	2,975	7,225

Basis of estimate: The LWCF is permanently authorized to receive annual deposits of at least $900 million, mostly from federal receipts from offshore oil and gas leases but also from federal mo-

torboat fuel taxes and proceeds from certain sales of surplus property, among other smaller sources. Since its establishment in 1965, $40.9 billion has been credited to the LWCF.[1] Under current law, DOI and the Forest Service are authorized to spend amounts deposited into the fund only if those funds are subsequently appropriated. In 2019, the Congress appropriated a total of $435 million from the LWCF to those agencies. Since 1965, $19.7 billion has been appropriated from the fund, and $21.2 billion remains available.

Under the Gulf of Mexico Energy Security Act of 2006 (GOMESA), 12.5 percent of proceeds from certain offshore oil and gas leases is deposited into the LWCF and available to be spent without further appropriation on a state grant program that is administered by the National Park Service, which is within DOI. CBO estimates that about $119 million will be deposited and spent annually over the 2020–2029 period from that source.

New budget authority

CBO assumes that H.R. 3195 will be enacted near the end of fiscal year 2019. Under the bill, at the beginning of fiscal year 2020 the $21.2 billion in unappropriated funds would become permanently available for expenditure. (That amount excludes funds credited under GOMESA, which are authorized to be spent under current law.) Another $900 million would become available by the end of 2020 from deposits made that year. Thus, CBO estimates that enacting H.R. 3195 would make about $22.1 billion available by the end of 2020 and $900 million would be available annually from deposits into the fund over the 2021–2029 period.

Pace of spending

H.R. 3195 would require the President to propose annual spending allocations from the LWCF. The Congress could provide alternative allocations in appropriation acts within the first 120 days of a fiscal year. If it failed to do so, the President's allocations would stand.

CBO cannot predict how funds would ultimately be allocated under the bill. However, on the basis of information from agencies within DOI and from the Forest Service about land acquisition needs and backlogs, demand for state grants, and historical spending patterns for similar activities, CBO estimates that the federal government would gradually increase its spending under the bill from $275 million in 2020 to $900 million in 2029, the full amount of the deposits that year.[2] (Discretionary appropriations from the LWCF averaged about $425 billion annually over the past four fiscal years.) CBO expects that the government would continue spending from the fund after 2029.

Pay-as-you-go considerations: The Statutory Pay-As-You-Go Act of 2010 establishes budget-reporting and enforcement procedures for legislation affecting direct spending or revenues. The net

[1] See Carol Hardy Vincent, *Land and Water Conservation Fund: Overview, Funding History, and Issues*, Report for Congress RL33531 (Congressional Research Service, June 19, 2019), https://go.usa.gov/xVavq.

[2] According to the National Park Service, acquiring lands already identified for purchase would cost about $2.1 billion. See National Park Service, Land and Water Conservation Fund, "Land and Water Conservation Fund: Land Acquisition Status" (January 12, 2016), https://go.usa.gov/xVavG.

changes in outlays that are subject to those pay-as-you-go procedures are shown in Table 1.

Increase in long-term deficits: CBO estimates that enacting H.R. 3195 would increase on-budget deficits by more than $5 billion in at least one of the four consecutive 10-year periods beginning in 2030.

Mandates: None.

Estimate prepared by: Federal costs: David Hughes; Mandates: Lilia Ledezma.

Estimate reviewed by: Kim Cawley, Chief, Natural and Physical Resources Cost Estimates Unit; 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 goals and objectives of this bill is to amend title 54, United States Code, to provide permanent, dedicated funding for the Land and Water Conservation Fund.

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.

UNFUNDED MANDATES REFORM ACT STATEMENT

This bill contains no unfunded mandates.

EXISTING PROGRAMS

This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

PREEMPTION OF STATE, LOCAL, OR TRIBAL LAW

Any preemptive effect of this bill over state, local, or tribal law is intended to be consistent with the bill's purposes and text and the Supremacy Clause of Article VI of the U.S. Constitution.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, and existing law in which no change is proposed is shown in roman):

TITLE 54, UNITED STATES CODE

* * * * * * *

SUBTITLE II—OUTDOOR RECREATION PROGRAMS

* * * * * * *

CHAPTER 2003—LAND AND WATER CONSERVATION FUND

Sec.
200301. Definitions.

* * * * * * *

[200303. Appropriations for expenditure of Fund amounts.]
200303. Availability of funds.

* * * * * * *

§ 200302. Establishment of Land and Water Conservation Fund

(a) ESTABLISHMENT.—There is established in the Treasury the Land and Water Conservation Fund.

(b) DEPOSITS.—There shall be deposited in the Fund the following revenues and collections:

(1) All proceeds (except so much thereof as may be otherwise obligated, credited, or paid under authority of the provisions of law set forth in section 572(a) or 574(a) to (c) of title 40 or under authority of any appropriation Act that appropriates an amount, to be derived from proceeds from the transfer of excess property and the disposal of surplus property, for necessary expenses, not otherwise provided for, incident to the utilization and disposal of excess and surplus property) received from any disposal of surplus real property and related personal property under chapter 5 of title 40, notwithstanding any provision of law that such proceeds shall be credited to miscellaneous receipts of the Treasury. Nothing in this chapter shall affect existing laws or regulations concerning disposal of real or personal surplus property to schools, hospitals, and States and their political subdivisions.

(2) The amounts provided for in section 200310 of this title.

(c) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—In addition to the sum of the revenues and collections estimated by the Secretary to be deposited in the Fund pursuant to this section, there are authorized to be appropriated annually to the Fund out of any money in the Treasury not otherwise appropriated such amounts as are necessary to make the income of the Fund not less than $900,000,000 for each fiscal year.

(2) RECEIPTS UNDER OUTER CONTINENTAL SHELF LANDS ACT.—To the extent that amounts appropriated under paragraph (1) are not sufficient to make the total annual income of the Fund equivalent to the amounts provided in paragraph (1), an amount sufficient to cover the remainder shall be credited to the Fund from revenues due and payable to the United States for deposit in the Treasury as miscellaneous receipts under the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.).

[(3) AVAILABILITY OF DEPOSITS.—Notwithstanding section 200303 of this title, money deposited in the Fund under this subsection shall remain in the Fund until appropriated by Congress to carry out this chapter.]

[§ 200303. Appropriations for expenditure of Fund amounts

[Amounts deposited in the Fund shall be available for expenditure for the purposes of this chapter only when appropriated for those purposes. The appropriations may be made without fiscal-year limitation. Amounts made available for obligation or expenditure from the Fund may be obligated or expended only as provided in this chapter.]

§ 200303. Availability of funds

(a) IN GENERAL.—For each fiscal year beginning after the date of the enactment of this section, amounts deposited in the Fund under section 200302 shall be made available for expenditure, without further appropriation or fiscal year limitation, to carry out the purposes of the Fund (including accounts and programs made available from the Fund under the Consolidated and Further Continuing Appropriations Act, 2015 (Public Law 113–235; 128 Stat. 2130)).

(b) ADDITIONAL AMOUNTS.—Amounts made available under subsection (a) shall be in addition to amounts made available to the Fund under section 105 of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note; Public Law 109–432) or otherwise appropriated from the Fund.

(c) ALLOCATION AUTHORITY.—

(1) SUBMISSION OF COST ESTIMATES.—The President shall submit to Congress detailed account, program, and project allocations to be funded under subsection (a) as part of the annual budget submission of the President.

(2) ALTERNATE ALLOCATION.—

(A) IN GENERAL.—Appropriations Acts may provide for alternate allocation of amounts made available under subsection (a), including allocations by account and program.

(B) ALLOCATION BY PRESIDENT.—

(i) NO ALTERNATE ALLOCATIONS.—If Congress has not enacted legislation establishing alternate allocations by the date that is 120 days after the date on which the applicable fiscal year begins, amounts made available under subsection (a) shall be allocated by the President.

(ii) INSUFFICIENT ALTERNATE ALLOCATION.—If Congress enacts legislation establishing alternate allocations for amounts made available under subsection (a) that are less than the full amount appropriated under that subsection, the difference between the amount appropriated and the alternate allocation shall be allocated by the President.

(3) RECREATIONAL PUBLIC ACCESS.—Amounts expended from the Fund under this section shall be consistent with the requirements for recreational public access for hunting, fishing, recreational shooting, or other outdoor recreational purposes under section 200306(c).

(4) ANNUAL REPORT.—The President shall submit to Congress an annual report that describes the final allocation by account, program, and project of amounts made available under subsection (a), including a description of the status of obligations and expenditures.

* * * * * * *

DISSENTING VIEWS

H.R. 3195 provides permanent mandatory funding of at least $900 million a year to the Land and Water Conservation Fund (LWCF). This misguided bill would surrender in perpetuity Congress's constitutional responsibility and authority to exercise Article 1 discretion over spending. This bill, which was introduced on June 11, 2019, and scheduled for markup within a week without a legislative hearing, arbitrarily increases annual LWCF spending to more than double the most recent appropriated levels, which have not exceeded $450 million in over ten years.[1] H.R. 3195 also contains zero attempts to safeguard against further maintenance backlog buildup for the new federal lands that will be acquired with funding under this bill. Offering unending mandatory funding is unwise, particularly without taking care of the land already under federal ownership. Finally, it is deeply ironic that Committee Democrats are pushing for such a drastic spending increase for a program that relies solely upon offshore energy revenue while at the same markup favorably reported on a partisan basis other legislation that would unquestionably harm the future potential of that very same funding source.

We remain supportive of many aspects of LWCF, which is why earlier this year, following thorough bipartisan and bicameral negotiation, a permanent reauthorization of the LWCF was signed into law. This reauthorization included meaningful reforms to the LWCF, including appropriate limits on federal land acquisition, while crucially maintaining Congress' authority to appropriate the monies for LWCF purposes.

During markup of H.R. 3195, several amendments offered by Republicans seeking to address additional identified flaws with the program were rejected on largely party line votes. Among these were a prohibition on the use of eminent domain and a maintenance backlog prioritization, among other thoughtful improvements to this problematic legislation. Regrettably, all of these amendments were rejected, and the Democrats advanced this bill without a single Republican vote. Overcoming both the budgetary flaws and a lack of significant bipartisan support will mean dark skies for the future of this legislation, as with so many other bills reported by the current Committee leadership.

ROB BISHOP.
PAUL GOSAR.
JODY HICE.
BRUCE WESTERMAN.
LOUIE GOHMERT.
AMATA RADEWAGEN.

[1] Carol Hardy Vincent. Land and Water Conservation Fund: Overview, Funding History, and Issues {CRS Report No. RL33531). Washington, DC: Congressional Research Service. August 17, 2018.

DISSENTING VIEWS

H.R. 3195 provides permanent mandatory funding of at least $900 million a year to the Land and Water Conservation Fund (LWCF). This misguided bill which was introduced on June 11, 2019, and scheduled for markup within a week without a legislative hearing, more than double the most recent appropriated levels, which have not exceeded $450 million in over ten years.[1] H.R. 3195 also contains zero attempts to safeguard against further maintenance backlog buildup for the new federal lands that will be acquired with funding under this bill and fails to recognize the environmental needs of the Gulf producing States that host energy production.

In 1964, Congress passed LWCF to safeguard natural areas, water resources, and our cultural heritage, and to provide recreation opportunities throughout the nation. However, in addition to the lack of foresight regarding the deferred maintenance backlog on federal lands, H.R. 3195 fails to recognize one of the nation's largest environmental disasters, compromising the future of the program itself. Since 1930, the State of Louisiana has lost 2,000 square miles of coastal wetlands—roughly the size of Delaware. Without investing in the ecological productivity and resiliency of the Gulf States that host production in federal waters, future funding for LWCF is threatened by increased vulnerability from climate-related events and continued mismanagement of the Mississippi River at the hands of federal managers. The Gulf producing States have taken drastic steps to improve the ecological productivity of their coastal zones, however, Committee Democrats opposed all amendments and additional legislative items before this committee that would increase funding for environmentally conscious projects that have been proven to delay or prevent climate-related impacts.

Finally, in the same markup, the majority ironically considered legislation that actively seeks to prevent any potential increase in dedicated spending for LWCF—a program that relies solely upon offshore energy revenue.

We remain supportive of many aspects of LWCF, which is why earlier this year, following thorough bipartisan and bicameral negotiation, permanent reauthorization of the LWCF was signed into law. This reauthorization included meaningful reforms to the LWCF, including appropriate limits on federal land acquisition, while crucially maintaining Congress' authority to appropriate the monies for LWCF purposes. Several additional amendments offered by Republicans sought to address administrative flaws with the program Regrettably, they were rejected, allowing H.R. 3195 to

[1] Carol Hardy Vincent. Land and Water Conservation Fund: Overview, Funding History, and Issues {CRS Report No. RL33531). Washington, DC: Congressional Research Service. August 17, 2018.

pass the committee without a single Republican vote. Without acting to rehabilitate the ecosystems responsible for funding LWCF and overcoming budgetary flaws, the future of this program will remain uncertain.

GARRET GRAVES.
MIKE JOHNSON.

○