

## Calendar No. 429

116TH CONGRESS  
2D SESSION

# S. 1081

To amend title 54, United States Code, to provide permanent, dedicated funding for the Land and Water Conservation Fund, and for other purposes.

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### IN THE SENATE OF THE UNITED STATES

APRIL 9, 2019

Mr. MANCHIN (for himself, Mr. GARDNER, Ms. CANTWELL, Mr. BURR, Mr. BENNET, Ms. COLLINS, Mr. TESTER, Mr. DAINES, Mr. UDALL, Mr. ALEXANDER, Mr. HEINRICH, Mr. GRAHAM, Mr. KING, Mrs. SHAHEEN, Mr. WYDEN, Ms. STABENOW, Mr. WARNER, Ms. SMITH, Ms. HIRONO, Ms. WARREN, Mr. MERKLEY, Mrs. FEINSTEIN, Ms. SINEMA, Ms. KLOBUCHAR, Ms. CORTEZ MASTO, Ms. HARRIS, Ms. HASSAN, Mr. VAN HOLLEN, Mr. COONS, Mr. MENENDEZ, Mr. CASEY, Ms. ROSEN, Mr. KAINE, Mr. BOOKER, Mr. BLUMENTHAL, Mr. DURBIN, Ms. BALDWIN, Mr. SANDERS, Mr. JONES, Mr. CARDIN, Mr. MARKEY, Mr. LEAHY, Mr. BROWN, Mr. PETERS, Mrs. GILLIBRAND, Mr. MURPHY, Ms. DUCKWORTH, Mr. SCHUMER, Mr. SCHATZ, Mrs. MURRAY, Mr. ISAKSON, Mrs. CAPITO, Mr. ROBERTS, Mrs. BLACKBURN, and Ms. MCSALLY) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

FEBRUARY 25, 2020

Reported by Ms. MURKOWSKI, with amendments

[Omit the part struck through and insert the part printed in *italic*]

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## A BILL

To amend title 54, United States Code, to provide permanent, dedicated funding for the Land and Water Conservation Fund, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
 2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Land and Water Con-  
 5       servation Fund Permanent Funding Act”.

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

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

10      **“§ 200303. Availability of funds**

11          “(a) IN GENERAL.—For fiscal year 2020 and each  
 12       fiscal year thereafter, amounts deposited in the Fund  
 13       under section 200302 shall be made available for expendi-  
 14       ture, without further appropriation or fiscal year limita-  
 15       tion, to carry out the purposes of the Fund (including ac-  
 16       counts and programs made available from the Fund under  
 17       the Consolidated and Further Continuing Appropriations  
 18       Act, 2015 (Public Law 113–235; 128 Stat. 2130)).

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

25          “(c) ALLOCATION AUTHORITY.—

1           “(1) SUBMISSION OF COST ESTIMATES.—The  
 2       President shall submit to Congress detailed account,  
 3       program, and project allocations ~~to be funded of the~~  
 4       *full amount made available* under subsection (a) as  
 5       part of the annual budget submission of the Presi-  
 6       dent.

7           “(2) ALTERNATE ALLOCATION.—

8               “(A) IN GENERAL.—Appropriations Acts  
 9       may provide for alternate allocation of amounts  
 10      made available under subsection (a), including  
 11      allocations by ~~account and program account,~~  
 12      *program, and project.*

13           “(B) ALLOCATION BY PRESIDENT.—

14               “(i) NO ALTERNATE ALLOCATIONS.—  
 15      If Congress has not enacted legislation es-  
 16      tablishing alternate allocations by the date  
 17      ~~that is 120 days after the date on which~~  
 18      ~~the applicable fiscal year begins,~~ *on which*  
 19      *the Act making appropriations for the De-*  
 20      *partment of the Interior, Environment, and*  
 21      *Related Agencies for the remainder of the*  
 22      *applicable fiscal year is enacted into law,*  
 23      amounts made available under subsection  
 24      (a) shall be allocated by the President.

1                   “(ii) INSUFFICIENT ALTERNATE AL-  
2                   LOCATION.—If Congress enacts legislation  
3                   establishing alternate allocations for  
4                   amounts made available under subsection  
5                   (a) that are less than the full amount ap-  
6                   propriated under that subsection, the dif-  
7                   ference between the amount appropriated  
8                   and the alternate allocation shall be allo-  
9                   cated by the President.

10                  “(3) RECREATIONAL PUBLIC ACCESS.—  
11                  Amounts expended from the Fund under this section  
12                  shall be consistent with the requirements for rec-  
13                  reational public access for hunting, fishing, rec-  
14                  reational shooting, or other outdoor recreational pur-  
15                  poses under section 200306(c).

16                  “(4) ANNUAL REPORT.—The President shall  
17                  submit to Congress an annual report that describes  
18                  the final allocation by account, program, and project  
19                  of amounts made available under subsection (a), in-  
20                  cluding a description of the status of obligations and  
21                  expenditures.”.

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

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

“200303. Availability of funds.”.

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