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EVERY KID OUTDOORS ACT

NOVEMBER 28, 2018.—Ordered to be printed

Ms. MURKOWSKI, from the Committee on Energy and 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 Energy and Natural Resources, to which was referred the bill (H.R. 3186) to establish an Every Kid Outdoors program, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE

The purpose of H.R. 3186 is to establish an Every Kid Outdoors program, to provide free access to federal land and waters for certain students.

BACKGROUND AND NEED

The "Every Kid in a Park" initiative was launched by President Obama in February 2015 as part of the lead-up to the 2016 National Park Service (NPS) Centennial Celebration. The initiative was initially described as a "call to action" to "inspire the next generation to discover all that America's public lands and waters have to offer." The program initially provided fourth grade students and their families' free admission to all National Parks and other federal lands and waters for a year. Expanding beyond the first year of the initiative, the Every Kid in A Park program eventually included the distribution of planning information and educational materials for teachers and families as well as the inclusion of transportation grants (in partnership with the National Park Foundation), all of which continue today.

In Fiscal Year 2017, the President's Budget included a request (through the NPS) to fund 100 "Every Kid in a Park" initiatives at $20 million, including funding to support park-level coordinators at a cost of $8.5 million, as well as $11.5 million for transportation costs. Although not specifically funded by Congress, the Centennial Challenge grant program funded some aspects of the program.

The "Every Kid in a Park" program has continued each year since its inception, despite some reported efforts to eliminate the program. In addition, several states have worked with the NPS and the National Park Foundation to coordinate programming. .

H.R. 3186 builds upon the "Every Kid in a Park" program by authorizing free passes to all federal public lands for all fourth graders and age-equivalent homeschoolers, renaming the program "Every Kid Outdoors," and codifying the program. H.R. 3186 also allows for additional collaborative opportunities between the Department of the Interior (DOI) and State Park systems, as well as between DOI and the Department of Education.

LEGISLATIVE HISTORY

Representative Tsongas introduced H.R. 3186 in the House of Representatives on July, 11, 2017. The Committee on Natural Resources favorably reported H.R. 3186, as amended, on August 3, 2018 (H. Rept. 115–880), and the measure was passed by the House of Representatives on September 12, 2018, by a vote of 383 to 2.

Senators Heinrich and Alexander introduced companion legislation, S. 1522, on July 10, 2017. The Subcommittee on National Parks conducted a hearing on S. 1522 on July 19, 2017.

The Committee on Energy and Natural Resources met in open business session on October 2, 2018 and ordered H.R. 3186 favorably reported.

COMMITTEE RECOMMENDATION

The Senate Committee on Energy and Natural Resources, in open business session on October 2, 2018, by a majority voice vote of a quorum present, recommends that the Senate pass H.R. 3186.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

Section 1 provides the short title.

Section 2. Definitions

Section 2 contains key definitions.

Section 3. Every Kid Outdoors Program

Subsection (a) directs the Secretaries of the Interior, Agriculture, Commerce, and the Army to establish jointly the "Every Kid Outdoors" program, to provide free access to federal land and waters for students (defined as fourth graders or home-schooled learners 10 years of age residing in the United States, including territories or possessions of the United States) and accompanying individuals.

Subsection (b) authorizes the Secretaries to issue an annual pass to the students, which provides for free access to all Federal lands and waters that are subject to an entrance, standard amenity, or

day use fee. The subsection further specifies the number of people who may accompany the student on the free pass and details the effective time period of the pass.

Subsection (c) authorizes the Secretaries, in carrying out the program, to collaborate with State Park systems that opt to implement a complementary Every Kid Outdoors State park pass; coordinate with the Secretary of Education to implement the program; maintain a publicly available website with program information; provide visitor services for the program; and provide approved partners of the Federal land and waters with opportunities to participate in the program.

Subsection (d) requires the Secretary of the Interior, in coordination with each of the other Secretaries, to prepare a comprehensive annual report to Congress detailing the program's implementation, the number and geographical distribution of student participants, and the number of passes distributed by the program.

Subsection (e) sunsets the program seven years after the Act's enactment.

COST AND BUDGETARY CONSIDERATIONS

The following estimate of the costs of this measure has been provided by the Congressional Budget Office:

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 act would codify the existing Every Kid in a Park program, CBO estimates that implementing that provision would result in no additional costs.

The act 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.

On June 8, 2018, CBO transmitted a cost estimate for H.R. 3186, the Every Kid Outdoors Act, as ordered reported by the House Committee on Natural Resources on May 16, 2018. The two pieces of legislation are similar, and CBO's estimates of their budgetary effects are the same.

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

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out H.R. 3186. The Act is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of H.R. 3186, as ordered reported.

CONGRESSIONALLY DIRECTED SPENDING

H.R. 3186, as ordered reported, does not contain any congressionally directed spending items, limited tax benefits, or limited tariff benefits as defined in rule XLIV of the Standing Rules of the Senate.

EXECUTIVE COMMUNICATIONS

The testimony provided by the Department of the Interior at the July 19, 2017, hearing on S. 1522, companion legislation to H.R. 3186, follows:

STATEMENT OF ROBERT VOGEL, ACTING DEPUTY DIRECTOR, NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR

Chairman Daines, Ranking Member Hirono, and members of the subcommittee, thank you for the opportunity to present the Department of the Interior's views on S. 1522, a bill to establish an Every Kid Outdoors program, and for other purposes.

The Department recommends that Congress defer action on S. 1522 until we have an opportunity to review all of the Department's youth programs and determine the most cost-effective strategies for engaging children, youth, and young adults in our nation's great outdoors.

S. 1522 would establish in statute a program based on the administratively established "Every Kid in a Park," which was an initiative launched during the National Park Service's Centennial in 2016 as one way to connect with and create the next generation of park visitors. To date, Every Kid in a Park has reached over 350,000 fourth graders across the country and has provided an outdoor classroom for teachers and students across our 417 national park sites and other public lands.

S. 1522 would build upon Every Kid in a Park and continue to nurture and create future generations of stewards as they learn about their environment and conservation all while enjoying and recreating in America's great outdoors.

S. 1522 would direct seven specified bureaus in four agencies to jointly establish the Every Kid Outdoors program to provide any United States fourth grader with a pass to gain free access to publicly accessible Federal lands and waters. The bureaus that would establish and admin-

ister the program would be 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. The student would request a pass which allows the student and accompanying individuals free entry to applicable Federal lands and waters managed by the above-listed agencies. The pass would be valid from September 1 to August 31 of the following year, and would require the student to be present at time of entry for the pass to be honored.

S. 1522 would require the agencies to collaborate with state park systems interested in adopting a complimentary Every Kid Outdoors state park pass. It would also require the agencies to develop and maintain an official Every Kid Outdoors website that would contain essential program information. All the participating agencies would be authorized to provide a variety of visitor services in support of the Every Kid Outdoors program.

The bill would require the agencies to jointly develop an annual report, to be submitted to Congress, describing the implementation and execution of the program in addition to capturing statistical data such as the number and the geographical distribution of students who participated in the program, and the number of passes obtained and redeemed. If the bill were enacted, execution of its requirements would be subject to the availability of appropriations and would need to be balanced with other competing priorities.

In developing the Every Kid in a Park program, the Department focused on children 10 years of age—the age of most fourth graders—based on research that indicated children ages 9–11 are at a unique developmental stage in their learning where they begin to understand how the world around them works in more concrete ways. At this stage, they are highly receptive to new ideas and most likely to hold positive attitudes towards nature and the environment. By targeting this age group year after year, the program aims to ensure every child in the United States has the opportunity to visit their Federal lands and waters by the time he or she is 11 years old, thereby establishing a lifelong connection to enjoy and protect our American outdoor heritage.

If the committee acts on this bill, we recommend that the committee amend the bill in several areas: to include home-schooled students; to better define "access" to public lands; and to allow coordination with the Department of Education. We would be happy to work with the sponsors and the committee on language for these amendments.

Chairman Daines, this concludes my statement. I would be pleased to answer any questions you or other members of the subcommittee might have.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the Act as ordered reported.

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