

Congress of the United States

December 4, 2020

The Honorable Nita Lowey
Chairwoman
House Appropriations Committee
H-307 The Capitol
Washington, D.C. 20510

The Honorable Kay Granger
Ranking Member
House Appropriations Committee
H-307 The Capitol
Washington, D.C. 20510

Dear Chairwoman Lowey and Ranking Member Granger:

We are writing today in support of the House FY21 Interior Appropriations bill provisions that would implement full dedicated funding of Land Water Conservation Fund (LWCF) as directed by the Great American Outdoors Act (GAOA). GAOA is a singular and historic achievement of this Congress that passed with overwhelming bipartisan support, including full, permanent funding for LWCF—America’s premier conservation and outdoor recreation program.

A key feature of this legislation is strong continuing Congressional oversight of LWCF through the annual appropriations process. The House FY21 Interior Appropriations bill that passed in July anticipated the enactment of GAOA, including a proposal that would fulfill Congress’s role in providing a spending plan for the full \$900M in LWCF funding for this fiscal year.

Unfortunately, the Administration has failed to comply with the requirements for implementation of GAOA’s provisions on full funding of LWCF for the coming fiscal year, submitting LWCF allocations and project lists to Congress that were late, inadequate, and out of step with the law (both GAOA and of the John D. Dingell, Jr. Conservation, Management and Recreation Act of 2019 which permanently reauthorized LWCF and codified its balanced distribution).

Additionally, Secretarial Order #3388 released by DOI on November 13 is an end-run around Congress, and a last-minute attempt to put roadblocks in the path of the successful and collaborative locally-driven LWCF process. The Secretary’s order contains a litany of new restrictions on Interior agencies and their use of LWCF funds. These unnecessary, counterproductive changes have been proposed before and were highly controversial. Congress rejected such ideas again and again.

As the Senate and House appropriations committees prepare to determine final LWCF allocations in upcoming conference negotiations, they should not only disregard DOI's ill-considered attempt to rewrite this incredibly popular and successful program, but take proactive steps to ensure that Congress's intent is honored. Specifically, we ask that the final FY21 Interior Appropriations bill adhere to the House-passed bill's allocations among LWCF programs, which conform to the framework established by the Dingell Act. We also ask that it include:

- The full list of priority projects for each federal agency and the Forest Legacy Program, sent to Congress per the requirements of the FY20 Interior Appropriations bill last May.
- An explicit prohibition on enforcement of DOI's Secretarial Order 3388.

LWCF brings positive benefits to our districts by leveraging investment in a diverse array of conservation tools, empowering communities to decide which types of projects and grants best meet their needs for clean water, access to public lands and recreational opportunities, wildlife habitat, natural infrastructure, and economic development. With the provisions described above, the FY21 Interior Appropriations bill will take the next step in this Congress's strong bipartisan record of support for LWCF.

Sincerely,

MIKE THOMPSON Member of Congress	JOHN KATKO Member of Congress	JOE CUNNINGHAM Member of Congress	BRIAN FITZPATRICK Member of Congress
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CHRIS PAPPAS
Member of Congress

STEVE STIVERS
Member of Congress

PETER KING
Member of Congress

PETER WELCH
Member of Congress

DINA TITUS
Member of Congress

CHRISTOPHER H. SMITH
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