



To: House Committee on Natural Resources Republican Members
From: House Committee on Natural Resources Republican Staff
Date: November 15, 2021
Subject: Markup on 16 Bills: H.R. 404 (Lieu), H.R. 667 (Ruiz), H.R. 1931 (Matsui), H.R. 2026 (Jeffries), H.R. 2793 (Sean Patrick Maloney), H.R. 3128 (Young), H.R. 3197 (Mike Johnson), H.R. 3326 (Mike Levin), H.R. 3531 (Norton), H.R. 3600 (LaHood), H.R. 4494 (Trone), H.R. 4648 (Mike Johnson), H.R. 4706 (Tony Gonzales), H.R. 5001 (Neguse), H.R. 5345 (Blake Moore), and S. 2923 (Wicker)

The Natural Resources Committee will hold a markup on 16 bills on **Wednesday, November 17, 2021, at 10:00 a.m. EST** online via Cisco WebEx. The 16 bills include H.R. 404 (Lieu), H.R. 667 (Ruiz), H.R. 1931 (Matsui), H.R. 2026 (Jeffries), H.R. 2793 (Sean Patrick Maloney), H.R. 3128 (Young), H.R. 3197 (Mike Johnson), H.R. 3326 (Mike Levin), H.R. 3531 (Norton), H.R. 3600 (LaHood), H.R. 4494 (Trone), H.R. 4648 (Mike Johnson), H.R. 4706 (Tony Gonzales), H.R. 5001 (Neguse), H.R. 5345 (Blake Moore), and S. 2923 (Wicker).

Member offices are requested to notify Baylee Seeman (Baylee.Seeman@mail.house.gov) by **4:30 p.m. EST on Monday, November 15, 2021**, if their Member intends to participate in person in the hearing room or remotely from his/her laptop from another location. Submissions for the hearing record must be submitted through the Committee's electronic repository at HNRCDocs@mail.house.gov. Please contact David DeMarco (David.DeMarco@mail.house.gov) or Everett Winnick (EverettWinnick@mail.house.gov) should any technical difficulties arise.

I. KEY MESSAGES

- Bills expected to move by Regular Order are:
 - H.R. 404 (Lieu). The bill would amend the Magnuson-Stevens Fishery Conservation and Management Act (MSA) to phase-out a specific type of fishing gear (large scale driftnets) for swordfishing boats in federal waters off of central California over a five-year period;
 - H.R. 2026 (Jeffries). Despite numerous funding and regulatory issues surrounding domestic implementation of the Endangered Species Act (ESA), the bill aims direct federal resources to conserve species outside of the United States;
 - H.R. 3326 (Mike Levin). Historically, PLREDA has enjoyed strong bipartisan support and was led by Rep. Gosar for the past eight years. This Congress, Mr. Gosar agreed to let Rep. Levin sponsor the bill and requested to be the Republican

- lead as an original cosponsor. Despite several Member and staff level efforts to resolve this issue, Rep. Levin declined Mr. Gosar's request to be an original cosponsor. Rep. Gosar introduced identical language on May 19, 2021; and
- S. 2923 (Wicker). The bill aims to expedite the fishery disaster declaration process by establishing new deadlines for the National Oceanic and Atmospheric Administration (NOAA) and would prioritize hiring fishery employees displaced by a disaster to undertake restoration, conservation, and other fishery rebuilding activities.
 - Bills expected to move by unanimous consent are: H.R. 667 (Ruiz), H.R. 1931 (Matsui), H.R. 2793 (Sean Patrick Maloney), H.R. 3128 (Young), H.R. 3197 (Mike Johnson), H.R. 3531 (Norton), H.R. 3600 (LaHood), H.R. 4494 (Trone), H.R. 4648 (Mike Johnson), H.R. 4706 (Tony Gonzales), H.R. 5001 (Neguse), and H.R. 5345 (Blake Moore).

II. EXPECTED LEGISLATION

H.R. 404 (Lieu), Driftnet Modernization and Bycatch Reduction Act of 2021

The bill would amend the Magnuson-Stevens Fishery Conservation and Management Act (MSA) to phase-out a specific type of fishing gear (large scale driftnets) for swordfishing boats in federal waters off of central California over a five-year period. This bill would authorize the Commerce Department to provide grants to the impacted swordfishing industry to offset the costs of transition towards alternative fishing practices aimed at reducing by-catch of other fish species.

In the 116th Congress, the Water, Oceans, and Wildlife Subcommittee held a hearing on identical legislation (H.R. 1979). Information on this hearing, including testimony on H.R. 1979, can be found [here](#). The Natural Resources Committee did not markup H.R. 1979 in the 116th Congress. The Senate version, which passed the House of Representatives by a vote of 283 to 105, included an Alaska-related provision regarding Pacific halibut quotas. Specifically, it authorized the collection of fees in the Pacific Halibut fishery that can be used to implement a Recreational Quota Entity to purchase halibut quota shares in the International Pacific Halibut Commission Convention (to which the United States is a party), and for halibut conservation and research. President Donald Trump subsequently [vetoed](#) the bill.

H.R. 404 does not currently include the Alaska provisions. Committee staff have been informed that an Amendment in the Nature of the Substitute (ANS) will be provided to include the Alaska provisions. H.R. 404 has 23 cosponsors: 16 Democrats and 7 Republicans. ***The Ranking Member supports, and the bill is expected to move by regular order.***

The hearing memo for H.R. 1979 in the 116th Congress prepared by Committee Republican staff may be viewed [here](#).

Staff contact: Kiel Weaver (Kiel.Weaver@mail.house.gov) or Annick Miller (Annick.Miller@mail.house.gov).

H.R. 667 (Ruiz), Desert Sage Youth Wellness Center Access Improvement Act

H.R. 667 would authorize the Indian Health Service (IHS) to purchase certain private land in Hemet, California, at fair market value from willing sellers. The land is a half-mile dirt and gravel access road leading to the Desert Sage Youth Wellness Center. The access road crosses the property of two individual parcels, the Genus property and the Moon Valley Nursery property. Once title is acquired by the IHS, the agency will construct a paved road and eventually relinquish ownership and management of the road to Riverside County, California. *The Ranking Member supports, and the bill is expected to move by unanimous consent.*

The hearing memo prepared by Committee Republican staff in the 116th Congress may be viewed [here](#).

Staff contact: Ken Degenfelder (Ken.Degenfelder@mail.house.gov) and Brandon Ashley (Brandon.Ashley@mail.house.gov)

H.R. 1931 (Matsui), Japanese American Confinement Education Act

In recent decades, Congress and several presidential administrations have preserved the remnants of Japanese confinement sites through various means, including through National Park Service (NPS) designation, National Historic Landmark and National Register of Historic Places designations, and grants to outside organizations to preserve non-federally owned sites. Public Law 109-441 established the Japanese American Confinement Sites (JACS) grant program, which authorized up to \$38 million for the entire life of the grant program to protect, restore, and acquire historic sites. Since 2009, roughly \$36 million has been appropriated and distributed to grantees through the program.¹

H.R. 1931 would establish a new competitive grant program to award grants to Japanese American history museums to educate on the historical significance of Japanese American confinement during World War II. The grant program includes priority consideration criteria, which seems to have the goal of directing money toward a single museum, likely the Japanese American National Museum in Los Angeles, California.² Additionally, the bill reauthorizes the JACS grant program within NPS, which is due to expire soon.

An amendment will be offered at the markup to correct drafting errors, extend the existing JACS grant program for ten years, and authorize \$10 million to create a new sub-grant for

¹ Statement of Joy Beasley, Associate Director for Cultural Resources, Partnerships and Science, National Park Service, U.S. Department of the Interior before the House Natural Resources Subcommittee on National Parks, Forests, and Public Lands Concerning H.R. 1931, 1 (2021). <https://docs.house.gov/meetings/II/II10/20210527/112702/HHRG-117-II10-Wstate-BeasleyJ-20210527.pdf>

² <https://www.janm.org/>

Japanese American confinement education. *The Ranking Member supports the bill, as amended, and it is expected to move by unanimous consent.*

The hearing memo for H.R. 1931 prepared by Committee Republican staff may be viewed [here](#).

Staff contact: Terry Camp (Terry.Camp@mail.house.gov) (202-603-5382)

H.R. 2026 (Jeffries), Global Amphibian Protection Act of 2021

The bill aims to conserve amphibian species categorized as either “Endangered,” “Critically Endangered” or “Data Deficient” on the International Union for Conservation of Nature’s Red List of Threatened Species. These categorizations would include roughly 2,907 amphibians around the world.

Section 3 of the bill directs the Secretary of the Interior to carry out a competitive grant program to support these categories of worldwide endangered amphibian species. The eligible applicants would be foreign wildlife management authorities and the bill requires that project proposals include support from the government of the country where the conservation project is located, consent from affected indigenous peoples, and evidence of sensitivity to local historic and cultural resources. Section 3 also stipulates that only projects that are “in whole or in part, outside of the United States” may be selected.

Grants will be awarded to proposals that protect or restore habitat, enhance research or monitoring of the species, help develop a management plan for the species, assist in enforcement or protection of the species, provide training for local law enforcement, resolve human/species conflict, increase community outreach, or strengthen the ability for local communities to implement a conservation plan. The Secretary of the Interior is required to give preference to long-term efforts and proposals with matching funds and has 180 days to approve and disapprove proposals.

Section 4 creates the “Highly Endangered Amphibian Species Conservation Fund” within the Multinational Species Conservation Fund which consists of funding from donations, interest from amounts invested, as well as a \$5 million annual federal authorization for five fiscal years. Section 6 requires a report within one year of enactment and every two years thereafter on the results and effectiveness of the program carried out under the bill.

A hearing was held on the bill in July with the U.S. Fish and Wildlife Service (USFWS) testifying that the bill “could hinder the Service’s ability to continue to prioritize its work on the species with the greatest conservation need through science-driven decisions.” Hearing information, including testimony, can be found [here](#).

The bill has 4 Democrat and 2 Republican cosponsors. The Majority may offer an amendment making technical and other minor changes. The bill aims to conserve species outside of the United States despite numerous funding and regulatory issues surrounding

domestic implementation of the Endangered Species Act (ESA). The Ranking Member opposes *The Ranking Member opposes and the bill is expected to move by regular order.*

The hearing memo prepared by Committee Republican staff may be viewed [here](#).

Staff contact: Kiel Weaver (Kiel.Weaver@mail.house.gov) or Robert MacGregor (Robert.MacGregor@mail.house.gov).

H.R. 2793 (Sean Patrick Maloney), Highlands Conservation Reauthorization Act of 2021

The Highlands Conservation Act (P.L. 108-421)³ includes parts of Connecticut, New Jersey, Pennsylvania, and New York in its definition of “Highlands State.”⁴ The stated purpose of the law is “to recognize the importance of the water, forest, agricultural, wildlife, recreational, and cultural resources of the Highlands region, and the national significance of the Highlands region to the United States.”⁵

The law requires the Governors of each state to identify conservation partnership projects in the region and submit an annual list to the Secretary of the Interior, who is tasked to work with the Secretary of Agriculture to submit a final list to Congress for approval and funding. The law requires non-federal entities (states and agencies or departments of a state) to enter into an agreement with the Secretary of the Interior to be eligible for funding. In the agreement, the entity must identify who will hold or manage the land and the source of funds that would be used to match federal funds while describing the management objectives for the land to ensure permanent protection. If any of the projects awarded are disposed of or discontinued, the non-federal entity would be required to pay the government back. The law requires non-federal partners to fund at least 50 percent of the project cost. The law authorized \$10 million a year and included a savings clause that stipulates that nothing in the Act would require a private property owner to permit public access to land or participate in land conservation programs created under the Act.⁶

H.R. 2793 would reauthorize and amend the law by expanding the definition of “Highlands Region” to include all municipalities included in the Highlands Region as of the date of enactment and any municipality in any of the four states upon the request of the state and concurrence from the USFWS. The bill allows political subdivisions of a state to apply for projects and would increase the authorization from \$10 million to \$20 million per year for fiscal years 2022 through 2028. The bill adds a section to allow a Highlands State to petition the Secretary of the Interior to consider an “alternate appraisal methodology” if there is a conflict between a Department of the Interior appraisal methodology and state law. The bill was included in a legislative hearing in July where the USFWS supported the bill and reauthorization in its testimony.⁷ Hearing information, including testimony, can be found [here](#).

³ https://ftp.granit.unh.edu/d-luther/Highlands/highlands_wallPoster2010_4States.pdf

⁴ Public Law 108–421, 108th Congress, <https://www.govinfo.gov/content/pkg/PLAW-108publ421/pdf/PLAW-108publ421.pdf>.

⁵ *Id.*

⁶ *Id.*

⁷ Guertin, 7.29.21.

The bill has 21 Democrat and 2 Republican cosponsors. Discussions are underway between the majority and minority on an amendment to reduce the authorization amount and resolve potential issues surrounding the alternate appraisal methodology. ***The Ranking Member supports the bill with amendments, and, pending agreement on a bipartisan amendment, the bill is expected to move by unanimous consent.***

The hearing memo prepared by Committee Republican staff may be viewed [here](#)

Staff contact: Kiel Weaver (Kiel.Weaver@mail.house.gov) or Robert MacGregor (Robert.MacGregor@mail.house.gov).

H.R. 3128 (Don Young), American Fisheries Advisory Committee Act of 2021

The Saltonstall-Kennedy (S-K) Act of 1954 (15 U.S.C. §713c-3) established a grant program funded by customs receipts for duties on U.S. seafood imports. These grants are distributed to entities to promote U.S. seafood. The S-K grant projects were originally chosen by a committee consisting of an array of stakeholders from the fishing industry. The committee was eliminated under the Federal Advisory Committee Act in 1972 (Pub. Law 92-463) and the responsibility of project selection fell to the National Marine Fisheries Service.

This bill would reinstate the board of experts, with members chosen regionally and across all sectors of the fishing industry for the purpose of identifying the research needs and priorities of the commercial fishing industry. The Subcommittee on Waters, Oceans, and Wildlife examined this bill in a legislative hearing on July 29, 2021. Hearing information, including testimony, can be found [here](#). During the hearing, the Biden administration declined to testify on the legislation.

In the last Congress, the Committee on Natural Resources favorably reported this bill by unanimous consent.⁸ ***The Ranking Member supports, and the bill is expected to move by unanimous consent.***

The hearing memo prepared by Committee Republican staff may be viewed [here](#).

Staff contact: Kiel Weaver (Kiel.Weaver@mail.house.gov) or Annick Miller (Annick.Miller@mail.house.gov).

H.R. 3197 (Mike Johnson), Save the Liberty Theatre Act of 2021

The Liberty Theatre originally opened in Eunice, Louisiana, in 1924 as a silent movie theater and vaudeville house for live performances and was known as “Southwest Louisiana’s Premier Temple of Amusement.”⁹ In 1986, the City of Eunice purchased and

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⁹ Liberty Center for the Performing Arts, Cinema Treasures, <http://cinematreasures.org/theaters/8867> (last visited Oct 5, 2021).

renovated Liberty Theatre and it was listed on the National Register of Historic Places.¹⁰ Three years later, Jean Lafitte National Historical Park and Preserve, an NPS site directly adjacent to the Liberty Theatre, helped to further restore and rehabilitate the theater and surrounding area by constructing an adjoining annex for public health, safety, and accessibility and installing a master heating, ventilation, and air conditioning (HVAC) system for the theater, annex, and nearby Prairie Acadian Cultural Center. The master HVAC system is now antiquated beyond repair and must be replaced.¹¹

This bill would transfer the NPS-owned annex attached to the City-owned theater (approximately 0.22 acres) to the City of Eunice. Transferring the annex will allow Jean Lafitte National Historical Park and Preserve to replace the HVAC system in the Prairie Acadian Cultural Center and allow the City to install a new HVAC system in the theater and perform other renovations that are currently hindered due to the NPS's ownership interest. This will result in cost savings for the NPS and taxpayer. *The Ranking Member supports, and the bill is expected to move by unanimous consent.*

The hearing memo for H.R. 3197 prepared by Committee Republican staff may be viewed [here](#).

Staff contact: Terry Camp (Terry.Camp@mail.house.gov) (202-603-5382)

H.R. 3326 (Mike Levin), Public Land Renewable Energy Development Act of 2021 (PLREDA)

This bill would expedite permitting of renewable energy projects on federal lands. Specifically, the bill directs the Department of the Interior to establish priority areas for geothermal, solar, and wind energy projects on public lands within 5 years of enactment of this Act for geothermal projects, and within 3 years of enactment for wind and solar. The bill would create a Renewable Energy Resource Conservation Fund, which will provide funding for conservation, habitat restoration, and outdoor access. The bill proposes a revenue collection scheme for developing wind and solar energy on federal lands that would distribute funds as follows: 25% to the state where the revenues are generated, 25% to the county or counties where the revenues are generated, 25% to agencies to facilitate the processing of federal renewable energy permits, 25% to the Renewable Energy Resource Conservation Fund established by this bill.

Historically, PLREDA has enjoyed strong bipartisan support. This bill has been led by Rep. Gosar for the past eight years, including in the 116th Congress when several provisions of the bill were signed into law. Rep. Levin was the lead Democrat on the bill last Congress and was included as an original cosponsor upon introduction. This Congress, Mr. Gosar agreed to let Rep. Levin sponsor the bill and requested to be the Republican lead on the bill as an original cosponsor. Despite several Member and staff level efforts to resolve this

¹⁰ *Supra* note 9.

¹¹ Statement of Joy Beasley, Associate Director for Cultural Resources, Partnerships and Science, National Park Service, U.S. Department of the Interior before the Senate Energy and Natural Resources Subcommittee on National Parks, Concerning S. 1620, 1 (2021). <https://www.energy.senate.gov/services/files/E6664807-9CC2-46DF-9F54-F40B81C5D8DB>

issue, Rep. Levin declined Mr. Gosar's request to be an original cosponsor. In response, Rep. Gosar introduced identical language (H.R. 3330) on May 19, 2021.

While the Ranking Member supports the underlying policy of the bill, he opposes Democrats' efforts to downgrade Rep. Gosar's position on bipartisan legislation he has historically championed. The bill is expected to move through regular order.

The hearing memo for H.R. 3326 prepared by Committee Republican staff may be viewed [here](#).

Staff contact: Ashley Nichols (Ashley.Nichols@mail.house.gov), Rebecca Konolige (Rebecca.Konolige@mail.house.gov), or Robert MacGregor (Robert.MacGregor@mail.house.gov)

H.R 3531 (Norton), Women Who Worked on the Home Front World War II Memorial Act

More than 18 million American women supported the home front during World War II as codebreakers, pilots, machinists, butchers, engineers, lumberjacks, and farmers, among many other duties.¹² Between 1940 and 1945, the percentage of women in the workforce increased from 27 percent to nearly 37 percent, and by 1945 one in four married women worked outside of the home.¹³ This work opened doors for women in the workplace generally and redefined many occupations previously considered "men's work."¹⁴

This bill would authorize the Women Who Worked on the Home Front Foundation to establish a commemorative work on federal land honoring the commitment and service performed by women who worked on the home front during World War II. The bill would require the Foundation to follow the standard legal framework established by the Commemorative Works Act (CWA) for the placement of commemorative works on federal land in the District of Columbia and prohibit the use of federal funds to establish the commemorative work. The bill would require the Foundation to follow a process to ensure that the memorial is appropriately designed, sited, constructed and that sufficient funds are provided to NPS to maintain the memorial. ***The Ranking Member supports the bill, and it is expected to move by unanimous consent.***

The hearing memo for H.R. 3531 prepared by Committee Republican staff may be viewed [here](#).

Staff contact: Terry Camp (Terry.Camp@mail.house.gov) (202-603-5382)

¹² National Parks Conservation Association, Rosie the Riveter/WWII Home Front, <https://www.npca.org/parks/rosie-the-riveter-wwii-home-front-national-historical-park>.

¹³ Norton introduces Bill to Memorialize Women During World War II, Congresswoman Eleanor Holmes Norton (2019), <https://norton.house.gov/media-center/press-releases/norton-introduces-bill-to-memorialize-women-during-world-war-ii> (last visited Oct 5, 2021).

¹⁴ *Id.*

H.R. 3600 (LaHood), Route 66 National Historic Trail Designation Act

Route 66, America's most well-known road, was commissioned in 1926 as part of the first federal highway system.¹⁵ Stretching from Chicago, Illinois, to Santa Monica, California, this 2,400-mile route played an essential role in American history as it provided a route for refuge during the Dustbowl, acted as a strategic military route during World War II, and to this day acts as a favorite American vacation pathway.¹⁶ The federal government decommissioned Route 66 in 1985.¹⁷ Congress subsequently authorized the Route 66 Study Act in 1990, which directed the NPS to conduct a special resource study to present management and preservation options for the iconic road.¹⁸ The NPS released the finalized special resource study in 1995.¹⁹ Congress established the Route 66 Corridor Preservation Program in 1999, facilitating collaboration between private, nonprofit and government partners to identify and prioritize Route 66 preservation needs.²⁰ The Preservation Program was reauthorized in 2009 for ten years, expiring in 2019.²¹

H.R. 3600, the bipartisan "Route 66 National Historic Trail Designation Act," succeeds the expiration of the Route 66 Corridor Preservation Program by designating Route 66 as a National Historic Trail. Supporters of the designation believe that adding Route 66 as a National Historic Trail will better preserve historic resources, encourage public access, and facilitate local partnerships and restoration. The bill contains provisions to ensure the trail will not create buffer zones, impede energy development or transition, or result in eminent domain or land condemnation. An identical version of this bill passed the House in the 115th Congress.

An amendment will be offered at the markup to make technical corrections. *The Ranking Member supports the bill, as amended, and it is expected to move by unanimous consent.*

The hearing memo for H.R. 3600 prepared by Committee Republican staff may be viewed [here](#).

Staff contact: Terry Camp (Terry.Camp@mail.house.gov) (202-603-5382)

H.R. 4494 (Trone), Frederick Jobs and Historic Preservation Training Center Land Acquisition Act

Since 1977, the NPS operated a Historic Preservation Training Center (HPTC) in Frederick, Maryland, to provide experience-based training to NPS maintenance staff and

¹⁵ Route 66: 1926-1945, National Park Service, https://www.nps.gov/nr/travel/route66/route66_1926_to_1945.html (last visited Nov. 5, 2021).

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ Special Resource Study Route 66. National Park Service. (last visited Nov 3, 2021). <http://npshistory.com/publications/route-66.pdf>

¹⁹ *Id.*

²⁰ Route 66 Corridor Preservation Program, National Park Service (2020), <https://www.nps.gov/orgs/1453/route-66-corridor-preservation-program.htm> (last visited Nov 3, 2021).

²¹ Route 66 Corridor, Historic Preservation Act of 1999 (P.L. 106-45) <https://www.congress.gov/106/plaws/publ45/PLAW-106publ45.pdf>

youth to support park historic preservation projects.²² In 1991, Congress directed the NPS to identify a permanent home for HPTC.²³ The NPS study team surveyed available sites and recommended Monocacy National Battlefield as the preferred site.²⁴ In 1995, HPTC administrative offices relocated to the Gambrill House at Monocacy National Battlefield.²⁵ In 1997, the workshop portion of the facilities moved to a leased space at the Jenkins Cannery factory and warehouse, owned by the City of Frederick.²⁶ In 2018, HPTC exercised its final 5-year Option with the General Services Administration on the Jenkins Cannery.²⁷ The HPTC has now outgrown its current facility and the current lease with the City expires in September 2023.²⁸

H.R. 4494 would authorize the NPS to purchase land in Frederick County, Maryland, to expand the HPTC and provides such sums as are necessary to establish the expanded HPTC.

An amendment will be offered at the markup to remove the authorization of appropriations. *Ranking Member Westerman supports the bill, as amended, and it is expected to move by unanimous consent.*

The hearing memo for H.R. 4494 prepared by Committee Republican staff may be viewed [here](#).

Staff contact: Terry Camp (Terry.Camp@mail.house.gov) (202-603-5382)

H.R. 4648 (Mike Johnson), Cane River Creole National Historical Park Boundary Modification Act

Established in 1994, the Cane River Creole National Historical Park “recognize[s] the importance of the Cane River Creole culture as a nationally significant element of the cultural heritage of the United States.”²⁹ The Cane River National Historical Park and Cane River National Heritage Area preserve and commemorate sites associated with Creole culture in the Cane River region from 1714 to present.³⁰ Today, Cane River Creole National Historical Park protects two of the most intact Creole cotton plantations in the United States—Oakland Plantation and portions of Magnolia Plantation. Upon the establishment of Cane River Creole National Historical Park, the Magnolia Plantation was divided with roughly 18 acres acquired by NPS and another portion acquired by private owners.

²² Historic Preservation Training Center (U.S. National Park Service), National Park Service (2019), <https://www.nps.gov/orgs/1098/index.htm> (last visited Nov 3, 2021).

²³ *Id.*

²⁴ Statement of Tom Medema, Acting Associate Director, Interpretation, Education, and Volunteers, National Park Service, U.S. Department of the Interior before the House Natural Resources Subcommittee on National Parks, Forests, and Public Lands concerning H.R. 4494. November 9, 2021.

²⁵ *Id.*

²⁶ *Id.*

²⁷ *Id.*

²⁸ *Id.*

²⁹ Pub. L. 103-499 (1994)

³⁰ *Id.*

This bill would expand the legislative boundary of the Magnolia Plantation Unit by approximately 46.1 acres, allowing NPS to acquire and preserve the privately-owned portion of the historic plantation core. The property, a National Historic Landmark, is currently owned by the descendants of the original plantation owners and includes the Main House, seven outbuildings, and several cultural landscape features and archeological sites.³¹ At present, the NPS maintains approximately 20 historic structures.³² A roughly 21-acre portion would be donated, a four-acre portion would be purchased with a life estate, and another portion would remain in private ownership with the option for a future NPS purchase.

An amendment will be offered at the markup to insert a revised legislative map prepared by the NPS and make other technical corrections. *Ranking Member Westerman supports the bill, as amended, and it is expected to move by unanimous consent.*

The hearing memo for H.R. 4648 prepared by Committee Republican staff may be viewed [here](#).

Staff contact: Terry Camp (Terry.Camp@mail.house.gov) (202-603-5382)

H.R 4706 (Tony Gonzales), Blackwell School National Historic Site Act

The Blackwell School in Marfa, Texas, served as the sole public education institution for the city's Mexican and Mexican American children from 1909 to 1965.³³ Segregated education began in Marfa in 1892 following the completion of a new school for the city's white students.³⁴ Unlike African Americans, there was no state law that mandated segregation between whites and Hispanic people.³⁵ However, Texas school districts perpetuated the practice of de facto segregation through the mid-twentieth century.³⁶ Known originally as the Ward or Mexican School, Blackwell School was later named for its longtime principal Jesse Blackwell who arrived in 1922.³⁷ During Blackwell's 25-year tenure, the school grew from one building and 120 students to a multi-building campus and more than 600 students during the 1940s.³⁸ Blackwell School closed in 1965 following the integration of the Marfa Independent School District and most buildings associated with the school were razed.³⁹

³¹ Cane River National Heritage Area A National Register of Historic Places Travel Itinerary: Magnolia Plantation, National Park Service, <https://www.nps.gov/nr/travel/caneriver/mag.htm> (last visited Oct 6, 2021).

³² Magnolia Plantation History, National Park Service (2021), <https://www.nps.gov/cari/learn/historyculture/magnolia-plantation-history.htm> (last visited Oct 6, 2021).

³³ Blackwell School, National Park Service, <https://www.nps.gov/places/blackwell-school.htm> (last visited Oct 6, 2021).

³⁴ *Id.*

³⁵ *Id.*

³⁶ *Id.*

³⁷ *Id.*

³⁸ Preserving the complicated history at a segregated Texas School, National Parks Conservation Association, <https://www.npca.org/advocacy/96-preserving-the-complicated-history-at-a-segregated-texas-school> (last visited Oct 6, 2021).

³⁹ *Supra* note 28.

This bill would establish the Blackwell School National Historic Site in Texas as a unit of the NPS. The Secretary of the Interior may only acquire by land or interest in land within the boundary of the historic site by donation, purchase with donated funds, or exchange. The bill would prohibit any private property or non-federal public property from being included within the boundaries of the historic site or managed as part of such site without the written consent of the owner.

An amendment will be offered at the markup to make technical corrections. ***Ranking Member Westerman supports the bill, as amended, and it is expected to move by unanimous consent.***

The hearing memo for H.R. 4706 prepared by Committee Republican staff may be viewed [here](#).

Staff contact: Terry Camp (Terry.Camp@mail.house.gov) (202-603-5382)

H.R. 5001 (Neguse), Upper Colorado and San Juan River Basins Recovery Act

The Upper Colorado and San Juan Recovery Implementation Programs (Programs) provide ESA compliance for more than 2,500 water and power projects that withdraw more than 3.7 million-acre feet of water for multiple human uses in the above watersheds.⁴⁰ The Programs' goals are to recover four federally endangered or threatened species: the humpback chub, the razorback sucker, the bonytail and the Colorado pikeminnow while continuing facility operations to meet current and future human needs, with the ultimate goals of species delisting.⁴¹ Current law requires the Secretary of the Interior to submit a Report to Congress by September 30, 2021, on recommendations for the programs post-2023.⁴²

Current law specifically requires the Secretary of the Interior to include in the Report a description of the Programs' accomplishments, the current listing status of the four listed species and their projected status in 2023, the Programs' total expenditures (by funding source) through fiscal year 2021 and projected expenditures through 2023, and the identification of recovery activities and projected costs for the Programs beyond 2023.⁴³ To date, this Report has not been sent to Congress.

H.R. 5001 would extend federal funding for the Programs until 2024 and delay an associated Report to Congress deadline until September 30, 2022. The Subcommittee on Waters, Oceans, and Wildlife held a legislative hearing on the bill on November 5, 2021. During the hearing, the Administration testified in support of the legislation. Hearing information, including testimony, can be found [here](#). H.R. 5001 has 4 cosponsors: 2 Democrat and 2 Republican.

⁴⁰ [Upper Colorado and San Juan Rivers Endangered Fish Recovery Program Briefing Book](#)

⁴¹ *Id.*

⁴² *Id.*

⁴³ *Id.*

An amendment reducing the San Juan Recovery Program federal cost ceiling by \$5 million and increasing the Upper Colorado Recovery Program by the same amount is expected to be offered. This amount will be used to finish and/or maintain fish screens and other construction projects in Colorado and Utah. ***The Ranking Member supports the bill, as amended, and it is expected to move by unanimous consent.***

The hearing memo prepared by Committee Republican staff may be viewed [here](#).

Staff contact: Kiel Weaver (Kiel.Weaver@mail.house.gov) or Annick Miller (Annick.Miller@mail.house.gov).

H.R. 5345 (Blake Moore), Saline Lake Ecosystems in the Great Basin States Program Act of 2021

The 200,000 square mile area of the Great Basin is a home to migratory birds and other wildlife depend on its saline lakes.⁴⁴ According to the U.S. Geological Survey (USGS), the Great Basin lies mostly in Nevada and extends into parts of California, Oregon, Idaho, and Utah.

The bill would require the USGS to establish an Assessment and Monitoring Program to address the hydrology of saline lake ecosystems in the Great Basin.

The bill would authorize \$5 million for each of fiscal years 2022 through 2027 for the USGS, which would work in coordination with the FWS and other federal, state, tribal, and local agencies, research universities, non-profit organizations, and other partners to develop a multi-year action plan to assess, monitor, and conserve saline lake ecosystems.

The Subcommittee on Waters, Oceans, and Wildlife held a legislative hearing on this bill on November 4, 2021, where there was a discussion about the need for a definition of “Great Basin.” During the hearing, the Administration testified in support of the legislation. Hearing information, including testimony, can be found [here](#). During the hearing, there was a discussion about the need for a definition of “Great Basin.” Committee staff expects this definition to be offered as an amendment. H.R. 5345 has 5 cosponsors: 4 Democrats and 1 Republican. ***The Ranking Member supports the bill, as amended, and it is expected to move by unanimous consent.***

The hearing memo prepared by Committee Republican staff may be viewed [here](#).

Staff contact: Kiel Weaver (Kiel.Weaver@mail.house.gov) or Annick Miller (Annick.Miller@mail.house.gov).

⁴⁴ National Park Service, *Plan Your Visit: The Great Basin*, <https://www.nps.gov/grba/planyourvisit/the-great-basin.htm>.

S. 2923 (Wicker), Fishery Resource Disasters Improvement Act

This bill aims to expedite the fishery disaster declaration process by establishing new deadlines for the National Oceanic and Atmospheric Administration (NOAA). It would clarify the eligibility requirements for assistance to ensure that charter, recreational, and Tribal fishers have access to disaster funds. The bill would also prioritize hiring fishery employees displaced by a disaster to undertake restoration, conservation, and other fishery rebuilding activities funded by disaster relief funds.

In the 116th Congress, the Water, Oceans, and Wildlife Subcommittee held a hearing on similar legislation, H.R. 5548. Hearing information, including testimony on H.R. 5548, can be found [here](#). During the hearing, the Trump administration supported the legislation, specifically the new deadlines aimed at expediting the fishery disaster relief process. The Committee did not mark up the bill but similar legislation passed the Senate by voice vote and was sent to the House of Representatives. The House did not act on that bill last Congress.

S. 2923 is identical to H.R. 5453 (Huffman), which has one Democrat and four Republican cosponsors. ***The Ranking Member supports and the bill is expected to move by regular order.***

The hearing memo for H.R. 5548 in the 116th Congress prepared by Committee Republican staff may be viewed [here](#).

Staff contact: Kiel Weaver (Kiel.Weaver@mail.house.gov) or Annick Miller (Annick.Miller@mail.house.gov).

III. EFFECT ON CURRENT LAW (RAMSEYERS)

[H.R. 404 \(Lieu\)](#)

[H.R. 1931 \(Matsui\)](#)

[H.R. 2793 \(Sean Patrick Maloney\)](#)

[H.R. 3128 \(Young\)](#)

[H.R. 3600 \(LaHood\)](#)

[H.R. 4648 \(Mike Johnson\)](#)

[H.R. 5001 \(Neguse\)](#)

[S. 2923 \(Wicker\)](#)