

1 S. \_\_\_

2

3 To amend the Internal Revenue Code of 1986 to expand the new markets tax credit, and for other  
4 purposes.

5

6 Mr. Cassidy introduced the following bill; which was read twice and referred to the Committee  
7 on \_\_\_\_\_

8

9 Be it enacted by the Senate and House of Representatives of the United States of America in  
10 Congress assembled,

## 11 SECTION 1. SHORT TITLE.

12 This Act may be cited as the “Norma Ruth Criswell Carpenter & Clovis C. Criswell Grant  
13 Parish Restoration Act of ~~2025~~ 2026”.

## 14 SEC. 2. MODIFICATION OF RULES FOR HIGH 15 MIGRATION RURAL COUNTIES UNDER NEW MARKETS 16 TAX CREDIT.

17 (a) In General.—Section 45D(e)(5)(B) of the Internal Revenue Code of 1986 is amended by  
18 inserting, “determined without regard to individuals included in the institutionalized group  
19 quarters population (as defined by the Bureau of the Census in such census)” before the period at  
20 the end.

21 (b) Effective Date.—The amendment made by this section shall apply to investments made  
22 after the date of the enactment of this Act.

## 23 ~~SEC. 3. EXPANSION FOR LOW-INCOME COMMUNITY~~ 24 ~~ELIGIBILITY. SPECIAL RULES FOR COUNTIES IN~~ 25 ~~WHICH THE FEDERAL GOVERNMENT OWNS A~~ 26 ~~LARGE PORTION OF LAND..~~

27 ~~(a) In General.—Section (a) Treatment as Low-income Communities Under the New~~  
28 ~~Market Tax Credit.—~~

29 ~~(1) IN GENERAL.—Section~~ 45D(e) of the Internal Revenue Code of 1986 is amended by  
30 adding at the end the following new paragraph:

31 “(6) SPECIAL RULE FOR INVESTMENTS MADE BETWEEN 2026 AND 2030.—

32 “(A) IN ~~GENERAL.—FOR CALENDAR YEARS BEGINNING AFTER DECEMBER 31, 2025,~~  
33 ~~AND BEFORE JANUARY 1, 2031, IN~~ GENERAL.—In the case of any population census  
34 tract ~~for~~ located in a county in which not less than 30 percent of the land is owned by  
35 the Federal Government ~~on December 31, 2025~~, paragraph (1)(A) shall be applied by  
36 substituting ‘15 percent’ for ‘20 percent’.

37 “(B) TREATMENT OF MILITARY INSTALLATIONS.—For purposes of this paragraph,

1 land used as a military installation shall not be treated as land owned by the Federal  
2 **Government.”. Government.**

3 ~~(b) Limitation on Allocation of National Limitation.—Section“(C) TREATMENT~~  
4 ~~FEDERAL LANDS HELD IN TRUST FOR TRIBES.—For purposes of this paragraph, land~~  
5 ~~owned by the Federal Government and held in trust for Native Americans shall~~  
6 ~~not be treated as land owned by the Federal Government.”.~~

7 **(2) LIMITATION ON ALLOCATION OF NATIONAL LIMITATION.—Section** 45D(f) of such  
8 Code is amended by adding at the end the following new paragraph:

9 “(4) SPECIAL RULE.—The aggregate amount of the national limitation for calendar years  
10 2026 through 2030 that may be allocated under paragraph (2) to entities which are  
11 community development entities solely by reason of the application of subsection (e)(6)  
12 shall not exceed \$500,000,000.”.

13 ~~(e)(3) EFFECTIVE DATE.—THE DATE.—The~~ amendments made by this section shall apply  
14 to investments made after December 31, 2025.

15 **(b) Energy Communities.—**

16 **(1) IN GENERAL.—Section 45(b)(11)(B) of the Internal Revenue Code of 1986 is**  
17 **amended by striking “or” at the end of clause (iii), by striking the period at the end of**  
18 **clause (iv) and inserting “, or”, and by adding at the end the following new clause:**

19 **“(v) a population census tract which—**

20 **“(I) is located in a county in which not less than 30 percent of the land**  
21 **is owned by the Federal Government (determined under the rules of**  
22 **section 45D(e)(6) on December 31, 2025, and**

23 **“(II) is a low-income community (as defined in section 45D(e)(1),**  
24 **determined by substituting ‘15 percent’ for ‘20 percent’ in**  
25 **subparagraph (A) thereof).”.**

26 **(2) EFFECTIVE DATE.—The amendment made by this section shall apply to facilities**  
27 **placed in service after the date of the enactment of this Act.**

28 **(c) Opportunity Zones.—Section 1400Z–1(c)(1) of the Internal Revenue Code of 1986 is**  
29 **amended by striking “or” at the end of subparagraph (A), by striking the period at the end**  
30 **of subparagraph (B) and inserting “, or”, and by adding at the end the following new**  
31 **subparagraph:**

32 **“(C) such population census tract—**

33 **“(i) is located in a county in which not less than 30 percent of the land is**  
34 **owned by the Federal Government (determined under the rules of section**  
35 **45D(e)(6) on December 31, 2025, and**

36 **“(ii) is a low-income community (as defined in section 45D(e)(1),**  
37 **determined by substituting ‘15 percent’ for ‘20 percent’ in subparagraph (A)**  
38 **thereof).”.**

39 **SEC. 4. CONVEYANCE OF FEDERAL CORRECTIONAL**

1 COMPLEX-POLLOCK AND CERTAIN NATIONAL  
2 FOREST SYSTEM LAND TO GRANT PARISH,  
3 LOUISIANA.

4 (a) Federal Correctional Complex-Pollock Conveyance.—

5 (1) DEFINITIONS.—In this subsection:

6 (A) ADMINISTRATOR.—The term “Administrator” means the Administrator of  
7 General Services, acting through the Director of the Bureau of Prisons.

8 (B) PARISH.—The term “Parish” means Grant Parish, Louisiana.

9 (C) PROPERTY.—The term “property” means the Federal property described in  
10 paragraph (3) to be conveyed under paragraph (2).

11 (D) SECRETARY.—The term “Secretary” means the Secretary of Agriculture.

12 (2) ~~CONVEYANCES~~ **CONVEYANCE** REQUIRED.—Not later than ~~360~~ **180** days after the date  
13 of enactment of this Act, **[SLC Note: You had language here adding “or the date each of**  
14 **the entities have irrevocably assented to the covenant described in subparagraph (D)”,**  
15 **but I’m not sure what entities or covenant you are trying to cite to. The Parish, private**  
16 **investor, and the Administrator? Additionally, the only covenant in the draft is in**  
17 **paragraph (8)(B), which relates to the property tax assessment of the property. Please**  
18 **clarify.]** and after completion of the survey required under this subsection, the  
19 Administrator shall convey by quitclaim deed to ~~the Parish~~ **a [private investor [SLC Note:**  
20 **Did you want to prescribe any restrictions on who the private investor can be? Or**  
21 **leave this as broad as possible?]]** all right, title, and interest of the United States in and to  
22 the property for the consideration described in paragraph ~~(6)~~**(7)**.

23 (3) PROPERTY DESCRIBED.—The property referred to in this subsection is the campus of  
24 the Federal Correctional Complex–Pollock, including all real estate, structures, fixtures,  
25 easements, and appurtenant rights thereto, comprising approximately 464.08 acres located  
26 in sec. 26 of T. 6 N., R. 1 W., Grant Parish, Louisiana, and administered by the Bureau of  
27 Prisons.

28 (4) ~~GROUND LEASE.—~~ **LEASEBACK.—**

29 (A) ~~IN GENERAL.—~~ **THE GENERAL.—****[As a condition of the** conveyance under  
30 ~~paragraph (2) shall include authority for the Parish to enter into a 50-year ground lease~~  
31 ~~with a private investor for,~~ **the conveyance shall require the private investor to**  
32 **enter into a 99-year triple-net leaseback with the Administrator (referred to in**  
33 **this paragraph as the “leaseback”)] that provides for the** operation, redevelopment,  
34 or reuse of non-security portions of the property, with lease payments adjusted  
35 annually based on changes in the Consumer Price Index of the Bureau of Labor  
36 Statistics.

37 (B) ~~ELECTRICITY.—~~ **ANY LESSEE OPERATING ANY NON-SECURITY PORTION OF THE**  
38 **PROPERTY PURSUANT TO A GROUND LEASE DESCRIBED IN SUBPARAGRAPH (A) SHALL**  
39 **PURCHASE ELECTRICITY AT A RATE [TO BE DETERMINED BY THE PARISH?], WHICH SHALL**  
40 **BE A PERCENTAGE OF THE NET REVENUES OF THE GROUND LEASE. ELECTRICITY.—**

1 ~~(C) Continued operation.—The~~**(i) IN GENERAL.—The leaseback shall provide**  
2 **authority for the Administrator to purchase electricity from—**

3 **(I) the Grant Parish School Board; or**

4 **(II) a nonprofit [organization]—**

5 **[(aa) described in section 501(c)(3) of the Internal Revenue Code**  
6 **of 1986 and exempt from taxation under 501(a) of that Code;]**

7 **(bb) the Board of Directors of which exclusively share the same**  
8 **elected members as the Grant Parish School Board;**

9 **(cc) that annually publishes audited financial statements on the**  
10 **same date as the Grant Parish School Board covering the same**  
11 **period of time as the annual audited financial statements of the**  
12 **Grant Parish School Board; and**

13 **(dd) that may be chartered by an Act of Congress.**

14 **(ii) PURCHASE RATE.—The electricity purchased by the Administrator**  
15 **under clause (i) shall be—**

16 **(I) purchased at the greater of—**

17 **(aa) the highest rate of electrical charges and fees per kilowatt-**  
18 **hour exhibited in the [5-year period preceding the date of execution**  
19 **of the leaseback] charged to the Bureau of Prisons for the property;**  
20 **and**

21 **(bb) the highest rate of electrical charges and fees per kilowatt-**  
22 **hour exhibited in that period in the Parish; and**

23 **(II) adjusted upwards for the highest rate of electrical power on the**  
24 **Midcontinent Independent System Operator Market applicable to the**  
25 **State of Louisiana on a quarterly basis.**

26 **(C) CONTINUED OPERATION.—**

27 **(i) IN GENERAL.—The** Bureau of Prisons shall continue operation of the ~~non-~~  
28 ~~security portions of the?~~ property until the date on which the **leaseback expires,**  
29 **subject to the condition that** Parish fully executes a ground lease under  
30 ~~subparagraph (A).~~

31 ~~(D) Transition and operational continuity plan.—Before entering into a ground~~  
32 ~~lease under subparagraph (A), the Bureau of Prisons, in consultation with the~~  
33 ~~Parish, shall prepare a transition and operational continuity plan that addresses~~  
34 ~~workforce impacts, security separation between security and non-security portions~~  
35 ~~[of the property], and continuity of Federal operations during redevelopment [of~~  
36 ~~the property].~~

37 ~~[(E) Local hiring preference.—A ground lease entered into under subparagraph~~  
38 ~~(A) shall include a provision requiring the lessee to implement a local hiring~~  
39 ~~preference for purposes of operating the non-security portions of the property~~  
40 ~~subject to the ground lease, which shall be developed by the Bureau of Prisons, in~~

1 ~~consultation with workforce or training programs of the Parish.]~~

2 (5) Survey.— **may continue operation of the property if a new lease on the**  
3 **property is agreed to after the expiration of the leaseback.**

4 (ii) **SOLE RESPONSIBILITY.**—**The Bureau of Prisons shall be solely**  
5 **responsible for the operation of the [premises / property] during the period**  
6 **of the leaseback, with the human staffing levels never being less than they**  
7 **were on December 31, 2024, and with the human-related gross payroll of the**  
8 **property never being less than the amount exhibited during 2024, which shall**  
9 **be annually adjusted upwards for changes in the Consumer Price Index of**  
10 **the Bureau of Labor Statistics.**

11  
12 \* 1 (A) In general.—**As soon as practicable after the date of enactment of this Act, and**  
13 **subject to approval by the Administrator, the Secretary shall commission a professional**  
14 **survey establishing the exact acreage, boundaries, servitudes, and legal description of the**  
15 **property for purposes of the conveyance under paragraph (2).**

16  
17 \* 2 (B) Funding.—**The Secretary shall commission and carry out the survey under**  
18 **subparagraph (A) with existing amounts made available to the Secretary.**

19  
20 \* 3 (6) Consideration.—**As consideration for the conveyance of the property under**  
21 **paragraph (2), the Parish shall remit to the Administrator a payment in an amount that is not**  
22 **less than \$1.**

23 ~~(7)~~**(5) USE OF REVENUES.**—

24 (A) **IN GENERAL.**—**The Parish Grant Parish School Board, or the nonprofit**  
25 **organization described in paragraph (4)(B)(i)(II), shall allocate all net revenues**  
26 **derived from any lease, sublease, resale, or redevelopment of the property in**  
27 **accordance with the following:**

28 (i) **50 percent shall be allocated to the Grant Parish School Board to support**  
29 **childcare and early childhood programs, including childcare, early childhood**  
30 **education the childhood education of children with special needs, services for**  
31 **children with disabilities, a Head Start program authorized under the Head Start**  
32 **Act (42 U.S.C. 9831 et seq.), and services for children with disabilities. for the**  
33 **expenses of a childcare program which shall not discriminate against**  
34 **children with special needs or disabilities, subject to the condition that the**  
35 **child is also enrolled in a school of the Grant Parish School Board or is a**  
36 **child residing with residents domiciled in the Parish that is too young to be**  
37 **enrolled as a student of the Grant Parish School Board.**

38 (ii) **22.5 percent shall be allocated to a Parish-administered an Academic**  
39 **Achievement Incentive Fund, providing Fund administered by the Grant**  
40 **Parish School Board or the nonprofit organization described in paragraph**  
41 **(4)(B)(i)(II) to provide payments to eligible students for positive performance**

1 with respect to school discipline, attendance, academic performance, and financial  
2 literacy, which ~~payments—~~ **payments shall be weighted to children exhibiting**  
3 **the highest levels of poverty and—**

4 (I) shall be deposited into a qualified tuition program (as defined in section  
5 529 of the Internal Revenue Code of 1986) ~~or~~, a Coverdell education savings  
6 account (as defined in section 530 **of such Code**), or a **Roth IRA (as**  
7 **defined in section 408A** of such Code) established for the benefit of such  
8 eligible students;

9 (II) shall be excluded from gross income for purposes of the Internal  
10 Revenue Code of 1986 to the extent attributable to the revenues deposited  
11 under this clause; and

12 (III) shall not be counted as income for purposes of the supplemental  
13 nutrition assistance program established under the Food and Nutrition Act of  
14 2008 (7 U.S.C. 2011 et seq.), the Medicaid program under title XIX of the  
15 Social Security Act (42 U.S.C. 1396 et seq.), or any other means-tested  
16 program, to the extent attributable to the revenues deposited under this  
17 clause.

18 (iii) ~~Subject to subparagraph (B)~~, 22.5 percent shall be allocated to a sinking  
19 fund dedicated to future replacement of any ~~Parish-operated~~ renewable energy  
20 infrastructure constructed on the property **and operated by the Grant Parish**  
21 **School Board or the nonprofit organization described in paragraph**  
22 **(4)(B)(i)(II), which may be used to capitalize a fund whose purpose is the**  
23 **same as that described in clause (ii), and whose earnings in excess of the**  
24 **annual change in the Consumer Price Index published by the Bureau of**  
25 **Labor Statistics, subject to the condition that the Grant Parish School Board**  
26 **is able to acquire electricity on better economical terms from the [geothermal**  
27 **power resources described in this Act [SLC Note: What geothermal power**  
28 **resources is this intending to reference? I'm not seeing any in this section.]].**

29 (iv) 5 percent shall be allocated to the Kisatchie-Delta Regional Planning and  
30 Development District, Inc. to support technical assistance for Parish grant  
31 applications and economic development activities.

32 (B) ~~RENEWABLE ENERGY INFRASTRUCTURE.—AFTER THE DATE ON WHICH FULL~~  
33 ~~FUNDING IS ACHIEVED TO REPLACE ANY PARISH-OPERATED RENEWABLE ENERGY~~  
34 ~~INFRASTRUCTURE PURSUANT TO AN ALLOCATION UNDER CLAUSE (III) OF SUBPARAGRAPH~~  
35 ~~(A), THE ALLOCATION DESCRIBED IN THAT CLAUSE SHALL BE USED FOR THE PURPOSES~~  
36 ~~DESCRIBED IN CLAUSE (II) OF THAT SUBPARAGRAPH.~~ **REQUIREMENT.—[Any for-profit**  
37 **or nonprofit organization, including the nonprofit organization described in**  
38 **paragraph (4)(B)(i)(II), that receives funds from the Grant Parish School Board**  
39 **under subparagraph (A)(i) shall / Any for-profit or nonprofit organization that**  
40 **receives funds from the Grant Parish School Board under subparagraph (A)(i),**  
41 **which may include the nonprofit organization described in paragraph**  
42 **(4)(B)(i)(II), shall]—**

43 (i) **immediately [divulge / submit] the ownership of the entity to the Grant**

1 **Parish Police Jury (or a successor, as established by Louisiana Home Rule**  
2 **Charter) for inclusion on the website of the Grant Parish Police Jury (or a**  
3 **successor) as of the date the entity has received [the information [SLC Note:**  
4 **What information is this referring to? The ownership interest?]] by certified**  
5 **mail or certified email; and**

6 **(ii) continue to annually [divulge / submit] to the Grant Parish Police Jury**  
7 **(or a successor) the ownership interest of the entity until such time as the**  
8 **entity no longer receives funds under subparagraph (A)(i).**

9 **(6) SURVEY.—**

10 **\*\* 1** (A) IN GENERAL.—As soon as practicable after the date of enactment of this  
11 Act, and subject to approval by the Administrator, the Secretary shall commission a  
12 professional survey establishing the exact acreage, boundaries, servitudes, and legal  
13 description of the property for purposes of the conveyance under paragraph (2).

14 **\*\* 2** (B) FUNDING.—The Secretary shall commission and carry out the survey under  
15 subparagraph (A) with existing amounts made available to the Secretary.

16 **\*\* 3** ~~(6)(7)~~ CONSIDERATION.—As consideration for the conveyance of the property under  
17 paragraph (2), the **Parish private investor** shall remit to the Administrator a payment in an  
18 amount that is not less than ~~\$1~~ **\$750,000,000**.

19 **(8) PROPERTY TAX ASSESSMENT.—**

20 (A) ASSESSMENT.—The Grant Parish Assessor shall assess the property at 25  
21 percent of the ~~fair market value determined under subparagraph (D)~~ **consideration**  
22 **described in paragraph (7)**, which shall be adjusted annually upward, but never  
23 downward, using the greatest of the sales, construction, and cost approaches.

24 (B) COVENANT.—The requirement under subparagraph (A)—

25 (i) shall constitute a permanent covenant running with the property; and

26 (ii) may only be waived by a referendum conducted in the Parish in which not  
27 less than ~~60~~ **40** percent of eligible Parish voters participate and a majority of those  
28 voters approve the waiver.

29 **(C) ~~COLLECTION.—~~ THE COLLECTION.—**

30 **(i) IN GENERAL.—**The Grant Parish Sheriff shall collect all property taxes  
31 attributable to the property, prorated as if the conveyance under paragraph (2)  
32 occurred on January 1, ~~2026~~ **2025**, regardless of the actual date of that  
33 conveyance.

34 ~~(D) Fair market value.—The fair market value of the property shall be~~  
35 ~~determined through an independent appraisal using standard valuation~~  
36 ~~approaches, including sales, income, and cost.~~ **(ii) ADMINISTRATOR.—**The  
37 **Administrator shall pay the invoices for property taxes, the property tax**  
38 **payments in lieu of taxes, if applicable, the sales tax payments in lieu of taxes,**  
39 **all utilities, and vendors appertaining to the property not later than 30 days**  
40 **after the date on which the Administrator receives an invoice for such taxes,**  
41 **utilities, or vendors.**

1           (9) Pre-conveyance entry.—The Secretary may authorize the Grant Parish  
2           Police Jury and the Grant Parish School Board to enter the property, at no cost,  
3           for pre-construction, forest management, construction, timber, or related  
4           preparatory activities. **(iii) ARREARS.—Any [property tax] invoices relating to**  
5           **the property that are in arrears shall be paid on the date of enactment of this**  
6           **Act.**

7           **(10)(9) ADDITIONAL TERMS.**—As part of the conveyance under paragraph (2), the  
8           Administrator may impose such additional terms and conditions as the Administrator  
9           considers necessary to protect the interests of the United States.

10          **(11) Disposition of proceeds.**—Subject to appropriations Acts, all net Federal proceeds  
11          from the conveyance of the property under paragraph (2) shall be available to the Archivist  
12          of the United States for purposes authorized under the annual appropriations heading  
13          “National Archives and Records Administration—Repairs and Restorations”.

14          **(12)(10) SUBSEQUENT CONVEYANCE TO NONPROFIT ORGANIZATION.**—If the property is  
15          subsequently conveyed by the **Parish private investor** to an organization described in  
16          section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under  
17          501(a) of that Code, the Administrator **may shall** enter into an arrangement **[**with the Parish  
18          **]** under which **[**the Administrator **]** shall provide to **[**the Parish**]**, for any period during which  
19          the organization owns the property, payments in lieu of taxes to mitigate the adverse fiscal  
20          impacts of the subsequent conveyance on the Parish, in an amount determined **to be**  
21          **appropriate by the [Administrator], in consultation with the [Parish]. [SLC Note: Please let**  
22          **me know if this PILOT language matches your intent.] by treating the property as if the**  
23          **property had remained with a for-profit entity to be assessed for property taxes, as**  
24          **described in paragraph (8).**

25          **(13)(11) PROHIBITION ON FOREIGN OWNERSHIP.**—

26                (A) DEFINITIONS.—In this paragraph, the terms “beneficial owner”, “foreign entity”,  
27                and “foreign person” have the meanings given those terms in section 2 of the Secure  
28                Federal LEASEs Act (40 U.S.C. 585 note; Public Law 116–276).

29                (B) PROHIBITION.—The property may not be sold or leased to any foreign person,  
30                foreign entity, or any entity of which a foreign person or foreign entity is a beneficial  
31                owner.

32          (b) Kisatchie National Forest Conveyance.—

33                (1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the  
34                Secretary of Agriculture (referred to in this subsection as the “Secretary”) shall convey,  
35                subject to valid existing rights, by quitclaim deed, to **Grant Parish, Louisiana (referred to in**  
36                **this subsection as the “Parish”)** **the Grant Parish School Board and the Grant Parish**  
37                **Police Jury**, all right, title, and interest of the United States in and to all land administered  
38                by the Forest Service within the boundaries of **the Grant Parish, Louisiana**, that is part of  
39                **the** Kisatchie National Forest, **except that portion of Kisatchie National Forest that is**  
40                **North of Airbase Road, South of Louisiana Highway 8, West of United States Highway**  
41                **165, and East of United States Highway 167.;**

42                **(2) Use.**—~~The Parish~~ **(2) USE.—The Grant Parish School Board and Grant Parish**  
43                **Police Jury** shall use the land conveyed under paragraph (1) for public purposes, including

1 forestry, conservation, recreation, **community development**, economic development, or  
2 energy generation.

3 (3) EASEMENTS AND RESERVATIONS.—As a condition of the conveyance under paragraph  
4 (1), the Secretary shall reserve—

5 (A) an easement for all existing Forest Service roads, trails, utilities, and rights-of-  
6 way;

7 (B) an easement necessary for wildfire management and emergency access; and

8 (C) all rights necessary to honor existing grazing permits, timber contracts, and  
9 special use authorizations in effect on the date of enactment of this Act.

10 (4) FOREST MANAGEMENT AND PUBLIC ACCESS PLAN.—[As a condition of the conveyance  
11 under paragraph (1)?], the ~~Parish~~ **Grant Parish School Board and Grant Parish Police**  
12 **Jury** shall adopt and maintain a forest management and public access plan consistent with  
13 the uses described in paragraph (2), subject to valid existing rights and reserved easements  
14 described in paragraph (3).