



UNITED STATES
DEPARTMENT OF THE INTERIOR
Director of Budget

**SUMMARY: HOUSE FLOOR AND SENATE COMMITTEE ACTION ON THE
FISCAL YEAR 2006 DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND
RELATED AGENCIES APPROPRIATIONS BILL**

The Senate Appropriations Committee reported the fiscal year 2006 Department of the Interior, Environment, and Related Agencies Appropriations Bill on June 9, 2005. Senate floor action is expected to follow later this month, or in early July.

The House earlier passed the bill on May 19, 2005. The House Appropriations Committee reported the bill on May 10.

Funding Overview

For all programs funded in the bill, the House passed bill recommends \$26.16 billion, \$434.8 million or 1.7 percent above the President's budget request of \$25.7 billion. The Senate Committee recommends \$26.26 billion, which is \$534.8 million or 2.1 percent above the President's budget request.

For Department of the Interior programs, the House bill provided \$9.80 billion in regular 2006 appropriations. This is \$17.6 million or 0.2 percent more than the President's budget and \$46.5 million or 0.5 percent above the 2005 enacted level, excluding emergency fire and disaster supplementals. The Senate recommends \$9.87 billion, which is \$85.7 million or 0.9 percent above the President's budget and \$68.0 million above the House bill.

Highlights of the House and Senate action include:

Cooperative Conservation Programs: The 2006 President's budget included \$379.7 million for cooperative conservation programs in the Department of the Interior (excluding LWCF State grants), an increase of \$75.1 million above 2005. The House provided \$315.1 million for these programs, \$10.5 million more than 2005, but a reduction of \$64.6 million from the request. The Senate provides \$327.5 million, \$52.3 million less than the request but \$22.8 million more than 2005.

- The House included \$23.7 million for Landowner Incentive grants and \$7.4 million for Private Stewardship grants. The Senate provides \$25.0 million for Landowner Incentive grants and \$7.5 million for Private Stewardship grants. The budget requested \$40.0 million for Landowner Incentive grants and \$10.0 million for Private Stewardship grants.
- The House provided \$40.0 million for North American Wetlands Conservation fund grants and the Senate provides \$39.5 million compared to the \$49.9 million request.

- For the Cooperative Endangered Species Conservation Fund, the House provided \$84.4 million and the Senate provides \$80.0 million, compared to the request of \$80.0 million.
- For State and Tribal Wildlife Grants, the House provided \$65.0 million and the Senate provides \$72.0 million, compared to the request of \$74.0 million.
- The House provided \$16.7 million for challenge cost share programs. This is \$28.1 million below the request. While the House did not fund the \$21.5 million request for conservation challenge cost share programs, report language indicates support for the concept and approves the use of traditional challenge cost share funding for resource protection. The Senate provides \$32.8 million for the challenge cost share program including \$13.5 million for conservation challenge cost share grants and \$19.3 million for traditional grants. The budget requested \$44.8 million.

LWCF: The 2006 budget request for the Land and Water Conservation Fund included \$114.7 million for BLM, FWS, and NPS Federal land acquisition (and appraisals). The budget proposes no funding for Stateside LWCF grants, providing \$1.6 million for administration of prior grants.

The House provided \$34.0 million for Federal land acquisition. This funds acquisition management, emergency hardship acquisitions, and appraisal services, but provides no funding for line-item acquisition projects. The House accepted the budget proposal for Stateside grants.

The Senate provides a total of \$116.5 million for Federal land acquisition programs in Interior, including \$73.6 million in line-item projects. The LWCF grant program is funded at \$30.0 million, including \$28.4 million for grants.

Trust Programs: The President's budget included a total of \$591.4 million for trust programs in BIA and the Office of the Special Trustee, and for Indian Land Consolidation. The House provided a total of \$515.5 million, a decrease of \$75.8 million below the request. The Senate provides \$513.7 million, a decrease of \$77.6 million below the request, and \$1.8 million below the House.

The House and Senate provide all of the increases requested, except for historical accounting. The House agreed to all of the reductions proposed except for a \$2.0 million decrease in the BIA endangered species program. The Senate agrees to all the reductions proposed, but added \$210,000 for fish hatchery maintenance.

The House and Senate include language limiting historical accounting to \$58.0 million, a decrease of \$77.0 million from the request, and the same as the 2005 level. The House and Senate bills provide \$34.5 million for Indian Land Consolidation, the requested level, and the same as the 2005 level.

BIA Construction: The House provided \$225.9 million for BIA school construction, an increase of \$52.0 million over the request of \$173.9 million. Of the increase, \$32.0 million is provided for replacement school construction projects and \$19.0 million is provided for additional major school facilities and improvement and repair projects.

The Senate provides \$198.9 million for BIA school construction, an increase of \$25.0 million above the request, but \$27.0 million below the House level.

The Senate provides an additional \$10.0 million above the budget request for Resources Management Construction for specific Indian irrigation rehabilitation projects.

Wildland Fire Management/Healthy Forests Initiative: The House funded the Wildland Fire Management program at \$761.6 million, a \$5.0 million increase over the request level of \$756.6 million. The House bill supported the requested program increases of \$6.9 million for preparedness, \$7.8 million for hazardous fuels reduction, and \$15.8 million for suppression, and requested decreases of \$4.4 million for facilities and \$1.9 for joint fire science. The House rejected the proposed abolition of the Rural Fire Assistance program (-\$9.9 million) and continued the program at \$5.0 million in FY 2006. The Senate provides \$766.6 million for Wildland Fire Management, a \$10.0 million increase over the request, which the Senate uses to fully restore the Rural Fire Assistance program to the 2005 enacted level.

Preserve America: Neither the House or the Senate provide the Administration's request of \$12.5 million for the new Preserve America initiative, but Senate bill language allows up to \$7.5 million in Save America's Treasures for Preserve America pilot grants to States, Tribes, and local communities.

NPS Natural Resource Challenge: The budget request of \$77.6 million included increases of \$4.9 million for vital signs inventory and monitoring activities. The House bill funded the request. The Senate provides \$3.9 million for inventory and monitoring activities, \$1.0 million below the 2006 request and the House.

Abandoned Mine Land Reclamation: The House and the Senate fund the Abandoned Mine Land program at \$188.0 million, the same as the request. Neither the House or the Senate provides \$58.0 million requested for the Administration's proposed payout to certified States and Tribes.

The House included bill language for a one-time transfer of the unappropriated balance of funds in the Rural Abandoned Mine Program allocation, to the Federal share allocation, to be used for emergencies and other high-priority Federal obligations. RAMP funds are subject to appropriation and have not been used in ten years. The transfer increases funding for continuation of the State and tribal AML grant program. The Senate does not include the transfer of the unappropriated balance of the RAMP fund.

MMS: The House and the Senate include permanent bill language providing for direct funding of Royalty in Kind from sales receipts.

PILT: The President's budget request included \$200.0 million for the Payment in Lieu of Taxes program. The House bill provided \$242.0 million for PILT, an increase of \$42.0 million above the President's request. The Senate provides \$235.0 million, \$35.0 million above the President's request and \$7.0 million less than the House level.

Department-wide Law Enforcement: The President's budget included \$613.4 million for

the Department's law enforcement and security programs. The House added \$10.3 million to the request, including an additional \$2.0 million for new Park Police recruit classes; the Senate funds NPS at the request level. The House also added \$8.5 million to BIA for on-the-ground community policing and drug enforcement; the Senate funded BIA at the request level.

Land Management Operating Programs: The comparison of funding for operational programs in the land management bureaus is as follows:

- **National Park Service:** The House bill provided \$1.75 billion for the park operations account, including an across-the-board increase of \$30.0 million for park base operations. The Senate mark provides slightly less than \$1.75 billion, which includes an increase of \$20.0 million for park base funding.
- **Fish and Wildlife Service:** The President's budget funded FWS operations at \$985.6 million, \$22.6 million above the 2005 enacted level. The House provided \$1.0 billion for operations, an increase of \$42.3 million above the budget request and \$19.7 million above the 2005 level. As compared to the budget, the House increased the Partners program by \$1.5 million; reduced migratory bird management by \$3.5 million; and reduced the coastal program by \$1.8 million. The Senate provides \$993.5 million, \$11.7 million below the House level. As compared to the request, the Senate reduces the Partners program by \$8.4 million and reduces funding for migratory bird programs by \$1.4 million.
- **Bureau of Land Management:** The House funded BLM's primary operating accounts at \$955.9 million, \$4.3 million below the request. Increases for House earmarks were more than offset by the Committee's disapproval of requested increases of \$6.6 million for traditional challenge cost share grants and \$6.0 million for conservation challenge cost share grants. The Senate funds BLM operations at \$977.1 million, \$16.9 million over the request. The significant increase over the House level allows the Senate to fund earmarks, fully fund BLM's request for conservation challenge cost share grants, and partially fund the request for traditional challenge cost share grants.

LANDSAT: Both the House and the Senate fund \$7.5 million requested for the Landsat Data Continuity Mission. The House funded the \$12.0 million requested for Landsat 7 operations in 2005 and 2006, but the Senate does not. The Senate expresses discontent with the proposal to fund the Landsat 7 shortfall and asks for additional information before conference.

Fixed Costs: The President's budget included \$158.6 million for fixed-cost increases, including \$115.7 million for higher pay costs. The House and Senate fully fund the fixed costs request.

Administrative Expenses Reduction: In Senate Committee action, an amendment was adopted that increases funding for the National Endowment for the Arts and Humanities by \$10 million. This increase is offset by a pro rata reduction in operating accounts for bureaus and offices in the Department for administrative expenses of \$10.0 million. Although this summary reports the reduction as part of the total funding level

for the Department and it is reflected in the attached tables, it has not been allocated and is not reflected in the individual bureau and office funding levels in this summary.

More details on funding levels and legislative provisions included in the bill follow. A comparison of funding levels for bureaus and offices is provided in Attachment 1. Attachment 2 provides a comparison of key numbers. Attachments 3 and 4 provide a summary of land acquisition and construction.

FUNDING DETAILS BY MAJOR ACTIVITY

Cooperative Conservation Programs

Program	05 Enacted	06 Budget	House	Senate	Senate +/- 05 Enacted	Senate +/- 06 Budget	Senate +/- House
COOPERATIVE CONSERVATION INITIATIVE							
CCI Conservation Challenge Cost Share							
Bureau of Land Management	0	6,000	0	6,000	+6,000	0	+6,000
Fish and Wildlife Service	0	7,600	0	5,000	+5,000	-2,600	+5,000
National Park Service	0	7,871	0	<u>2,500</u>	+2,500	-5,371	+2,500
Subtotal	0	21,471	0	13,500	+13,500	-7,971	+13,500
Traditional Challenge Cost Share Grants							
Bureau of Land Management	7,396	13,996	7,396	10,000	+2,604	-3,996	+2,604
Fish and Wildlife Service	4,339	4,400	4,400	4,400	+61	0	0
National Park Service					0	0	0
Traditional	2,416	2,416	2,416	2,416	0	0	0
Lewis & Clark	<u>4,927</u>	<u>2,500</u>	<u>2,500</u>	<u>2,500</u>	<u>-2,427</u>	<u>0</u>	<u>0</u>
Subtotal	19,078	23,312	16,712	19,316	+238	-3,996	+2,604
Other CCI Programs							
Fish and Wildlife Service							
Coastal Program	11,740	14,900	13,100	14,900	+3,160	0	+1,800
Migratory Bird Joint Ventures	10,232	12,900	10,567	11,467	+1,235	-1,433	+900
Partners for Fish & Wildlife	47,534	52,197	53,728	43,774	-3,760	-8,423	-9,954
Departmental Management							
Take Pride in America	490	1,000	500	499	+9	-501	-1
TOTAL, CCI	89,074	125,780	94,607	103,456	+14,382	-22,324	+8,849
					+16.1%	-17.7%	+9.4%
OTHER SUPPORTING CONSERVATION GRANT PROGRAMS							
Fish and Wildlife Service							
Landowner Incentive Program	21,694	40,000	23,700	25,000	+3,306	-15,000	+1,300
Private Stewardship Grants	6,903	10,000	7,386	7,500	+597	-2,500	+114
N. Am. Wetlands Cons. Fund	37,472	49,949	40,000	39,500	+2,028	-10,449	-500
Coop. Endangered Species Conserv.	80,462	80,000	84,400	80,000	-462	0	-4,400
State & Tribal Wildlife Grants	69,028	74,000	65,000	72,000	+2,972	-2,000	+7,000
Subtotal	215,559	253,949	220,486	224,000	+8,441	-29,949	+3,514
					+3.9%	-11.8%	+1.6%
TOTAL CCI AND OTHER SUPPORTING CONSERVATION GRANT PROGRAMS	304,633	379,729	315,093	327,456	+22,823	-52,273	+12,363

The President's budget included \$379.7 million for Cooperative Conservation programs. Overall, the House provided \$315.1 million, a reduction of \$64.6 million below the request, but \$10.5 million above 2005. The Senate provides \$327.5 million, a reduction of \$52.3 million below the request and \$22.8 million above 2005.

Challenge Cost Share: The House eliminated funding for the conservation portion of the Challenge Cost Share program, requested at \$21.5 million. However, report language approves the use of traditional challenge cost share programs for resource projects. The traditional Challenge Cost Share program was funded at \$16.7 million, a decrease of \$6.6 million from the request. The Senate provides \$13.5 million for the conservation portion of the challenge cost share program and \$19.3 million for the traditional program.

Coastal Program: The House provided \$13.1 million for the Coastal program, \$1.8 million less than the 2006 request, but \$1.4 million more than 2005. The Senate provides \$14.9 million, the same as the request.

Joint Ventures: The \$10.6 million provided by the House for the Migratory Bird Joint Venture program is \$335,000 above 2005, but \$2.3 million less than the \$12.9 million request. The Senate provides \$11.5 million, \$1.2 million higher than 2005 and \$1.4 million less than the request.

Partners for Fish and Wildlife: The House provided \$53.7 million for Partners for Fish and Wildlife, an increase of \$1.5 million above the request and \$6.2 million above 2005. The Senate provides \$43.8 million, \$8.4 million less than the request and \$3.8 million less than 2005.

Take Pride in America: The House provided \$500,000, or one-half of the \$1.0 million request for Take Pride in America, essentially level with the \$490,000 provided in 2005. The Senate provides \$499,000.

Landowner Incentive Program/Private Stewardship Grants: The President's budget included \$40.0 million for the Landowner Incentive program and \$10.0 million for the Private Stewardship Grants program. The House provided \$23.7 million and \$7.4 million, respectively, for these programs. The Senate provides \$25.0 million and \$7.5 million, respectively.

Fish and Wildlife Service Grants (excluding Landowner Incentive and Private Stewardship). The President's budget requested \$203.9 million for FWS conservation grants. The House reduced funding to \$189.4 million, a \$14.5 million decrease compared to the requested level, and an increase of \$2.4 million compared to the 2005 enacted level. The Senate provides \$191.5 million, \$12.4 million less than the request and \$4.5 million more than 2005.

Cooperative Endangered Species Conservation Fund: The President's budget included \$80.0 million for the Cooperative Endangered Species Conservation Fund, a \$462,000 reduction compared to 2005, and a \$4.4 million increase above the request. The House funded CESCf grants at \$84.4 million, or \$3.9 million above the enacted level. Bill and report language provide that only species recovery land acquisition and HCP land

acquisition funding be derived from the Land and Water Conservation Fund. The Senate provides \$80.0 million, equal to the requested level and \$4.4 million below the House level. Bill language states that \$34.3 million is to be derived from the Cooperative Endangered Species Conservation Fund and \$45.7 million is to be derived from the Land and Water Conservation Fund for the HCP land acquisition program.

North American Wetlands Conservation Fund: The budget request included \$49.9 million for the North American Wetlands Conservation Fund, a \$12.5 million increase over 2005. The House provided \$40.0 million, \$2.5 million above the 2005 level and \$9.9 million below the request. The Senate provides \$39.5 million, \$10.4 million below the request, and \$500,000 below the House level. House and Senate bill language do not allow for funding to be derived from the Land and Water Conservation Fund as proposed by the Administration.

State and Tribal Wildlife Grants: The budget requested \$74.0 million for State and Tribal Wildlife Grants, an increase of \$5.0 million from 2005. The House provided \$65.0 million, a decrease of \$9.0 million compared to the request, and \$4.0 million less than the 2005 enacted level. The Senate provides \$72.0 million, \$2.0 million below the request and \$7.0 million above the House level. The House and Senate earmark \$6.0 million for the tribal grant portion of the program.

The House included bill and report language requiring that each State and Territory submit comprehensive wildlife conservation plans on time in order to be eligible for funding. The House also directed that FWS notify each State or Territory as soon as possible as to whether or not the plan has been approved; that funds from this program are to be used by States to supplement, not substitute for, existing State revenue sources; and that States should prioritize the use of funds for species with the greatest conservation need.

Stateside LWCF Grants

\$000					Senate +/-	Senate +/-	Senate +/-
	<u>05 Enacted</u>	<u>06 Budget</u>	<u>House</u>	<u>Senate</u>	<u>05 Enacted</u>	<u>06 Budget</u>	<u>House</u>
Grants	89,736	0	0	28,413	-61,323	+28,413	+28,413
Administr'n	<u>1,479</u>	<u>1,587</u>	<u>1,587</u>	<u>1,587</u>	+108	0	0
Total	91,215	1,587	1,587	30,000	-61,215	+28,413	+28,413
					-67.1%	+1,790.4%	+1,790.4%

The Administration did not request funding for new LWCF State grants in 2006. The President's budget request did include \$1.6 million for the administration of existing grants. The House funded the program consistent with the President's request. The Senate provides \$30.0 million, including \$28.4 million for grants.

Federal LWCF Land Acquisition

\$000					Senate +/-	Senate +/-	Senate +/-
	<u>05 Enacted</u>	<u>06 Budget</u>	<u>House</u>	<u>Senate</u>	<u>05 Enacted</u>	<u>06 Budget</u>	<u>House</u>
BLM	11,192	13,350	3,817	12,250	+1,058	-1,100	+8,433
FWS	37,005	40,992	14,937	40,827	+3,822	-165	+25,890
NPS	55,134	52,880	7,834	56,005	+871	+3,125	+48,171
Appraisals	<u>NA</u>	<u>7,441</u>	<u>7,441</u>	<u>7,441</u>	<u>NA</u>	<u>0</u>	<u>0</u>
Total	103,331	114,663	34,029	116,523	+5,751	+1,860	+82,494
					+5.6%	+1.6%	+242.4%

The President's budget request included \$114.7 million for Federal land acquisition, an increase of \$11.3 million above 2005, including \$70.7 million for land acquisition projects.

The House did not fund land acquisition projects but provided \$34.0 million for emergency acquisitions, inholdings, exchanges, and bureau administrative costs and appraisal services. The Senate provides \$116.5 million, including \$73.6 million for line-item projects. As compared to the President's budget, the Senate does not fund eight line-item projects totaling \$15.8 million and adds \$18.7 million for 20 projects. The Senate also makes funding available for wilderness areas in each bureau by adding that designation to existing bureau inholdings, emergency, or exchange subactivities.

BLM: The House provided \$3.8 million. The Senate mark of \$12.3 million includes \$8.0 million for line-item projects, funding seven of the nine requested projects. The Senate adds \$500,000 for the Santa Rosa and San Jacinto National Monument in California.

FWS: The House provided \$14.9 million. The Senate provides \$40.8 million. Among the five requested projects not funded are: \$10.0 million for Quinault Indian Reservation in Washington and \$500,000 for the Lower Klamath NWR and Tule Lake NWR water rights in Oregon. Included in 13 add-on projects totaling \$8.9 million are: \$1.0 million for the Lower Rio Grande NWR in Texas, \$1.5 million for the Rocky Mountain Front in Montana, and \$1.0 million for the Silvio Conte NFWR in New Hampshire, Vermont, Massachusetts, and Connecticut.

NPS: The House provided \$7.8 million, including \$17.7 million for acquisition administration, inholdings and exchanges, and emergencies and hardships. These amounts were offset by a reduction of \$9.9 million in prior year balances available from the Cat Island project at the Gulf Islands National Seashore in Florida and Mississippi.

The Senate provides \$56.0 million including \$39.8 million for line-item projects. Of the requested projects, only the \$1.2 million Prince William Forest Park in Virginia is not funded. Funding for Big Thicket National Preserve in Texas is reduced by \$4.4 million from the \$8.0 million request and Civil War Battlefield grants are funded at \$4.0 million, twice the request. Among the \$9.3 million provided for six add-on projects are three projects in West Virginia totaling \$5.5 million and \$1.0 million for the Shenandoah Valley Battlefields National Historic District in Virginia.

A detailed summary of land acquisition programs is included in Attachment 3.

Land Management Operations

National Park Service Operations

\$000			Senate +/-				
	<u>05 Enacted</u>	<u>06 Budget</u>	<u>House</u>	<u>Senate</u>	<u>05 Enacted</u>	<u>06 Budget</u>	<u>House</u>
ONPS	1,683,564	1,734,053	1,754,199	1,748,486	64,922	14,433	-5,713
					+3.9%	+0.8%	-0.3%

The President's 2006 budget request of \$1.73 billion provided an increase of \$50.5 million for the Operations of the National Park System account. The request included an increase of \$3.4 million for the repair and rehabilitation program for projects targeted to improve the conditions of historic buildings, \$5.4 million for investments in information technology, \$4.9 million to expand vital signs inventorying and monitoring within the Natural Resource Challenge, and \$400,000 for Jamestown 2007. The request for park base operations is \$22.0 million above the 2005 enacted level. The request level fully funds pay and other fixed costs for the fiscal year.

The House mark provided just above \$1.75 billion for the ONPS account, an increase of \$20.1 million above the President's budget request. The Senate mark provides slightly less than \$1.75 billion, \$14.4 million above the Administration's request and \$64.9 million above the 2005 enacted level. Changes from the President's budget include the following:

- For park base operations the House provided \$30.0 million above the request, an increase of \$52.0 million above the 2005 enacted level. The Senate mark provides an increase of \$20.0 million above the request and \$42.0 million above the 2005 enacted level. The Senate directs that \$500,000 of the park base increase be allocated to the national trails system.
- Facility maintenance and operations was funded at \$594.7 million by the House. The Senate provides \$595.2 million for facility maintenance and operations, \$12.4 million above the 2005 enacted level and \$400,000 less than the request.
- The House funded the Administration's request for vital signs inventorying and monitoring, an increase of \$4.9 million above the 2005 enacted level. The Senate reduces vital signs inventorying and monitoring \$1.0 million below the President's request.
- The House provided \$400,000 for Jamestown 2007, the same as the request. The Senate mark funds Jamestown 2007 in the NR&P account.
- The House and the Senate fund the Administration's request of \$6.9 million for NPS IT investments, including \$1.0 million for FBMS.
- The House eliminated \$7.9 million requested for the CCI Challenge Cost Share, while the Senate provides \$2.5 million.

- The House eliminated \$247,000 for wild and scenic rivers partnerships, while the Senate provides \$250,000. The Senate also includes an increase of \$500,000 for Vanishing Treasures; an increase that was not requested in the President's request and was not funded by the House.
- Senate report language does not support the Department's plan to redistribute \$12.6 million of the 2005 appropriation for park base operations. Report language directs that funds were intended to be part of the parks' permanent base budgets.

NPS Natural Resource Challenge

\$000					Senate +/-	Senate +/-	Senate +/-
	<u>05 Enacted</u>	<u>06 Budget</u>	<u>House</u>	<u>Senate</u>	<u>05 Enacted</u>	<u>06 Budget</u>	<u>House</u>
Resource Challenge	76,552	77,552	77,552	76,552	0	-1,000	-1,000
					0	0	0

The 2006 budget request included a total of \$77.6 million for the Natural Resource Challenge, an increase of \$1.0 million above the 2005 enacted level. The request included an additional \$4.9 million to complete funding for vital signs monitoring networks offset by a decrease of \$3.9 million for the Natural Resource Preservation Program.

The House funded the Administration's request. The Senate provides an increase of \$3.9 million for vital signs inventorying and monitoring, \$1.0 million below the request and the House.

Everglades Restoration

\$000					Senate +/-	Senate +/-	Senate +/-
	<u>05 Enacted</u>	<u>06 Budget</u>	<u>House</u>	<u>Senate</u>	<u>05 Enacted</u>	<u>06 Budget</u>	<u>House</u>
Everglades	65,465	83,509	83,509	83,509	18,044	0	0
					+27.6%	0	0

In 2006, total Everglades funding was proposed at \$83.5 million, an increase of \$18.0 million over the 2005 enacted level. The increase from the 2005 level is mainly attributable to a request of \$25.0 million to continue the Modified Water Delivery project. Both the House and Senate fund the Administration's request.

House report language directs the Department to complete several reports including:

- The A.R.M. Loxahatchee National Wildlife Refuge's annual and quarterly reports summarizing the implementation of the additional monitoring and modeling at the refuge.
- A report by December 31, 2005, in consultation with the Secretary of the Army, on the status of the Everglades projects now underway.
- A detailed report from the South Florida Ecosystem Restoration Task Force identifying and prioritizing land acquisitions that are necessary to achieve natural system restoration goals, which should be submitted no later than December 31, 2005.

- A report to be submitted by December 31, 2005, describing the scientific research projects to be funded in the National Park Service and the U.S. Geological Survey with the 2006 appropriations.

U.S. Park Police

\$000					Senate +/-	Senate +/-	Senate +/-
	<u>05 Enacted</u>	<u>06 Budget</u>	<u>House</u>	<u>Senate</u>	<u>05 Enacted</u>	<u>06 Budget</u>	<u>House</u>
Park Police	80,076	80,411	82,411	80,411	335	0	-2,000
					+4%	---	-2.4%

The President's budget requested \$80.4 million for the U.S. Park Police, an increase of \$335,000 above the 2005 enacted level. The request fully funded fixed costs for the budget year and removed \$986,000 in one-time funding for the 2005 Presidential inaugural.

The House mark provided \$82.4 million for USPP operations, an increase of \$2.0 million above the request and \$2.3 million above the enacted level. Increases from the enacted level were provided to fully fund pay and fixed costs, and fund new recruit classes. The Senate provides \$80.4 million for USPP operations, the same as the Administration's request.

The House report includes language directing the U.S. Park Police to submit a final report no later than January 16, 2006, detailing how it has implemented each recommendation in the original NAPA report.

Fish and Wildlife Service Operations

\$000					Senate +/-	Senate +/-	Senate +/-
	<u>05 Enacted</u>	<u>06 Budget</u>	<u>House</u>	<u>Senate</u>	<u>05 Enacted</u>	<u>06 Budget</u>	<u>House</u>
Resource Management	962,940	985,563	1,005,225	993,485	+30,545	+7,922	-11,740
					+3.2%	+0.8%	-1.2%

The President's budget funded FWS operations at \$985.6 million, a \$22.6 million increase above the 2005 enacted level. Within this funding level the budget proposed key program increases including: \$2.2 million for listing activities; \$2.1 million for refuge law enforcement activities; \$3.1 million for migratory bird management programs; \$4.2 million for the Partners for the Fish and Wildlife program; and \$3.0 million for the Coastal program.

For FWS operations, the House provided \$1.0 billion, \$19.7 million more than the request and \$42.3 million above the 2005 level. The Senate provides \$993.5 million, \$7.9 million above the request and \$11.7 million below the House.

Ecological Services

- The House provided an increase of \$3.7 million over the 2005 enacted level for the Endangered Species program. This is \$6.8 million more than the President's request. The Senate provides \$8.8 million more than the request, \$2.1 million more than the House. Details are provided below in the Endangered Species section of this document.

- The House funded an increase of \$6.2 million over the 2005 enacted level for the Partners program, \$1.5 million over the 2006 request. This includes only \$1.3 million of the requested \$5.3 million increase for Klamath Basin restoration activities. The Senate funds the Partners program at \$43.8 million, \$8.4 million below the request. This level includes a decrease of \$3.3 million for requested Klamath Basin restoration activities and \$12.0 million for general program activities.

House earmarks for the Partners program include:

- +\$1.4 million for Washington regional fisheries enhancement groups;
- +\$700,000 for environmental data quality and access for Washington salmon recovery efforts;
- +\$180,000 for New Jersey meadowlands technical assistance;
- +\$750,000 for restoration in the Tunkhannock, Bentley, and Bowman's Creek watersheds in Pennsylvania;
- +\$500,000 for fish passage improvements on the west branch of the Susquehanna River;
- +\$500,000 for Susquehanna River headwaters multiple use wetlands;
- +\$500,000 for Georgia stream bank restoration;
- +\$500,000 for nutria eradication at Blackwater NWR; and
- +\$500,000 for a study of Colorado River flow and aquatic habitats.

Senate Committee earmarks for the Partners program include:

- +\$700,000 for the Big Hole Watershed restoration project in Montana;
- +\$500,000 for the Montana Water Center for the Wild Fish Habitat Initiative;
- +\$1.2 million for the Nevada Biodiversity Research and Conservation Project;
- +\$100,000 for bald eagle restoration work performed in cooperation with the Vermont Natural Heritage Partners Program;
- +\$1.4 million for spartina control at Willapa Bay;
- +\$540,00 for conservation work at the Don Edwards NWR;
- +\$1.0 million for the Wildlife Enterprises program at Mississippi State University;
- +\$250,000 for the Thunder Basin Initiative project in Wyoming;
- +\$100,000 for invasive species control work by the friends of Lake Sakakawea;
- +\$550,000 for endangered bird conservation work in Hawaii in cooperation with the Zoological Society of San Diego; and
- +\$425,000 for the completion of a study on declining wildlife populations on the Lake Umbagog NWR in cooperation with the New Hampshire Audubon Society.

- The House provided an increase of \$1.1 million over the President's request for the Project Planning program; the Senate Committee provides \$550,000 over the request level. This increase is for the Middle Rio Grande (Bosque) Research program.

House changes compared to the request include:

- +\$270,000 for the FERC review/relicensing program;
- +\$550,000 for the Middle Rio Grande Initiative;
- +\$170,000 to restore the base program; and

- +\$100,000 to continue operations at the Cedar City, UT ecological services office.
- The House provided a net decrease of \$1.8 million compared to the President's request for the Coastal program. Overall, this provided an increase of \$1.4 million over the 2005 level. The Senate funds this program at the request level of \$14.9 million.

House changes compared to the request include:

- -\$2.5 million for the proposed general program increase; thereby reducing the increase to \$1.3 million above the enacted level;
- +\$200,000 for the Hood Canal Salmon Enhancement Group;
- +\$200,000 for Long Live the Kings; and
- +\$300,000 to restore funding for the Tampa and Florida panhandle field offices.
- The House rejected the budget proposal to reduce the environmental contaminants program by \$2.7 million and provided a \$285,000 increase above the enacted level. The Senate funds this program at the 2005 enacted level, \$10.9 million. The Senate directs the Service to work with the Environmental Protection Agency to incorporate trustee concerns during Superfund remediation and enhance the integration of Superfund remedial activities and natural resource damage assessment activities. Similar language is included under the Restoration Fund with the proviso that a report is to be provided by September 29, 2006.

National Wildlife Refuges

- The House provided 394.4 million for the National Wildlife Refuge System, a net increase of \$500,000 over the President's request. The Senate Committee provides \$394.4 million, a \$500,000 increase over the request.

House changes to the refuge system budget request include:

- -\$7.6 million for the cooperative conservation portion of the Challenge Cost Share program;
- +\$1.4 million for Spartina grass control at Willapa Bay NWR;
- +\$1.0 million for cooperative projects with friends groups for invasive species control;
- +\$1.1 million to restore base operations that support wildlife and habitat management activities;
- +\$2.0 million to continue minimum staffing implementation;
- +\$2.0 million for the visitor facilities enhancement program; and
- +\$600,000 to restore base operations programs that support visitor services.

Senate changes to the refuge system budget request include:

- -\$2.6 million decrease for the Challenge Cost Share program. This provides a total of \$4.4 million for the traditional cost share program and \$5.0 million for the CCI program and
- +\$500,000 for FWS to continue Geographic Information Systems mapping of the Artic wildlife refuges in Alaska.

- House report language urges FWS and the Department to reaffirm their commitment to addressing the critical operations and maintenance backlog needs of the National Wildlife Refuge System. The FWS is directed to provide an update on the refuge system minimum staffing analysis by January 15, 2005. The House expects to receive this prior to 2006 conference action. Senate report language also strongly encourages FWS to review base budgets for refuges that have grown substantially in recent years due to large land acquisitions.
- The House encourages FWS to continue to consult with NOAA regarding the operation of Vieques NWR.
- The House did not address the proposed budget restructuring. The Senate approves the proposed budget restructuring.
- The Senate report directs FWS to work cooperatively with NatureServe and make additional funds available if necessary from programs such as the CCI initiative to ensure that sufficient funds are available to maintain adequately the integrity of this inventory information.

Migratory Birds

- The House provided a total of \$38.2 million for migratory bird management activities, \$2.7 million above the enacted level. This is a reduction of \$3.5 million from the President's request, including a \$1.5 million reduction for conservation and monitoring and a \$2.3 million reduction for joint ventures. The House report states that this increase above the enacted level should be used mainly to fill critical staff vacancies. The Senate provides \$40.2 million, \$1.4 million below the request level. This decreases the proposed new joint ventures.

House changes to the request included:

- -\$750,000 for focal species management;
- -\$200,000 for surveys and monitoring;
- -\$200,000 for population and habitat assessments;
- -\$1.4 million for new joint ventures;
- -\$800,000 for existing joint ventures; and
- -\$100,000 for the national administration of joint ventures.

Law Enforcement

- The House provided \$57.8 million for Law Enforcement program activities. This is a \$2.2 million increase over the 2005 enacted level and a \$200,000 increase over the request level to partially restore the proposed fleet management reduction. The Senate funds the request level.
- The Senate report states concern about the proposed reduction in funding for ports of entry at Louisville, Memphis, and Atlanta. The Senate directs the Service to maintain a level of operations at these ports of entry consistent with that of 2005. If FWS has not requested sufficient funds to do this, it is directed to reprogram the appropriate level of funds from elsewhere in the Law Enforcement program.

Fisheries:

- The House provided \$118.8 million for Fisheries, an increase of \$11.1 million above the request and \$3.6 million above the enacted level. The Senate provides \$111.8 million for fisheries, an increase of \$4.2 million above the request.

- The House provided \$58.9 million for Hatchery Operations and Maintenance, \$899,000 over the President's request. The Senate provides \$58.0 million, equal to the request level. The Senate directs that at this level of funding no hatcheries will be closed or placed in caretaker status.

House funding changes to the request include:

- -\$600,000 for hatchery operations;
- +\$1.5 million for hatchery maintenance to partially restore the proposed whirling disease reduction proposed in the budget.

- For Fish and Wildlife Management, the House provided \$59.9 million, a \$10.2 million increase over the President's request. The Senate provides \$54.1 million, \$4.5 million above the request.

House changes from the request include:

- +\$1.2 million to restore a proposed general activities reduction;
- +\$1.8 million for the national fish habitat initiative;
- +\$1.7 million for fish passages;
- +\$500,000 for the Great Lakes Fish and Wildlife Restoration program;
- +\$2.0 million for Washington State salmon mass marking of hatchery fish;
- +\$250,000 for Washington State salmon hatchery scientific review group and \$250,000 for Long Live the Kings;
- +\$250,000 for a regional mark processing center;
- +\$350,000 for Yukon River salmon treaty programs; and
- +\$2.0 million for marine mammals.

Senate changes to the request include:

- +\$102,000 for aquatic nuisance control;
- +\$1.4 million to combat whirling disease and related fish health issues, of which \$1.0 million is for the National Partnership on the Management of Wild and Native Coldwater Fisheries and \$400,000 is for the Whirling Disease Foundation;
- +\$250,000 is for the regional mark processing center;
- +\$500,000 is for the Wildlife Health Center in Montana; and
- +\$2.2 million for marine mammals, including \$1.2 million to continue work in Alaska through cooperative agreements with various marine mammal commissions and \$1.0 million to continue population assessments in Alaska.

- The House and Senate included a significant number of Fisheries related items in report language:
 - The House Report urges FWS to continue and intensify its efforts to collect reimbursements for fisheries mitigation efforts and use those funds to address habitat restoration and conservation. The 2007 budget justification should include an update on this.
 - The House Report commends the program's efforts over the past several years to collect, correct, and standardize data on program spending and to identify critical operational shortfalls. The House expects the fisheries program to address inequities in field station funding when allocating base budget increase.

- The House expressed pleasure with the development of the National Fish Habitat Initiative. FWS is directed to use \$1.8 million provided for this initiative as follows: 80 percent to implement on-the-ground, cost-shared habitat restoration projects and 20 percent to support continued development of the National Fish Habitat Plan.
- The House expresses concern about the number of depleted populations of Federal trust species. The House commends the efforts of the Fisheries program to address this need, and directs that a portion of the recommended base budget increase be used for this purpose.
- The Senate indicates its concerns about the recent discoveries of the northern snakehead in the Potomac River. The Senate directs FWS to continue sampling activities in the Potomac.

General Administration:

- The House provided \$135.2 million for General Administration, an increase of \$1.0 million above the President's request. The Senate provides \$135.2 million, \$963,000 above the request and \$62,000 below the House.
- House changes from the request include:
 - +\$2.0 million to restore the proposed general operations/management efficiencies reductions;
 - -\$375,000 reduction to the increase requested for NCTC operations;
 - +\$375,000 for NCTC maintenance;
 - +\$300,000 for the National Fish and Wildlife Foundation;
 - -\$1.5 million reduction to the \$2 million increase requested for the Science Excellence Initiative;
 - -\$200,000 for International wildlife trade; and
 - +\$400,000 for the Wildlife Without Borders program within International Affairs.
- House report language noted that the House recommended bill language prohibiting the use of funds for SAFECOM and Disaster.gov activities. The House directs that the funding requested by the Administration for these activities be redirected to cover program shortfalls associated with the underestimation of administrative costs when the Cost Allocation Methodology funds were realigned to programs in fiscal year 2005.
- Senate changes from the request include:
 - +\$1.6 million to partially restore the proposed general operations/management efficiencies reductions;
 - +\$250,000 for training at NCTC;
 - +\$397,000 for NCTC maintenance;
 - +\$291,000 for the National Fish and Wildlife Foundation;
 - -\$2.0 million eliminating the increase requested for the Science Excellence Initiative; and
 - +\$400,000 for the Wildlife Without Borders program within International Affairs.

FWS Endangered Species Program

\$000					Senate +/-	Senate +/-	Senate +/-
	<u>05 Enacted</u>	<u>06 Budget</u>	<u>House</u>	<u>Senate</u>	<u>05 Enacted</u>	<u>06 Budget</u>	<u>House</u>
Candidate Conserv.	9,255	8,252	8,852	8,752	-503	+500	-100
Listing	15,960	18,130	18,130	18,130	+2,170	0	0
Consult/HCP	48,129	49,484	49,484	49,484	+1,355	0	0
Recovery	<u>69,870</u>	<u>64,243</u>	<u>70,443</u>	<u>72,541</u>	<u>+2,671</u>	<u>+8,298</u>	<u>+2,098</u>
Total	143,214	140,109	146,909	148,907	+5,693	+8,798	+1,998
					+4.0%	+6.3%	+1.4%

The President's Budget included a total of \$140.1 million for the endangered species program, a \$3.1 million reduction from the 2005 level. The request included \$18.1 million for the listing program, an increase of almost \$2.2 million. The House provided a total of \$146.9 million for the endangered species program, a \$6.8 million increase compared to the request. The Senate provides \$148.9 million, an increase of \$8.8 million above the request and \$2.0 million above the House.

- In the Candidate Conservation program, the House provided a \$600,000 increase compared to the request. The Senate provides \$500,000 above the request.

House changes to the President's request include:

- +\$300,000 for Idaho sage grouse;
- +\$300,000 for the Fisher (*Martes pennanti*).

Senate changes to the President's request include:

- +\$500,000 for Idaho sage grouse.

- In the Listing program, both the House and Senate provide \$18.1 million, of which \$12.9 million is for critical habitat designations. This is equal to the request; both for the entire listing program as well as the critical habitat designation portion of the program.
- In the Consultation program, both the House and Senate provide \$49.5 million, equal to the request level. The House retained the proposed general increase for the consultation program and directs the Service to use this increase to address the backlog of critical consultations needs such as those associated with the American burying beetle in Oklahoma and other species in California.
- In the Recovery program, the House provided \$70.4 million, an increase of \$6.2 million compared to the President's request. The Senate provides \$72.5 million, \$8.3 million above the request.
- House changes to the request include:
 - +\$1.0 million for the Platte River recovery program;
 - +\$1.5 million for wolf monitoring in Idaho. This includes:
 - \$460,000 for the Nez Perce Tribe;
 - \$940,000 for the Idaho Office of Species Conservation; and
 - \$100,000 for the Service's Snake River Basin Office;

- +\$200,000 for a gabbro soils inventory in California to evaluate the degree of protection afforded five plant species relative to recovery plan targets;
 - +\$2.0 million for Pacific Salmon grants through the National Fish and Wildlife Foundation;
 - +\$700,000 for the Upper Colorado River recovery program;
 - +\$500,000 for Florida manatee protection and recovery; and
 - +\$300,000 for the Peregrine Fund for Northern Aplomado falcon recovery activities.
- Senate changes to the request include:
 - +\$982,000 for the Platte River recovery program;
 - +\$691,000 for the Upper Colorado River fish recovery project;
 - +\$1.1 million for the Yellowstone Grizzly Bear Conservation Strategy;
 - +\$500,000 for the Lahontan cutthroat trout;
 - +\$1.2 million for wolf recovery for a total of \$1.5 million. This includes:
 - \$350,000 for the Nez Perce Tribe;
 - \$730,000 for the Idaho Office of Species Conservation;
 - \$100,000 for the FWS Snake River Basin Office; and
 - \$320,000 for the State of Montana;
 - +\$1.0 million for Penobscot River restoration;
 - +\$1.0 million for Atlantic salmon recovery activities administered by the National Fish and Wildlife foundation; and,
 - +\$1.8 million for eider and sea otter recovery work at the Alaska SeaLife Center.

Multinational Species Conservation Fund and Neotropical Migratory Birds

\$000					Senate +/-	Senate +/-	Senate +/-
	<u>05 Enacted</u>	<u>06 Budget</u>	<u>House</u>	<u>Senate</u>	<u>05 Enacted</u>	<u>06 Budget</u>	<u>House</u>
Multi Species Cons.	5,719	8,300	5,900	6,500	+781	-1,800	+600
Neotropical Birds	<u>3,944</u>	<u>[4,000]</u>	<u>4,000</u>	<u>4,000</u>	<u>+56</u>	<u>+4,000</u>	<u>0</u>
Total	9,663	8,300	9,900	10,500	+837	+2,200	+600
					+8.7%	+26.5%	+6.1%

The budget request funded the Multinational Species Conservation Fund at \$8.3 million, including \$4.0 million for Neotropical Birds; \$1.0 million for African elephant conservation; \$1.1 million for rhinoceros and tiger conservation; \$1.0 million for Asian elephant conservation; \$900,000 for great ape conservation; and \$300,000 for marine sea turtle conservation.

The House provided \$5.9 million for the Multinational Species Conservation Fund and included an additional, separate appropriation of \$4.0 for Neotropical Migratory Bird Grants. The \$5.9 million includes \$1.4 million each for African elephant conservation, rhinoceros and tiger conservation, Asian elephant conservation, and great ape conservation. It also included \$300,000 for marine turtle conservation.

The Senate funds the Multinational Species Conservation Fund at \$6.5 million plus an additional, separate appropriation of \$4.0 for Neotropical Migratory Bird Grants. This includes \$1.6 million for rhinoceros and tiger conservation and \$1.4 million each for

African elephant conservation, Asian elephant conservation, and great ape conservation. It also includes \$700,000 for marine turtle conservation.

Bureau of Land Management Operations

\$000					Senate +/-	Senate +/-	Senate +/-
	<u>05 Enacted</u>	<u>06 Budget</u>	<u>House</u>	<u>Senate</u>	<u>05 Enacted</u>	<u>06 Budget</u>	<u>House</u>
Mgt of Lands & Res	836,826	850,177	845,783	867,045	+30,219	+16,868	+21,262
O&C Grant Lands	<u>107,497</u>	<u>110,070</u>	<u>110,070</u>	<u>110,070</u>	<u>+2,573</u>	<u>0</u>	<u>0</u>
Total	944,323	960,247	955,853	977,115	+32,792	+16,868	+21,262
					+3.5%	+1.8%	+2.2%

The 2006 President’s budget provided \$960.2 million for BLM operations, a net increase of \$15.9 million over the 2005 enacted level of \$944.3 million. The major funding increases included in the budget request were aimed at ongoing bureau and departmental priorities, including improving forest health and increasing timber production, conserving and restoring sagebrush habitat, and eradicating invasive weeds. The budget included a significant boost in funding to improve recreational experiences on public lands and enhance BLM’s ability manage and mitigate the impacts of OHV use. The budget partially funds many of these priorities through a requested increase of \$6.6 million in the challenge cost share program in order to leverage the Federal dollars with matching partner contributions. The budget also proposed a \$6.0 million increase for the challenge cost share program.

The budget eliminated funding for most Congressional add-ons. It proposed a decrease in the Wild Horse and Burro Management program to reflect additional efficiencies that have been achieved in the program. The budget also proposed a reduction in appropriations for the Energy and Minerals Management program that would be more than offset by increased receipts resulting from a new cost recovery proposal.

The House provided \$955.9 million for BLM operations, \$4.3 million below the request and \$11.6 million over the 2005 enacted level. The Senate funds BLM operations at \$977.1 million, \$16.9 million over the request and \$32.8 million over the 2005 enacted level.

House and Senate changes from the President’s budget include the following:

Land Resources

- The House restored \$1.0 million for the San Pedro (watershed) Partnership, and added \$1.1 million for Santa Ana River conservation and land management programs.
- The House added \$156,000 for accelerated soil surveys in Wyoming.
- The House provided a \$1.0 increase for the Idaho strategic plan for noxious weed control. It is unclear if this is identical to the recurring Senate earmark (\$493,000 in FY 2005) for the Idaho Department of Agriculture, which the budget request zeroed out.

- The House included a decrease of \$300,000 for rangeland restoration. Although not certain, presumably this refers to the \$300,000 increase that was requested for noxious weed control in sagebrush ecosystems like the Great Basin.
- The Senate doubles funding over the 2005 enacted level for its two invasive weeds earmarks that the President's budget eliminated, providing \$1.0 million for the National Center for Invasive Plant Management at Montana State University and \$1.0 million for the Idaho Department of Agriculture.

Recreation Management

- The House added to the increases already proposed in the President's budget including \$1.0 million for implementation of the San Jacinto and Santa Rosa National Monument plan. The Senate provides a \$1.0 million increase over the request level to continue funding the Undaunted Stewardship project.

Energy and Minerals Management

- The House provided a \$2.0 million increase over the request for Oil and Gas Management. The House did not specify the use of the increase, but it more than offsets the \$1.9 million reduction in the budget request tied to BLM implementation of new cost recovery regulations. The House directs BLM to report by December 31, on the administrative, regulatory, and statutory steps that may be necessary to proceed with oil shale development on public lands. The Senate provides \$3.0 million above the request and directs BLM to begin planning for an oil shale leasing program and to continue focusing on the timely processing of APDs. The Senate also earmarks \$250,000 of the increase for the Utah oil and gas leasing internet pilot program.
- In the Alaska Minerals program, the Senate restores \$703,000 of the \$1.7 million reduction proposed in the President's budget.

Realty and Ownership Management

- The Senate adds \$8.4 million for the Alaska Conveyance program to fund it at roughly the 2005 enacted level.
- The Senate restores funding for two earmarks zeroed out in the President's budget, providing \$300,000 for GIS/cadastral mapping in Utah and \$750,000 for processing recordable disclaimer applications in Alaska.
- The Senate also adds \$160,000 for soil survey mapping in Wyoming and \$950,000 to support ongoing cadastral mapping in Montana.

Resource Protection and Maintenance

- The House added \$1.0 million in Resource Management Planning for California desert conservation area plans.
- In Resource Protection and Law Enforcement, the House added \$1.25 million to increase BLM's law enforcement presence on the Southwestern border in New Mexico, Arizona, and California. This is on top of the \$1.0 million increase included in the budget request to strengthen law enforcement capabilities in the Four Corners area, and on top of the \$2.0 million in 2005 Congressional increases for law enforcement (\$1.0 million for California Desert Rangers and \$1.0 million to address illegal immigration-related environmental degradation in Arizona) that were retained in the President's budget. The Senate adds \$1.6 million to enhance law

enforcement on NLCS units, and directs BLM to give first priority to those units located in Montana and Colorado because of the probability that NLCS units in the southwestern states will likely benefit from the law enforcement increases requested in the President's budget.

Challenge Cost Share

- The House did not support the \$6.6 million increase requested for the traditional challenge cost share program that was to be targeted to projects that supported sagebrush conservation (\$3.4 million), treatment of invasive weeds including tamarisk and leafy spurge (\$1.0 million), and mitigation of OHV impacts (\$2.2 million). By contrast, the Senate provides \$2.6 million of the \$6.6 million requested increase. For the conservation challenge cost share, the House rejected the requested \$6.0 million increase, while the Senate fully funded it.

Both the House and Senate maintained funding for the mandatory Range Improvement Fund at \$10.0 million, rejecting the Administration's proposal to abolish this account by depositing the Federal share of grazing fees in the General Fund of the Treasury for deficit reduction. The President's budget proposed to offset this reduction in mandatory funding by conducting high priority range improvement projects with discretionary funding from the Deferred Maintenance and CCI programs.

Wildland Fire Management

	\$000				Senate +/-	Senate +/-	Senate +/-
	<u>05 Enacted</u>	<u>06 Budget</u>	<u>House</u>	<u>Senate</u>	<u>05 Enacted</u>	<u>06 Budget</u>	<u>House</u>
Preparedness	258,939	272,852	272,852	272,852	+13,913	0	0
Suppression	218,445	234,167	234,167	234,167	+15,722	0	0
Title IV	98,611	0	0	0	-98,611	0	0
Subtotal	317,056	234,167	234,167	234,167	-82,889	0	0
Other Ops							
Fuels	201,409	211,220	211,220	211,220	+9,811	0	0
Rehab	23,939	24,476	24,476	24,476	+537	0	0
RFA	9,861	0	5,000	10,000	+139	+10,000	+5,000
Facilities	12,202	7,849	7,849	7,849	-4,353	0	0
Fire Science	7,889	6,000	6,000	6,000	-1,889	0	0
Subtotal	255,300	249,545	254,545	259,545	+4,245	+10,000	+5,000
Total	831,295	756,564	761,564	766,564	-64,731 -7.8%	+10,000 +1.3%	+5,000 +0.7%

The President's Budget proposed a budget structure different from that displayed in this table, but it was not approved by the Committees. For ease of comparison, the request is shown in the same budget structure as that adopted by the House and Senate.

The President's budget proposed \$756.6 million for Wildland Fire Management. Excluding a one-time contingent appropriation of \$98.6 million for fire suppression in 2005, this represents a \$23.9 million increase over the 2005 enacted level.

The request for Fire Preparedness included a \$5.0 million increase to support the additional costs of the reconfigured aviation fleet. An increase of \$15.7 million would fully fund Suppression Operations at the ten-year average. The budget included a net increase of \$7.8 million in the Hazardous Fuels Reduction program to further the goals of the National Fire Plan and the Healthy Forests Initiative in addressing the excessive buildup of hazardous fuels in our forests and rangelands. The 2006 DOI budget request reflected a shift in emphasis in assistance provided to local fire departments. It zeroed out the \$9.9 million Rural Fire Assistance program, which provides basic training and equipment, but proposed a \$1.9 million increase in Preparedness to provide advanced training and other critical support to local fire departments and firefighters. Finally, the budget request reduced the Fire Facilities program by \$4.4 million and the Joint Fire Science program by \$1.9 million.

The House provided \$761.6 million for Wildland Fire Management, a \$5.0 million increase over the request, and the Senate provides \$766.6 million, a \$10.0 million increase over the request. In both cases, the increases are targeted to the Rural Fire Assistance program, with the Senate fully restoring the program to the 2005 enacted level and the House funding it at roughly one-half the 2005 level.

Native American Programs

Office of Special Trustee

\$000					Senate +/-	Senate +/-	Senate +/-
	05 Enacted	06 Budget	House	Senate	05 Enacted	06 Budget	House
OST	193,540	269,397	191,593	191,593	-1,947	-77,804	0
ILCA	<u>34,514</u>	<u>34,514</u>	<u>34,514</u>	<u>34,514</u>	0	0	0
Total	228,054	303,911	226,107	226,107	-1,947	-77,804	0
					-0.9%	-25.6%	+0.0%

The 2006 budget request for OST accounts totals \$303.9 million, including \$269.4 million for Federal Trust Programs and \$34.5 million for Indian Land Consolidation. This is a net increase of \$75.9 million or 33 percent above the 2005 enacted level.

Federal Trust Programs

The \$269.4 million budget included reductions or redirections totaling \$6.5 million to refocus on high priority trust reform initiatives. The reductions include \$2.0 million for completion of certain trust systems work supporting development of policies and procedures, \$1.5 million in records management, \$1.1 million in risk management activities, and \$950,000 for completion of the virtual trust data warehouse and appraisal system. In addition, a reduction of \$1.0 million in the appraisal program is possible as a result of economies and efficiencies in conducting reservation-wide rather than individual tract land appraisals.

Other net adjustments include increases of \$1.0 million for additional field space costs in OST, \$496,000 for net adjusted costs of Department-wide Enterprise Service Network and IT security costs, offset by a decrease of \$158,000 for management efficiencies in space and fleet utilization. Uncontrollable and technical transfer costs include increases

of \$1.4 million for pay, space, and related costs; and an increase of \$1.9 million to reflect the transfer of funding from BIA to OST for the probate attorney decision maker staff as part of the single probate adjudication office under the Office of Hearings and Appeals.

The House and Senate provide \$191.6 million, a decrease of \$77.8 million below the request level, and a decrease of \$1.9 million below the 2005 level. Except for the increase requested for historical accounting, the House and Senate provide all the increases requested, and agree to the reductions proposed.

The House and Senate continue bill language to:

- Utilize any unobligated balances from prior appropriations acts for OST or BIA for trust management reform, other than historical accounting;
- Hire administrative law judges to address the Indian probate backlog; however, the Senate Bill sets a sunset date for this provision to 2010.
- Limit compensation for the Special Master and Special Master-Monitor in *Cobell v. Norton* to 200 percent of the highest SES rate of pay;
- Pay private attorneys for the costs of legal representation for employees and former employees incurred in connection with *Cobell v. Norton*; and
- Provide funds to Tribes within the California Tribal Trust Reform Consortium as a pilot effort separate from the Department's trust reform reorganization.

Historical Accounting

The President's budget included \$135.0 million for the Office of Historical Trust Accounting, an increase of \$77.8 million above the 2005 level. The House and Senate provide \$58.0 million for historical accounting, a decrease of \$77.0 million from the request.

House and Senate bill language limits spending on historical accounting to \$58.0 million, at the fiscal year 2005 level. House Report language notes the Committee's concern about the scope of an historical accounting. "The Committee does not agree to the large increase requested for historical accounting and has shifted this funding to help offset the reductions proposed in the Administration's request to Indian education and health care."...The Committee rejects the notion that, in passing the American Indian Trust Management Reform Act of 1994, Congress had any intent of ordering an historical accounting on the scale of that which continues to be ordered by the Court. Such an undertaking would certainly be a poor use of federal and trust resources."

Senate Report language notes the Committee's continued support to improve Indian trust management, but due to concerns about the ongoing litigation and uncertainty of court acceptance of historical accounting plan, the Committee is unable to fully fund the budget and has instead placed emphasis on supporting other Indian programs and Departmental functions.

Indian Land Consolidation

The FY 2006 budget for Indian Land Consolidation is \$34.5 million, the same as the 2005 level. The House and Senate provide \$34.5 million for Indian Land Consolidation, the amount requested.

Bureau of Indian Affairs

\$000					Senate +/-	Senate +/-	Senate +/-
	05 Enacted	06 Budget	House	Senate	05 Enacted	06 Budget	House
Op. of Indian Programs	1,926,091	1,924,230	1,992,737	1,971,132	+45,041	+46,902	-21,605
Construction	319,130	232,137	284,137	267,137	-51,993	+35,000	-17,000
Land & Water Settlements*	44,149	24,754	34,754	24,754	-19,395	0	-10,000
Guaranteed Loan Program	<u>6,332</u>	<u>6,348</u>	<u>6,348</u>	<u>6,348</u>	<u>+16</u>	<u>0</u>	<u>0</u>
BIA Total	2,295,702	2,187,469	2,317,976	2,269,371	-26,331	+81,902	-48,605
					-1.1%	+3.7%	-2.1%

The President's budget request for BIA for 2006 was \$2.2 billion, a net decrease of \$108.2 million or five percent below 2005. Within this, the request for increases totaled \$39.7, focusing on the bureau's highest priorities – improving trust management programs, law enforcement and detention centers, education, and economic development. The President's budget included offsetting decreases to the education construction program, Tribal colleges and university operating grants, and programs that lack performance accountability or duplicate other Federal or State programs.

The House provided \$2.3 billion for BIA, an increase of \$130.5 million over the 2006 President's budget. The Senate provides \$2.3 billion, an increase of \$81.9 million above the request, but \$48.6 million below the House. Uncontrollable costs are fully funded by both the House and Senate. Changes from the request include:

Trust Programs

The 2006 budget request included \$287.4 million for trust programs, including a program increase of \$12.6 million.

The House funded the BIA portions of the Unified Trust budget at \$289.4 million, \$2.0 million more than the request. The House agreed to all the increases requested, and agreed to the reductions proposed except for a \$2.0 million decrease in the BIA endangered species program. The Senate funds the BIA portions of the Unified Trust budget at \$287.7 million, providing all of the increases requested, including the reductions proposed, and adding \$210,000 for fish hatchery maintenance. The House and Senate provide the request for an additional \$1.5 million for the National Indian Programs Training Center, in Albuquerque, New Mexico.

Law Enforcement and Detention Centers

The budget request includes \$200.5 million for Public Safety and Justice programs, including an increase of \$19.2 million to expand a law enforcement presence in high crime areas and to staff, operate, and maintain new detention centers and repair existing detention centers.

The House funded public safety and justice programs, both operations and construction, at \$209.0 million, \$8.5 million more than the request for on-the-ground community policing and drug enforcement programs. The House Report requests a report detailing the use of these funds by December 31, 2005. The House provided the

requested increases for detention centers. The Senate funds law enforcement programs as requested.

Tribal Priority Allocations

The President's budget request included \$760.1 million for Tribal Priority Allocations. The House funded TPA at \$778.1 million, \$17.7 million more than the request. The Senate funds TPA at \$775.4 million, \$15.3 million more than the request. Neither the House nor the Senate accepts the proposed decreases in Johnson-O'Malley assistance grants, and welfare assistance. The House does not accept the proposed decreases for community fire protection. The House adds \$1.5 million above the request for Indian Child Welfare Act programs.

Education

The budget included \$521.6 for elementary and secondary school operations. The House provided \$545.0 million for elementary and secondary school operations, \$23.4 million more than the request, including an additional \$13.0 million for ISEP formula funds; \$5.0 million for student transportation, and \$2.0 million for the FOCUS program. The House did not accept the proposal to reduce early childhood development programs by \$3.4 million. The Senate funds K-12 education programs at the request level. The Senate provides an additional \$13 million for tribal colleges and universities.

Resource Management Operations

The House added \$1.2 million to Irrigation Operations and Maintenance program for the Navajo Indian Irrigation project and \$1.8 million for the Chippewa/Ottawa Resource Authority. The Senate restores funding for Water Management, Planning and pre-development and earmarks \$200,000 for operation, maintenance and repair of the Ft. Peck Reservation Tribal Water System.

Tribal Resource and Community Development

The House provided funding for a number of resource management and community development activities not requested in the budget:

- +\$3.75 million for the Washington State Timber-Fish-Wildlife Project;
- +\$3.0 million for the Intertribal Bison Management;
- +\$396,000 for the Seminole Tribe for Everglades restoration;
- +\$508,000 for the National Ironworkers Training Program; and
- +\$320,000 for Seminole-Everglades Restoration.

The Senate provides funding for a number of resource management programs not requested in the budget:

- +\$500,000 for the Rocky Mountain Technology Foundation;
- +\$750,000 for the Rural Alaska Fire program;
- +\$1.5 million for the Nursing program at Salish and Kootenai Tribal College;
- +\$392,000 for the Alaska Legal services;
- +\$450,000 for the United Sioux Tribes Development Corporation;
- +\$1.5 million for the Western Heritage Center's Distance Learning and tribal histories project;
- +\$400,000 for the Lakota Water Economic Development Expansion; and
- +\$100,000 for the Rocky Mountain Tribal Educational Symposia.

Both House and Senate provide funding for the following programs:

- +\$320,000 for the Upper Columbia United Tribes;
- +\$600,000 for the Circle of Flight program;
- +\$3.5 million for United Tribes Technical College (House +3.451 million); and
- +\$1.8 million for Crownpoint Institute of Technology (House +1.726 million).

School Construction

For the school construction program, the 2006 budget proposed \$173.9 million, a reduction of \$89.5 million in order to allow the program to focus on building the 34 schools that have already been funded.

The House funded school construction at \$225.9 million, an increase of \$52.0 million over the request. The House provided an additional \$32.0 million to complete funding for Crownpoint Community School, fully fund replacement of the Muckleshoot Tribal School, and begin the Denneshoto Boarding School. The House provided an additional \$19.0 million to fund four to six additional major FI&R projects.

The Senate funds school construction at \$198.9 million, an increase of \$25.0 million over the request and \$27.0 million less than the House. The Senate provides an additional \$15.0 million to complete funding for Crownpoint Community School and \$10.0 million for major FI&R projects.

Resource Management Construction

The President's budget included \$38.3 million for Resource Management Construction. The House accepted the budget proposal. The Senate provides \$10.0 million over the request for Indian irrigation FI&R projects. The Senate lists specific projects the BIA should consider when prioritizing project proposals.

Indian Land and Water Claims Settlements

The President's budget included \$24.8 million for paying settlement costs. The House provided \$10.0 million above the request to fund the Quinault Indian Nation North Boundary settlement. This settlement was funded in the BIA Land and Water Settlement Account in 2005, but the 2006 budget proposed funding it within the FWS land acquisition account. The Senate funds settlements at the request level.

Budget Restructuring

Both the House and Senate deny the request to restructure the BIA budget, citing inadequate consultation with Tribes. The House Report indicates that there is a need to restructure the budget and directs BIA to submit a revised budget structure as part of the 2007 budget justification. The House Report also provides specific criteria for the restructure and requires a report on the progress of consultation by October 31, 2005.

Report Language

- The House Report directs BIA to develop an internet website on the DOI homepage that provides detailed information on the BIA and OST budgets.
- The House Report requires a report on tribal consultation by December 31, 2005 outlining the process for tribal consultation on administrative, funding, and operational changes to programs and projects.

- The House Report directs the Government Accountability Office to conduct a study of BIA procedures and practices in implementing regulations to placing land into trust. GAO is to report the House and Senate Committees on Appropriations by May 1, 2006.
- The House Report urges Interior and OMB to give United Tribes Technical College and Crownpoint Institute full consideration in future funding requests and to work with the institutions to resolve concerns over funding formulas.
- The Senate expresses reservations about the proposed split in contract support costs between direct and indirect costs and denies the proposed bill language that would establish caps for each. The BIA is directed to work with Tribes to develop an updated policy on the payment of contract support costs.
- Senate Report language requests a report on BIA fish hatcheries due February 1, 2006. The Senate also requests a 2007 budget initiative to address maintenance and rehabilitation plans for BIA and tribal hatcheries.
- Senate Bill language amends the Indian Education Act (25 USC 2001 (d)) to require the Secretary to obtain approval of the governing body of an Indian tribe before closing or taking any other action relating to a school of the tribe.
- The Senate directs the Secretary to provide a detailed status report of all ongoing litigation, negotiations and settlements with the Samish Indian Nation within 60 days of enactment of the appropriation act.

Maintaining America's Heritage

Maintenance

\$000					Senate +/-		
	<u>05 Enacted</u>	<u>06 Request</u>	<u>House</u>	<u>Senate</u>	<u>05 Enacted</u>	<u>06 Budget</u>	<u>House</u>
BLM	100,634	95,043	95,043	97,043	-3,591	+2,000	+2,000
USGS	33,204	33,284	33,284	33,284	+80	0	0
FWS	154,056	156,322	158,397	156,322	+2,266	0	-2,075
NPS	582,739	595,586	594,686	595,186	+12,447	-400	+500
BIA	<u>73,150</u>	<u>77,065</u>	<u>77,065</u>	<u>77,065</u>	<u>+3,915</u>	<u>0</u>	<u>0</u>
Total	943,783	957,300	958,475	958,900	+15,117	+1,600	+425
					+1.6%	+0.2%	+0.0%

Note: The FWS Senate number is estimated.

The 2006 budget included \$957.3 million for annual, deferred, and cyclic maintenance programs in BLM, USGS, FWS, NPS, and BIA, an increase of \$13.5 million above 2005.

The House provided \$958.5 million, an increase of \$14.7 million above 2005 and \$1.2 million above the request. The House accepted the BLM, USGS, and BIA requests. The House increased the FWS budget to \$158.4 million, an increase of \$2.1 million and reduces the NPS request by \$900,000 to \$594.7 million.

The Senate provides \$958.9 million for maintenance, \$425,000 more than the House. While the Senate funds USGS, FWS, and BIA at the request level, BLM receives \$2.0 million more the request and NPS receives \$400,000 less than the request.

Construction

\$000					Senate +/-	Senate +/-	Senate +/-
	<u>05 Enacted</u>	<u>06 Budget</u>	<u>House</u>	<u>Senate</u>	<u>05 Enacted</u>	<u>06 Budget</u>	<u>House</u>
BLM	11,340	6,476	11,476	9,976	-1,364	+3,500	-1,500
FWS	52,658	19,676	41,206	31,811	-20,847	+12,135	-9,395
NPS	302,180	324,362	308,230	316,201	+14,021	-8,161	+7,971
BIA	<u>319,129</u>	<u>232,137</u>	<u>284,137</u>	<u>267,137</u>	<u>-51,992</u>	<u>+35,000</u>	<u>-17,000</u>
Total	685,307	582,651	645,049	625,125	-60,182	+42,474	-19,924
					-8.8%	+7.3%	-3.1%

The President's budget included \$582.7 million for construction. The House provided a total of \$645.0 million increasing amounts for BLM, FWS, and BIA. The House added 25 new projects totaling \$51.7 million. The House did not fund 27 projects that were requested, resulting in reductions of \$42.1 million. The Senate provides \$625.1 million for all bureaus, \$19.9 million less than the House. The Senate does not fund eight projects resulting in a reduction of \$34.3 million. The Senate adds \$42.2 million for 25 projects.

BLM. The House and Senate provide \$6.5 million for requested projects. The House added \$5.0 million for unspecified high priority deferred maintenance construction projects that improve recreation facilities and public access. The Senate adds three projects including \$1.6 million for unspecified critical projects in the construction 5-year plan.

FWS. The House added \$21.5 million for nine projects, including: \$3.4 million for the Clark R. Bavin Forensics Laboratory renovation/upgrade in Oregon, \$5.0 million for visitor contact facilities nation-wide, and \$3.9 million for the Tualatin NWR visitor center and administration building in Washington/Oregon.

The Senate funds the requested projects and adds \$12.1 million for eight projects, including: \$4.0 million for the Kodiak NWR visitor center in Alaska, \$2.3 million for the Hanford Reach National Monument/Saddle Mountain NWR visitor center in Washington, and \$2.1 million for laboratory construction at the Sevilleta NWR in New Mexico.

NPS. In total, the House reduced funding for the construction account by \$16.1 million. The House mark includes a requested transfer of \$17.0 million from unobligated Everglades land acquisition funds. The House eliminated funding for ten requested projects totaling \$40.8 million. Two of these projects at Lake Mead NRA are directed to be funded from the Southern Nevada Public Lands Management Act. Among the projects zeroed out are: \$12.7 million for the Western Arctic NP Northwest Alaska Heritage Center and Administrative Headquarters and preservation of Fort Jefferson at the Dry Tortugas NP in Florida (-\$6.6 million). The House provided \$3.0 million of the \$4.3 million requested for the Main Gate facility at Wolf Trap NP in Virginia to undertake the most essential maintenance requirements focused on health and safety, code compliance and utility upgrades. The House Report directs that funds are to be used for a stand-alone project that does not rely on future appropriations, and further that if further enhancements are a priority the NPS and Wolf Trap Foundation should

consider a capital improvement partnership in accordance with the new partnership construction process.

The Senate provides \$316.2 million; including the requested \$17.0 million transfer of unobligated Everglades land acquisition funds. The Senate eliminates funding for eight requested projects totaling \$34.3 million, including the two Lake Mead projects in Nevada, \$4.2 million for replacing the Main Gate facility at Wolf Trap NP in Virginia, and \$5.8 million for a water system in Death Valley NP in California. Two of the 14 projects added by the Senate are the same as in the House: the Lincoln Library in Illinois and the Calumet-Hecla Building at Keweenaw National Historical Park in Michigan.

BIA. The House increased funding for BIA construction by \$52.0 million. This includes an additional \$32.0 million for replacement school construction projects. The House level will complete funding for Crown Point Community School in New Mexico, fully fund Muckleshoot School in Washington, and provide partial funding for Dennehosoto School in Arizona. The House increase also includes \$19.0 million for major school facilities and improvement and repair projects.

The House and Senate provide \$3.9 million requested for three major detention center facilities improvement and repair projects including Macy in Nebraska, Turtle Mountain in North Dakota, and Blackfeet in Montana.

The Senate provides \$35.0 million more than the request for construction. This includes \$15.0 million for replacement school construction, which is \$1.4 million less than the estimated cost to fully fund Crown Point Community School. The Senate includes \$10.0 million for major school facilities improvement and repair, and \$10.0 million for resources management construction for rehabilitating existing water systems.

A detailed list of construction projects for the bureaus is included in Attachment 4.

National Park Service Deferred Maintenance Backlog

\$000	05 Enacted	06 Budget	House	Senate	Senate +/- 05 Enacted	Senate +/- 06 Budget	Senate +/- House
ONPS/Fac.							
Maintenance	385,429	392,233	391,333	391,833	6,404	-400	+500
Construction	<u>302,180</u>	<u>324,362</u>	<u>308,230</u>	<u>316,201</u>	<u>14,021</u>	<u>-8,161</u>	<u>7,971</u>
Total	687,609	716,595	699,563	708,034	20,425	-8,561	8,471
					+3.0%	-1.2%	+1.2%

The President’s budget request included \$716.6 million in support of the Administration’s commitment to manage the NPS deferred maintenance backlog, an increase of \$29.0 million over the 2005 enacted level. This includes funding from the Construction appropriation and the Facility Maintenance component of the Park Management Activity in the Operation of the National Park System account. Within this increase, \$3.4 million is targeted for Repair and Rehabilitation for projects to improve the condition of historic buildings. The request also includes an offset of \$17.0 million in prior year balances.

The House provided a net reduction of \$17.0 million below the Administration’s request for funding to manage the NPS maintenance backlog. The House reduced the repair and rehabilitation of historic structures \$900,000. The House reduced the Construction account by \$16.1 million for line item construction projects as discussed above.

The Senate provides reduces funding by \$8.6 million, including a \$400,000 reduction for Repair and Rehabilitation projects with the majority of the balance of the reduction from line-item construction projects.

Science Programs

U.S. Geological Survey

\$000					Senate +/-	Senate +/-	Senate +/-
	<u>05 Enacted</u>	<u>06 Budget</u>	<u>House</u>	<u>Senate</u>	<u>05 Enacted</u>	<u>06 Budget</u>	<u>House</u>
USGS	935,464	933,515	974,586	963,057	+27,593	+29,542	-11,529
					+2.9%	+3.2%	-1.2%

The 2006 President’s budget request included \$933.5 million for the USGS Surveys, Investigations and Research account. The House level of \$974.6 million is \$41.1 million above the budget request and \$38.1 million over the 2005 enacted level. The Senate funds USGS at \$963.1 million, which is \$29.5 million above the President’s request and \$11.5 million below the House allowance.

Geography

The House funded the National Mapping Program at \$133.2 million, \$250,000 below the request and \$14.5 million above the 2005 enacted level. The Senate funds the NMP at \$127.2 million, \$6.0 million below the House request. The House allowance includes the request of \$12.0 million for the Landsat 7 shortfall. The budget request and the House included \$6.0 million of this amount in Science Support. The House also provided \$7.5 million requested in the budget for development of the ground station for the Landsat Data Continuity Mission. The Senate provides the requested increase for the LDCM, but does not fund the \$12.0 million Landsat 7 shortfall. Neither the House nor Senate provided \$250,000 requested for the science impact program.

Senate report language expresses discontent about the Landsat 7 shortfall proposal taking issue with the request for additional funds rather than using savings from efficiencies, reduced travel, or from the buyout within the National Mapping Program. The Senate also expresses concern about not having received quarterly spending reports for the Landsat program. The Senate advises the Department to provide greater detail and explanation of the proposal to cover the Landsat shortfall prior to conference on the Interior bill.

Geology. The House funded Geology at \$239.3 million and the Senate includes \$237.2 million. Both the House and the Senate restore the proposed \$28.5 million reduction to the Minerals Resources Program and include report language disagreeing with the rationale behind the reduction. The House funded all of the requested increases within the President’s budget for geology, including \$5.4 million for a tsunami warning system for the United States and its Territories. The Senate funds all of the increases except for

the \$912,000 requested for the Puget Sound ecosystem studies. The Senate adds an additional \$1.0 million for the purchase, installation, and operation of volcano equipment in Shemya, Alaska. The House provided the following additions to the President's request:

- +\$250,000 for a global dust study;
- +\$1.2 million for Florida shelf research; and
- +\$1.1 million for Alaska mineral resource assessments.

The Senate directs the USGS to dedicate \$1.0 million of its base funding to an external grants program in the Minerals Resources Program and to work with the Lake Pontchartrain Stakeholders Conference to identify priority projects in the Lake Pontchartrain Basin. The Senate also directs USGS to expedite the completion of the Montana geological mapping project, which has been underway for over a decade.

Water Resources

The House provided \$211.8 million for water resources investigations, \$7.6 million above the budget request and \$551,000 above the 2005 enacted level. The Senate provides \$214.8 million for water resources, \$3.0 million above the House level. The House funded the President's \$400,000 request for water availability and directs USGS to begin a second pilot project in line with its November 2003 implementation plan for the program. The Senate does not fund the water availability program. Both the House and Senate restore full funding, \$6.5 million, for the water resources research institutes.

The House also included the following additions to the President's budget:

- + \$230,000 for toxic hydrology;
- +\$100,000 for the Hood Canal dissolved oxygen study; and
- +\$750,000 for the San Pedro Partnership.

The Senate includes the following additions to the request:

- +\$2.2 million for various aquifer studies;
- +\$450,000 for well monitoring in Hawaii;
- +\$900,000 for the Tongue River coalbed methane study; and
- +\$900,000 for a San Francisco South Bay Salt Ponds restoration study.

The House and Senate provide report language on water resources activities as follows:

- The House Report discourages the Water Resources Discipline of USGS from taking on activities that could be performed outside the Federal sector and requests a report describing the USGS' past, present and future efforts to avoid competing with the private sector by December 31, 2005.
- The Senate directs that funding for the San Francisco South Bay Salt Ponds restoration study be included in future budget requests.
- The Senate directs USGS to provide a total of \$485,000 for monitoring and research assessment activities at Lake Champlain including a redirection of 295,000 from within base funds. The Senate directs that full funding for the program be included in future budget submissions.

Biology

Biological research is funded at \$174.8 million in the House, \$1.8 million above the budget request and \$3.1 million above the 2005 enacted level. The Senate funds biological research at \$174.3 million, \$485,000 below the House funding level.

The House did not fund initiatives in the President's budget for Science on the DOI Landscape, Glen Canyon adaptive management, and invasive species. The Senate funds all of these initiatives except Glen Canyon adaptive management and Science on the DOI Landscape.

The House provided \$3.4 million in earmarks for biological research, including \$1.4 million for the Great Lakes Science Center for needs associated with the docking of the research vessel Kiyi. The Senate includes \$2.6 million in earmarks for biological research, including \$1.0 million for molecular biology and water studies at Leetown Science Center. The Senate also earmarks \$1.0 million from base funds for collaborative invasive species work with Mississippi State University. The Senate expresses concern about the length of time it is taking to complete the NBII report on future directions. The Senate directs that future funding requests for the NBII program be in a priority order to allow the proposals to be considered within the overall context of the Survey's other programs.

Enterprise Information

The House funded the Enterprise Information program at \$47.1 million, \$680,000 below the request level and \$2.7 million above the 2005 enacted level. The Senate funds Enterprise Information at \$47.1 million, the same as the House level. Neither the House nor Senate include funding for the disaster management e-government initiative. House bill language includes a funding prohibition. Both the House and Senate have included the requested funding for IT security certification and accreditation and the Enterprise Services Network. The Senate directs that, to the fullest extent possible, funding for C&A should be used to conduct risk assessments and remediation of USGS information systems to improve USGS security infrastructure. The Senate also directs the Department to design and implement the ESN in such a way that there is both a logical and physical separation between the trust systems and the non-trust USGS systems.

Science Support

The House funded Science Support at the President's request level of \$72.3 million, while the Senate provides \$6.0 million less. As explained under the Geography section, \$6.0 million of the \$12.0 million included in the budget for the Landsat 7 shortfall was requested in Science Support. The Senate reduction is due to the elimination of the Landsat 7 shortfall funding. The USGS facilities program is funded at \$96.2 million by both the House and Senate, which is \$1.5 million above the request. The House and Senate restore funding for rental payments proposed for reduction as a part of the minerals resources program reduction.

Other Bureaus, Offices, and Programs

NPS Historic Preservation Fund

\$000					Senate +/-	Senate +/-	Senate +/-
	<u>05 Enacted</u>	<u>06 Budget</u>	<u>House</u>	<u>Senate</u>	<u>05 Enacted</u>	<u>06 Budget</u>	<u>House</u>
Historic Pres.	38,705	38,705	39,205	42,500	3,795	3,795	3,295
Save Amer.							
Treasures	29,583	15,000	30,000	30,000	417	15,000	0
Preserve							
America	0	12,500	0	0	0	-12,500	0
HBCUs	<u>3,451</u>	<u>0</u>	<u>3,500</u>	<u>0</u>	<u>-3,451</u>	<u>0</u>	<u>-3,500</u>
Total	71,739	66,205	72,705	72,500	+761	+6,295	-205
					+1.1%	+9.5%	-3%

The President's budget requested a total of \$66.2 million for the NPS Historic Preservation Fund. This included \$38.7 million in grants to States, Territories and Tribes. It also included \$15.0 million for the Save America's Treasure program and \$12.5 million for the Preserve America initiative. The President did not request funding for grants to HBCUs; last year Congress added \$3.5 million for this program.

The House provided a total of \$72.7 million for the Historic Preservation Fund, an increase of \$6.5 million above the President's request. The House increased funding for historic preservation grants to States, Territories, and Tribes by \$500,000. The House provided \$3.5 million for grants-in-aid to HBCUs, essentially level with the 2005 enacted level. The House also provided \$15.0 million above the requested level for the Save America's Treasures program, for total funding of \$30.0 million. The House did not fund the Administration's \$12.5 million request for the new Preserve America initiative.

The Senate Committee includes a total of \$72.5 million for the Historic Preservation Fund, an increase of \$6.3 million above the 2006 budget request and \$205,000 below the House. The Senate provides an increase of \$3.8 million above the President's request for grants to States, Territories and Tribes. It also provides \$30.0 million for Save America's Treasures, the same as the House. The Senate does not provide separate funding for the Preserve America initiative, as requested in the President's budget, but includes bill language allowing NPS to award up to \$7.5 million in Save America's Treasures funding to be used towards Preserve America heritage tourism grants. In addition, the Senate does not provide funding for grants to HBCUs that were funded by the House.

National Recreation & Preservation

\$000					Senate +/-	Senate +/-	Senate +/-
	<u>05 Enacted</u>	<u>06 Budget</u>	<u>House</u>	<u>Senate</u>	<u>05 Enacted</u>	<u>06 Budget</u>	<u>House</u>
NR&P	60,973	36,777	48,997	56,729	-4,244	19,952	+7,732
					-7.0%	+54.3%	+15.8%

The President's budget request included \$36.8 million for National Recreation and Preservation programs. The 2006 request is a decrease of \$24.2 million below funding provided in the 2005 appropriations bill. The request proposes \$5.0 million for national

heritage areas, a decrease of \$9.6 million from 2005. The budget request also eliminates funding for the National Center for Preservation Technology and Training and funding for statutory and contractual aid grants.

The House provided \$49.0 million for NR&P programs, an increase of \$12.2 million above the President’s request. This includes a total of \$15.0 million for national heritage areas, an increase of \$10.0 million above the Administration’s request. The House also provided \$1.9 million to restore funding for the National Center for Preservation Technology and Training. The House did not provide funding for statutory and contractual aid grants, consistent with the budget request.

The Senate mark provides \$56.7 million for NR&P programs, an increase of \$20.0 million above the request and \$7.7 million above the House mark. This includes \$13.6 million for National Heritage Areas, \$1.4 million below the House. The Senate mark also restores \$1.9 million in funding for the National Center for Preservation Technology and Training, the same as the House.

Additionally, the Senate mark provides \$8.2 million for Statutory & Contractual Aid, an increase of \$8.2 million above the request and the House. Within the funding provided for Statutory Aid, the Senate included \$2.0 million for Chesapeake Bay Gateways and Water Trails. Neither the House mark nor the Administration’s request includes funding for this activity.

Minerals Management Service

\$000					Senate +/-	Senate +/-	Senate +/-
	<u>05 Enacted</u>	<u>06 Budget</u>	<u>House</u>	<u>Senate</u>	<u>05 Enacted</u>	<u>06 Budget</u>	<u>House</u>
ROMM	166,820	160,416	152,676	152,516	-14,304	-7,900	-160
Oil Spill	<u>7,006</u>	<u>7,006</u>	<u>7,006</u>	<u>7,006</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	173,826	167,422	159,682	159,522	-14,304	-7,900	-160
					-8.2%	-4.7%	-0.1%
Offsetting							
Collections	103,730	122,730	122,730	122,730	+19,000	0	0

The President’s budget request for MMS included \$167.4 million for direct appropriations comprised of \$160.4 million for Royalty and Offshore Minerals Management and \$7.0 million for Oil Spill Research. This was a net decrease of \$6.4 million from 2005. Collections from Outer Continental Shelf rents and other fee sources were requested at \$122.7 million, an increase of \$19.0 million from 2005. The total request is \$290.2 million for MMS operations.

The 2006 budget proposed increases including: \$1.2 million for a records management improvement project; \$5.8 million to fund the Royalty-In-Kind program out of ROMM appropriations rather than from revenue receipts; an additional \$4.0 million for RIK to offset costs which had been covered by RIK receipts; \$2.6 million for evolving technologies and growing regulatory needs of increased OCS deepwater activity; and \$500,000 for the Indian Compliance Assurance Initiative. Also, MMS proposed to collect \$19.0 million in new cost recovery and other fees in 2006.

The House provided \$152.7 million for ROMM, \$7.7 million below the President's request. For ROMM, increases were provided for fixed costs (totaling \$2.1 million) offset by a \$9.8 million reduction based on the House direction to use sales receipts from the RIK program to cover costs directly tied to the program. Bill language provides MMS with permanent authority to fund the RIK program from sales receipts, and allows MMS to recover transportation costs, salaries, and other administrative costs directly related to the RIK program. In addition to recommending permanent authority for the RIK program the House encourages MMS to establish multi-year agreements for RIK transportation and processing.

The Senate Committee provides \$152.5 million for ROMM, \$7.9 million less than the request and \$200,000 less than the House. The Senate does not include \$9.8 million in the request for administrative costs associated with the RIK program, as bill language described below gives MMS permanent authority to recover these costs through RIK sales receipts. The Senate Committee provides an increase of \$900,000 in the resource evaluation program for the Center for Marine Resources and Environmental Technology. The Committee mark also provides an increase of \$1.0 million above the request within royalty management for the State and Tribal audit program. The Senate Committee directs MMS to spend \$150,000 for the Alaska Whaling Commission within the funds provided for the leasing and environmental program.

Both the House and Senate fund Oil Spill Research at the request level. The House and Senate also concur with the Administration's request to increase receipts and fees by \$19.0 million.

The Senate gives MMS the authority to utilize receipts accruing from rental rates in effect prior to 1993 to augment offsetting collections retained from rental receipts above these rates should this become necessary to reach intended operating levels.

The Senate requests that the Department conduct a study that assesses the impact on MMS of merging the GovWorks program into the National Business Center. The study is to be completed prior to any permanent reorganization.

Office of Surface Mining

\$000					Senate +/-	Senate +/-	Senate +/-
	<u>05 Enacted</u>	<u>06 Budget</u>	<u>House</u>	<u>Senate</u>	<u>05 Enacted</u>	<u>06 Budget</u>	<u>House</u>
Reg & Tech	108,368	110,535	110,535	110,535	+2,167	0	0
AML	<u>188,205</u>	<u>246,014</u>	<u>188,014</u>	<u>188,014</u>	-191	-58,000	0
Total	296,573	356,549	298,549	298,549	+1,976	-58,000	0
					+0.7%	-16.3%	+0.0%

The President's budget request included \$356.5 million for OSM programs, a net increase of \$60.0 million above the 2005 enacted level. The President's budget included a \$58.0 million increase in the Abandoned Mine Land program in anticipation of a reauthorization proposal, and a \$2.2 million increase for Regulation and Technology.

Both the House and the Senate Committee fund OSM programs at the President's request, excluding the requested \$58.0 million increase in the AML program. Thus, the mark is \$2.0 million above the 2005 enacted level and \$58.0 million below the President's request.

House report language encourages the authorizing committees to act on the Administration's legislative proposal submitted last year to extend and modify Abandoned Mine Land provisions of the Surface Mining Control and Reclamation Act. The requested \$58.0 million was not included because legislative action is still pending. In the absence of legislative action, the House included bill language that makes a one-time transfer of the unappropriated balance of funds in the Rural Abandoned Mine Program (RAMP) allocation, which has not been used in ten years, to the Federal share allocation, to be used for emergencies and other high-priority Federal obligations. The transfer of funds also provides a funding source for the continued administration of the State and Tribal grant program. The Senate mark does not include this bill language.

The House and Senate retain bill language limiting funding for minimum program States to \$1.5 million. The Senate Committee mark also retains bill language providing Maryland special flexibility and the Senate continues funding the Appalachian Clean Streams Initiative at an amount up to \$10.0 million.

The Senate extends the authorization for the Abandoned Mine Land provisions of the Surface Mining Control and Reclamation Act for an additional nine months beyond the current expiration date of September 30, 2005.

Office of Insular Affairs

\$000					Senate +/-	Senate +/-	Senate +/-
	<u>05 Enacted</u>	<u>06 Budget</u>	<u>House</u>	<u>Senate</u>	<u>05 Enacted</u>	<u>06 Budget</u>	<u>House</u>
Ass't to Territories	75,581	74,263	76,563	76,683	+1,102	+2,420	+120
Compact of Free Association	<u>5,450</u>	<u>4,862</u>	<u>5,362</u>	<u>4,862</u>	<u>-588</u>	<u>0</u>	<u>-500</u>
Total	81,031	79,125	81,925	81,545	+514 +0.6%	+2,420 +3.1%	-380 -0.5%

The 2006 President's budget requested \$79.1 million in current (non-permanent) funding for the Office of Insular Affairs, which was \$1.9 million below the 2005 enacted level. The House provided OIA with \$81.9 million in current funding, \$2.8 million above the 2006 request and \$894,000 above the 2005 enacted level. The Senate provides \$81.5 million in current funding, \$380,000 below the House.

Assistance to Territories

The House funded Assistance to Territories at \$76.6 million, \$2.3 million above the President's request and \$651,000 above the 2005 enacted level. The Senate provides \$76.7 million for Assistance to Territories, \$120,000 above the House.

The House and Senate both provide the requested \$1.0 million for water and wastewater projects in the insular areas. The House provided an additional \$500,000 to support oversight of the implementation of the Compacts of Free Association, while the Senate provides \$300,000 for this oversight. This oversight includes additional staff and travel costs. House report language directs the Department to review funding and staffing levels for Compact oversight. The Senate also includes an additional \$320,000 to maintain the Continuing Judicial, Court Education, and Court Administration Improvement Project.

Both the House and the Senate provide \$1.0 million over the President's request for the continuation of health care programs in the Republic of the Marshall Islands, in accordance with Section 177 of the Compact. Both direct that such medical care consist of a clinic with at least one doctor and an assistant, necessary supplies, and logistical support.

Both the House and Senate support efforts for an agreement between the pension systems of Palau, the CNMI, RMP, and FSM to assume the responsibilities for the enrollees of the Prior Services Trust System and include \$800,000 for payments to replace the Prior Service Trust Fund, provided that there is an agreement in place. The President's budget did not include funding for this initiative. The House directed the Department to continue to work with the Board of Directors of the Prior Services Benefits Trust Fund and the directors of the pension systems of the Republic of Palau, CNMI, RMI, and the FSM to put agreements in place for assumption of the responsibilities of the Prior Service Benefits Trust Fund into the local pension systems.

The House Report expresses concern about the funding spent on business development conferences in Los Angeles and directs that OIA provide the Appropriations Committees with project cost plans both before and after similar conferences in the future, including any future "business opportunities missions." The Senate Report expresses concern that additional efforts may need to be focused on the Immigration, Labor, and Law Enforcement initiative if there is a downturn in the garment industry in the CNMI. The Senate directs OIA to fully describe the use of CNMI Initiative funding in future budget submissions, and to coordinate regular interagency meetings between Federal and local immigration, labor, and law enforcement officials, and to report to Congress annually on immigration, labor, and law enforcement conditions, issues, and trends in the CNMI.

Compact of Free Association

The House funded the Compact of Free Association at \$5.4 million, which is \$500,000 above the President's request and \$88,000 below the 2005 enacted level. The increased funding provided by the House is for Enewetak Support. The Senate provides \$4.8 million for the Compact of Free Association, which is \$500,000 below the House level, as it does not provide additional funding for Enewetak support.

Departmental Offices

\$000					Senate +/-	Senate +/-	Senate +/-
	05 Enacted	06 Budget	House	Senate	05 Enacted	06 Budget	House
Dept. Mgmt.	79,731	89,159	66,759	77,186	-2,545	-11,973	+10,427
Reductions(<i>inc. above</i>)			[-21,000]	[-10,000]	[-10,000]	[-10,000]	[-21,000]
FBMS*	14,160	23,555	23,555	22,555	+8,395	-1,000	-1,000
Appraisal Services	0	7,441	7,441	7,441	+7,441	0	0
Grant/Kendall Co.	<u>4,931</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>-4,931</u>	<u>0</u>	<u>0</u>
Subtotal, OS	98,822	120,155	97,755	107,182	+8,360	-12,973	+9,427
PILT	226,805	200,000	242,000	235,000	+8,195	+35,000	-7,000
Central HAZMAT**	9,855	9,855	9,855	9,855	0	0	0
Solicitor	51,656	55,752	55,340	55,652	+3,996	-100	+312
Inspector General	37,275	40,999	39,566	39,116	+1,841	-1,883	-450
NRDA	<u>5,737</u>	<u>6,106</u>	<u>6,106</u>	<u>6,106</u>	<u>+369</u>	<u>0</u>	<u>0</u>
Total	430,150	432,867	450,622	452,911	+22,761	+20,044	+2,289
					+5.3%	+4.6%	+0.5%

*The Senate includes a \$10 million reduction to administrative expenses in operating accounts to be spread prorata across Interior bureaus and offices.

**FBMS was requested in the Departmental Management appropriation. The House funded it in DM appropriation while the Senate has funded it in the Working Capital Fund. For comparability it is shown on one line in this table.

***Proposed for transfer in 2006 from BLM to the Office of the Secretary.

Overall, the 2006 President's budget for Departmental Offices is \$432.9 million. This includes \$80.2 million for Departmental Offices and centralized services supporting management of the Department, an increase of \$7.5 million above the 2005 funding level, comprised of increases for fixed costs and modest program increases. The 2006 budget also included \$23.6 million for the Financial and Business Management System, an increase of \$9.4 million over the 2005 funding level and \$200.0 million for PILT, a decrease of \$26.8 million below the 2005 level

Departmental Management

For Departmental Management, the President's budget request of \$89.2 million continued strategic investments to address important Department-wide needs, including:

- \$23.6 million for the Financial and Business Management System;
- \$7.2 million for the appraisal services program (*excluding fixed costs*);
- \$1.5 million for continued development of the Enterprise Services Network and other IT enhancements including IT certification and accreditation;
- \$700,000 to enhance the law enforcement and security program, in particular, create an internal affairs function;
- \$500,600 for Take Pride in America;
- \$463,000 to prepare OS financial data for migration to FBMS;
- \$250,000 to develop tools to utilize performance and cost data effectively;
- \$200,000 for partnership training;
- \$100,000 to further enforce aspects of the Indian Arts and Crafts Act of 1990; and

- \$6.1 million for fixed costs.

The House bill provided \$97.8 million, a decrease of \$22.4 million from the request and a decrease of \$1.1 million from the 2005 enacted level. The House funded the requested increases for the appraisal services program, Enterprise Services Network, FBMS financial data preparation, development of tools to utilize performance and cost data, enforcement aspects of the Indian Arts and Crafts Act of 1990, and fixed costs. The House bill does not provide the increases requested to enhance the law enforcement program, Take Pride in America, or partnerships training. In House floor action, two amendments were adopted that reduced the Departmental Management appropriation by \$21.0 million for increases to the PILT program and the National Endowments.

The Senate provides \$117.2 million, \$3.0 million below 2005. The Senate funds Take Pride in America at \$499,000 compared to the House level of \$500,000. Like the House, the Senate does not fund requested increases for the law enforcement programs, or partnership training; nor does it fund the increases for development of tools to utilize performance and cost data or IT certification and accreditation (-\$322,000). Senate report language notes the Department's long-term plan for the management of three museums currently operated by the Indian Arts and Crafts Board and expects to be kept well informed of the discussions held with the Tribes, local communities, and others. The Senate funds FBMS at \$22.6 million within the Working Capital Fund.

In Committee action, the Senate adopts an amendment that increases funding for the National Endowment for the Arts and Humanities by \$10 million. The funding increase is offset by a pro rata reduction in operating accounts for bureaus and offices in the Department for administrative expenses of \$10.0 million. Although this summary reports the reduction on the Departmental Management table above as it has not been allocated.

Central Hazardous Materials Fund

Both the House and Senate accept the Administration's proposal to transfer the Central Hazardous Materials Fund from BLM to the Office of the Secretary and fund it at the request level of \$9.9 million.

Payments in Lieu of Taxes

For the Payments in Lieu of Taxes program, the budget included \$200.0 million, a decrease of \$26.8 million below the 2005 enacted level. The House funded the program at \$242.0 million, an increase of \$42.0 million above the request. The Senate funds PILT at \$235.0 million, \$7 million below the House level.

Office of the Solicitor

For the Office of the Solicitor, the President's budget requested \$55.8 million including the following increases:

- \$1.9 million for fixed costs;
- \$1.2 million for IT, including two additional FTEs, operations and maintenance, certification and accreditation, replacement of printers, software upgrades, Smart Card implementation, and initial investments in a Legal Knowledge Management System;
- \$520,000 to fund an additional four attorney positions

- \$200,000 to fund two support position in the new FOIA appeals function transferred from the OCIO; and
- \$212,000 for training, travel, and other support of legal staff.

The House provided \$55.3 million, a decrease of \$412,000 from the request, but \$3.7 million above 2005. The House funded requested increases for fixed costs, information technology improvements, and additional legal staff. The House eliminated increased funding for two additional support positions in the FOIA appeals function, and eliminated the increased funding for training, travel, and support of legal staff.

The Senate provides \$55.7 million, a decrease of \$100,000 from the request, but \$3.9 million above the 2005 enacted level. The Senate reduces funding for FOIA appeals support positions by \$100,000.

Office of Inspector General

For the Office of Inspector General, the budget request was \$41.0 million, which included the following increases:

- \$1.6 million for fixed costs;
- \$600,000 for four FTEs to perform FISMA compliance oversight;
- \$470,000 for two FTEs and PCS expenses relating to the formation of the Office of Evaluations and Management Services;
- \$1.2 million to fund eight FTEs in the Office of Investigations to increase efficiencies in combating waste, fraud, abuse, and mismanagement; and
- \$213,000 for security clearances, computer equipment and software upgrades, and the OIG Mentor Program training.

The House provided \$39.6 million, a decrease of \$1.4 million from the request, and \$2.3 million above 2005. The House funded increases for fixed costs, FTEs to perform FISMA compliance oversight, and three FTEs for investigations. The House decreased funding for Office of Investigations by \$750,000, and eliminated funding increases for two FTEs and PCS for the Office of Evaluations and Management Services, computer equipment and software upgrades, security clearances, and for the Mentor Program training.

The Senate provides \$39.1 million, a decrease of \$1.9 million from the budget request, but \$1.8 million above the 2005 enacted level. The Senate decreases funding by \$300,000 for FISMA, \$470,000 for audit staff and PCS, \$900,000 for additional investigations staff, and \$213,000 for administrative services and information management.

Natural Resource Damage Assessment and Restoration Program

For the Natural Resource Damage Assessment and Restoration program, the budget included \$6.1 million. Both the House and the Senate fund the program at the request level. Report language requires a joint Interior/EPA report on Superfund restoration activities. Similar language is also included in the Senate report under the Fish and Wildlife Service.

MAJOR LEGISLATIVE LANGUAGE ITEMS

Title 1 – General Provisions, Department of the Interior

Title 1 of the House and Senate bills include numbered legislative provisions, including the following:

Administrative Provision. As requested in the President's budget, the House and Senate include a provision that provides for the use of appropriations, not to exceed \$500,000 for certain services when authorized by the Secretary. (House §103, Senate §103))

Outer Continental Shelf Moratoria. As requested in the President's budget, the House and Senate continue the moratoria on OCS oil and gas activities. (House §104-106, Senate §104-106)

Entrance Fee. The House continued a restriction on reduced entrance fee programs for non-local travel through park units. The President's budget sought to strike this provision as unnecessary with the passage of the Federal Lands Recreation Enhancement Act. The Senate does not include this provision. (House §107)

Twin Cities. The House and Senate continue language proposed in the budget to allow conveyance of properties at the Twin Cities Research Center and retention of receipts related to use of the properties. (House §112, Senate §111)

Sheldon and Hart NWR. The House and Senate include language requested in the budget to allow FWS to use helicopters and motor vehicles for management of wild horses and burros at the refuge. (House §113, Senate §112)

Land Acquisition Grants. The House and Senate include a provision that allows NPS land acquisition funds for Shenandoah Valley Battlefields National Historic District and Ice Age National Scenic Trail to be used for grants to a State, local government, or any other land management entity for the acquisition of lands without regard to any restriction in the LWCF Act of 1965. The President's budget proposed to delete this provision as one-time. (House §114, Senate §113)

Carlsbad Caverns. The House and Senate continue the limitation on the use of funds for a concessions contract permitting or requiring the removal of the underground lunchroom at Carlsbad Caverns NP. The budget proposed to eliminate this provision. (House §115, Senate §1114)

Bridge Demolition. The House continued a provision prohibiting the use of funds to demolish a bridge between Jersey City, New Jersey, and Ellis Island or to prevent pedestrian use of the bridge, as long as pedestrian use is consistent with generally accepted safety standards. The Senate does not include the provision. The President's budget proposed to discontinue the provision. (House §116)

Special Master/Court Monitor. The House and Senate continue a provision that precludes the Departments of Interior, Treasury, and Justice from compensating the Special Master and the Special Master-Monitor appointed by the United States District Court for the District of Columbia in the *Cobell v. Norton* litigation at an annual rate that exceeds 200 percent of the higher SES rate of pay for the Washington-Baltimore locality pay area. (House §117, Senate §115)

Employee Attorney Fees. The House and Senate continue a provision that allows the Secretary to use discretionary funds to pay private attorney fees and costs for employees and former employees of the Department of the Interior reasonably incurred in connection with *Cobell v. Norton*. (House §118, Senate §116)

Mass Marking. The House included a provision requiring FWS to implement a system of mass marking of salmon intended for harvest that are released from Federally operated or funded hatcheries with a mark that can be readily identified by commercial and recreational fishers. The Senate does not include the provision. The President's budget proposed to discontinue the provision. (House §119)

Midway Atoll. The House included a provision that allows the transfer of funds as necessary from Departmental Management to FWS for operational needs at Midway Atoll NWR airport. The Senate does not include the provision. The President's budget proposed to discontinue the provision. (House §120)

Lake Powell. The House and Senate continue a provision precluding the Department from studying or implementing a plan to drain Lake Powell or reduce the level of the lake below the range of water levels required for operation of the Glen Canyon dam. The President's budget proposed to discontinue the provision. (House §122, Senate §118)

Indian Gaming. As requested in the President's budget, the House and Senate continue a provision capping the imposition of fees by the Indian Gaming Commission in 2006 at \$12 million. (House §123, Senate §119)

Tribal Trust Demonstration Project. As requested in the President's budget, the House and Senate continue a 2004 provision that allows the Department to provide funds to certain, specified Tribes for a trust demonstration project. (House §124, Senate §120)

Temporary Nonrenewable Grazing Permits. The House and Senate continue a provision included in the 2005 Consolidated Appropriations Act that renews temporary nonrenewable grazing permits in the BLM Jarbidge Field Office, notwithstanding any other provision of law, including NEPA. The President's budget proposed to discontinue the provision. (House §125, Senate §121)

Ellis, Governors and Liberty Islands. As requested in the President's budget, the House and Senate continue a provision that authorizes the Secretary to acquire lands, waters, or interests therein in order to operate and maintain facilities in support of transportation and accommodation of visitors to Ellis, Governors, or Liberty Islands, by donation or with appropriated funds, including franchise fees, or by exchange. The provision also authorizes the Secretary to negotiate and enter into leases, subleases,

concession contracts or other agreements for the use of such facilities. (House §126, Senate §122)

Mojave National Preserve. The House continued a provision that authorizes continuation of the Clark Mountain grazing allotment within the Mojave National Preserve. The Senate does not include the provision. The President's budget proposed to discontinue the provision. (House §127)

NPS Winter Use Rules. As requested in the President's budget, the House and Senate extend for one year the provision that allows the NPS final winter use rules published in the Federal Register on November 10, 2004, to be in force for the 2005-2006-winter season. (House §128, Senate §123)

Staffing Limitation. The House included a provision that limits the use of funds for staffing the Department's Office of Law Enforcement and Security, including the number of staff detailed from other offices. The Senate does not include a similar provision. (House §129)

Kalaupapa NHP. The Senate includes language that extends the authorizing legislation for the Kalaupapa NHP Advisory Committee until December 2025. (Senate §127)

USS Arizona Memorial. The Senate includes a provision that authorizes the Secretary to charge a fee for visitor parking at the USS Arizona Memorial, and to retain and expend the revenues without further appropriation. The revenues are to be used for the lease of administrative facilities within or near the memorial. The Secretary is further authorized to enter into agreements with public or private entities to provide visitor information and admission tickets to NPS-administered sites and other attractions within the vicinity of the Memorial. (Senate §125)

AML Fee Collection Authority: The Senate adds a provision extending the authority to collect mine reclamation fees under the Surface Mining Control and Reclamation Act from September 30, 2005 to June 30, 2006. (Senate §127)

Indian School Closures. The Senate includes a provision to require the Secretary of the Interior to obtain the approval of the governing body of an Indian tribe before closing or taking any other action relating to an elementary or secondary school of the Tribe. (Senate §122)

Title IV – General Provisions (Bill-wide)

Title IV of the House and Senate bills include numbered legislative provisions, including the following:

Assessments. The House included a provision that directs that no assessments may be levied against programs funded in the bill unless advance notice and the basis for the assessment is presented to and approved by the appropriations committees. The Senate deletes this provision. The President's budget proposed to change this provision to eliminate language that required approval by the appropriations committees. (House §405, Senate §405)

Mine Patent Moratorium. As requested in the President's budget, the House and Senate continue the mine patent moratorium for an additional year. (House §407, Senate §408)

Contract Support Costs. As requested in the President's budget, the House continued and updated a provision that limits the amount available for contract support costs, and provides that Tribes may use the tribal priority allocations to cover unmet indirect costs. The Senate deletes this provision. (House §408)

Answering Machines. The House and Senate continue a provision first included in the 2003 Interior Appropriations Act that precludes the use of funds to operate telephone answering machines during core business hours unless an option is provided that enables callers to promptly reach an individual on-duty. (House §414, Senate §413)

National Monuments. The House and Senate continue a prohibition on the use of funds to conduct mineral preleasing, leasing, and related activities within the boundaries of a national monument established pursuant to the Antiquities Act, as such boundaries existed on January 20, 2001, except where such activities are allowed under the Presidential proclamation establishing the monument. (House §416, Senate §416)

Reciprocal Agreements for Firefighters. As requested in the President's budget, the House and Senate include a provision providing liability coverage to foreign firefighters. (House §418, Senate §417)

Transfers. The House continued a provision carried in prior years that restricts the transfer of funds to other U.S. Government entities except pursuant to authority provided in appropriations acts. The Senate modifies the provision to restrict transfers except as provided for in public law. The President's budget proposed to delete this provision. (House §419 Senate §406)

Hazardous Fuels and Watershed Projects. The House and Senate continue language that allows the Departments of the Interior and Agriculture to provide a preference for local contractors in disadvantaged areas for ecosystem restoration and fuels reduction work. The President's budget proposed new language that also provides the preference, while providing the basis for a broader national program. (House §420, Senate §419)

Declarations of Taking. The House and Senate include a provision limiting the use of funds for the filing of declarations of taking or complaints in condemnation without approval of the Committees on Appropriations. The provision does not apply to funds appropriated to implement the Everglades National Park Protection Act of 1989 or to funds appropriated for Federal assistance to the State of Florida to acquire lands for Everglades restoration purposes. The President's budget proposed to delete this provision. (House §421, Senate §420)

Competitive Sourcing. The House and Senate include similar provisions imposing a limit of \$3.450 million on Department of the Interior competitive sourcing studies for 2006 and clarifying reporting requirements. (House §422, Senate §421)

Overhead Charges. The House and Senate include similar provisions that require that all overhead charges, deductions, reserves or holdbacks from programs be presented in the budget and approved by the appropriations committees, and that any changes to information presented in the budget also be approved by the committees. The President's budget proposed to change this provision to eliminate language requiring approval by the appropriations committees. (House §423, Senate §405)

E-Government. The House and Senate continue a provision that precludes agencies funded in the Interior bill from providing funds to the managing partners of the SAFECOM, or Disaster Management e-government projects. The President's budget proposed to discontinue the provision. (House §424, Senate §422)

National Recreation Reservation Service. The House and Senate continue a provision that prohibits any entity entering into a contract with the United States to operate NRRS (as solicited by WO-04-06vm) from using a contact center located outside the United States or a reservation agent who does not live in the U.S. Reservation agents are also prohibited from telecommuting from a location outside of the United States. The President's budget proposed to discontinue the provision. (House §425, Senate §423)

Service First Reauthorization. As assumed in the President's budget, the House bill includes a provision extending the "Service First" reciprocal delegation authority between BLM and the Forest Service through 2008. The House bill also expands the authority to NPS and FWS. The Senate does not include a similar provision. (House §427)

Southern Nevada Public Lands Management Act. The House established a reporting requirement for the expenditure of funds pursuant to the Southern Nevada Public Lands Management Act. The Senate does not include a similar provision. (House §429)

Eastern Nevada Landscape Coalition. The Senate includes a permanent provision that authorizes the Secretary of Interior and the Secretary of Agriculture to make grants to and enter into cooperative agreements with the Eastern Nevada Landscape Coalition. The House did not include a similar provision. (Senate §427)

Klamath Water Rights Acquisition. The House included a provision that prohibits the use of receipts from the sale of land and non-water interests at Lower Klamath and Tule Lake National Wildlife Refuges for the acquisition of water rights. The Senate does not include a similar provision. (House §431)

Travel outside the United States. The House included a provision that prohibits using funds in the Act to send more than 50 Federal employees to any single conference occurring outside the United States. The Senate does not include a similar provision. (House §435)

Concession Contracts. The House included a provision that prohibits using funds in the Act to enter into or renew any concession contract except concession contracts that require merchandise for sale at units of the National Park System be made in the U.S. or its territories. The Senate does not include a similar provision. (House §436)

Sale or Slaughter of Free-Roaming Horses and Burros. The House included a provision that prohibits using funds in the Act for the sale or slaughter of free-roaming horses and burros. The Senate does not include a similar provision. (House §437)

Technical Notes

All amounts are current dollars.

All years referred to are fiscal years unless otherwise noted.

Comparisons of House action in this document are to 2005 enacted to date appropriations (excluding disaster supplemental appropriations and the \$98.6 million fire repayment supplemental) and the 2006 President's budget as scored by Congressional Appropriations Committees, as amended. The Committees' scoring of 2005 and the President's budget differ somewhat, with the result that comparisons in this document to the President's budget do not in all instances match comparisons in the budget.

OMB Budget Totals Compared with Appropriations Committee Totals

	<u>2005 Enacted</u>	<u>2006 Budget</u>	<u>2006 House</u> <u>Mark</u>	<u>2006 Senate</u> <u>Mark</u>
OMB Scoring	\$9,701,040	\$9,739,944	\$9,747,568	\$9,815,616
Committee Scoring	\$9,753,164	\$9,782,069	\$9,799,693	\$9,867,741

The Committees' scoring differs from OMB scoring by a net \$52.1 million in 2005 and \$42.1 million in 2006. The Committees include 4 current mandatory accounts that OMB does not include in its discretionary totals - BLM's Range Improvements (\$10 million), BLM's Miscellaneous Trust (\$12.4 million), OIA's Assistance to Territories (\$27.7 million) and Compact Assistance (\$2 million). The 2006 budget proposed elimination of the Range Improvement account.

Legislative History

House Bill – H.R. 2361/Report 109-80

House Subcommittee

The House Subcommittee reported the bill on May 4, 2005, unanimously approving the measure.

House Committee

The House Committee reported the bill on May 10, 2005, with two language amendments, by voice vote.

Amendments relating to the Department of the Interior programs were offered in Committee action on the following:

- **Cedar Creek and Belle Grove National Historical Park** – Congressman Wolf proposed an amendment to add report language encouraging the Park Service to complete the management plan for the Park no later than September 1, 2007. The

motion was approved by voice vote.

- **Chattahoochee National Recreation Area** – Congressman Kingston, on behalf of Congressman Price, held a colloquy about funding for Chattahoochee NRA and asked to work with the Subcommittee on additional funding for operations of the visitor center.
- **Yellowstone Bison** – Congressman Hinchey explained that he withdrew an amendment on Yellowstone bison.
- **OCS Moratoria** - Congressman Istook proposed an amendment that would revoke the moratoria for the eastern Gulf of Mexico OCS area in the bill at the point when importation of oil exceeds two-thirds of oil consumed in the United States. After discussion and input from several other members, Congressman Istook volunteered to work with the Chairman to examine the moratoria and withdrew his amendment.
- **Gas Inventory** - Congressman Peterson proposed an amendment to add \$50 million for a gas inventory on select OCS areas. The discussion by Congressman Peterson was followed by comments by Congressman Cunningham, Farr, Sherwood, and Young (Florida). Many of the comments indicated that this issue should be addressed through authorizing legislation and not in appropriations. Congressman Peterson subsequently withdrew the amendment.
- **Technical Amendment** – Chairman Taylor proposed a technical amendment that was adopted by voice vote.

House Floor

The House of Representatives passed the 2006 Interior, Environment and Related Agencies bill on May 19 by a vote of 329 to 89. The House vote came after defeating a motion to recommit with instructions to add funding for EPA programs by a vote of 191 to 228.

During consideration of the bill, the House adopted amendments affecting Interior programs, including the following:

- An amendment to increase PILT by \$12 million to a total of \$142 million, offset by a reduction of \$13 million in Departmental Management. Offered by Mrs. Cubin, Mr. Cannon, Mr. Rahall and Mr. Udall (Colo.), the amendment was adopted by a voice vote. An amendment to increase PILT by an additional \$4.8 million offered by Mr. Hefley was defeated on a roll call vote.
- An amendment by Mrs. Slaughter increasing funding for NEA and NEH by \$15 million, offset by a reduction of \$8 million in Departmental Management and \$7 million in the National Forest System. The amendment was adopted by a voice vote.
- An amendment by Mr. Rahall prohibiting the use of funds for sale or slaughter of wild horses and burros. The amendment was adopted by a roll call vote of 249 to 159.
- An amendment by Mr. Doolittle prohibiting the use of funds for sale of lands acquired incident to acquisition of water rights for the Klamath and Tule Lake NWRs. The amendment was adopted by a voice vote.
- An amendment by Mr. Costa prohibiting use of funds to enter into or renew any concession contract, except a concession contract that includes a provision that requires that merchandise for sale at units of the National Park System be made in the United States or its territories. The amendment was adopted by a voice vote.

- The House also adopted a bill-wide amendment prohibiting use of funds to send more than 50 Federal employees to any single conference occurring outside of the United States.

Amendments defeated during consideration of the bill included:

- A Peterson amendment to modify the current OCS moratoria to remove restrictions on leasing and development of natural gas resources. The amendment was defeated by a roll call vote.
- A Hefley amendment to reduce funding in the bill by \$291 million. The amendment was defeated by a roll call vote.

Points of order were sustained against several amendments, including:

- A Pombo amendment to restrict use of funds for unauthorized programs until passage of authorizing legislation. The amendment was ruled to be legislation in an appropriations bill.
- An amendment by Mr. Istook providing for the Eastern Gulf of Mexico OCS moratorium to not apply if the Energy Information Administration publishes data demonstrating that new imports of crude oil account for more than 2/3ds of U.S. oil consumption.
- An amendment by Mr. Wu to prohibit use of funds to permit class III gaming on non-reservation Indian land.

Points of order by Mr. Davis (Va.) were sustained against several provisions of the bill pertaining to competitive sourcing and contracting with vendors in formerly timber-dependant communities.

Senate Bill – H.R. 2361/Report unnumbered

Senate Subcommittee

The Senate Subcommittee reported the bill on June 7, 2005, unanimously approving the measure.

Senate Committee

The Senate Committee reported the bill on June 9, 2005 by voice vote.

Amendments relating to the Department of the Interior programs that were adopted in Committee include the following:

- **Abandoned Mine Lands** – Senator Byrd proposed an amendment to extend authorization for the Abandoned Mine Land provisions of the Surface Mining Control and Reclamation Act for an additional nine months beyond the current expiration date of September 30, 2005. The Committee adopted the amendment on voice vote.
- **Reduction to Administrative Expenses** – Senator Byrd offered an amendment cosponsored by Senators Craig, and Domenici to increase the National Endowments for the Arts and Humanities by \$10 million. The Senator offered an offsetting reduction, which reduces administrative expenses in operating accounts in bureaus and offices in the Department of the Interior. The amendment was adopted by voice vote.

- **Managers' Amendment** – Senator Burns introduced a set of amendments that was adopted on voice vote. The amendments include:
 - BIA School Closures – Bill language requiring tribal approval for school closures;
 - National Wildlife Health Center – Report language directing USGS to evaluate a modern diagnostic botulism test that does not require the use of live animals;
 - BLM Land Acquisition – Shifts \$500,000 from Carrizo Plain NM to Santa Rosa and San Jacinto NM;
 - FWS and NPS Funding Shifts – Moves \$400,000 from NPS Big Thicket land acquisition to FWS Resource Management \$200,000 Caddo Lake and \$200,000 Lower Colorado River study;
 - Kalaupapa NHP Advisory Commission – Extends the sunset date for authorization of the Commission by 20 years;
 - USS Arizona – Establishes a parking fee for the USS Arizona and authorizes the Secretary to enter into agreements with public and private entities to provide visitor information and tickets for NPS sites in the vicinity of, but not limited to, the USS Missouri, the Pacific Air Museum of Pearl Harbor, and the USS Bowfin submarine museum;
 - Whooping crane – Report language supporting whooping crane recovery efforts;
 - Cumberland Gap – Report language supporting land acquisition at the Cumberland Gap NHP in Kentucky;
 - Samish Indian Nation – Report language requiring the Secretary to report within 60 days of the appropriations act enactment on the status of ongoing litigation, negotiations and settlements with the Tribe;
 - Wild Horse and Burro – Report language encouraging the continuation of collaboration with the National Wild Horse association in Nevada;
 - NPS Land Acquisition – Within NPS land acquisition, \$500,000 is moved from inholdings/exchanges to Sleeping Bear Dunes;
 - Refuges in Alaska – Within FWS Resource Management, \$500,000 is moved from the increase for the Alaska Sealife Center to GIS mapping of Alaska refuges;
 - Yukon Flats Land Exchange – Moves \$300,000 from FWS Resource Management, Fisheries program and \$200,000 from FWS Togiak land acquisition to add \$500,000 to FWS land acquisition for an EIS of the proposed Yukon Flats land exchange.

Amendments relating to the Department of the Interior programs that were offered but not adopted in Committee include the following:

- **Water Diversions** – Senator Allard offered an amendment that would disallow the use of funds for the Secretaries of Agriculture and Interior to impose restrictions on diversion, storage, transportation or use of water under water rights recognized under Colorado State law. The amendment was withdrawn and Senator Allard committed to working with the other members to clarify the intent of this amendment prior to Senate floor action.

Discussion took place during Committee action on several Interior related topics, including:

- **BLM permit processing** - Senator Domenici spoke to the need to increase funding for the processing of APD permits in BLM specifically to address an anticipated increase in demand for oil shale development and committed to addressing this through the energy bill and the Interior bill.
- **Historically Black Colleges and Universities** - Senator Landrieu spoke to the need to increase funding for historically black colleges. She intends to offer an amendment on the Senate floor.
- **Outer Continental Shelf** - Senator Landrieu also spoke to the need to recognize the importance of the Outer Continental Shelf relative to the abundance of resources and energy that the area contributes to the national economy.