



UNITED STATES  
DEPARTMENT OF THE INTERIOR  
Director of Budget

HOUSE FLOOR AND SENATE COMMITTEE ACTION ON THE FISCAL YEAR  
2005 INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL

The Senate Appropriations Committee reported the 2005 Interior and Related Agencies Appropriations on September 14, 2004.

The House earlier passed the bill on June 17, 2004, by a vote of 334 to 86. The House Appropriations Committee reported the bill on June 9.

**Funding Overview**

For all programs funded in the bill, the House recommended \$19.53 billion, \$448.2 million or 2.2 percent below the President's budget request of \$19.98 billion. The Senate Committee recommends \$20.26 billion, \$279.4 million or 1.4 percent above the President's budget request.

For Department of the Interior programs, the House provided \$9.74 billion in regular 2005 appropriations. This is \$227.4 million or 2.3 percent less than the President's budget and \$4.1 million or 0.04 percent below the 2004 enacted level. The Senate Committee funds the Department of the Interior programs at \$9.875 billion, a reduction of \$96.0 million, or 1.0 percent, below the request, but \$131.7 million above the House.

In addition to regular 2005 appropriations, the House and Senate Committee bills also provide \$500 million in supplemental appropriations for wildland fire suppression by the Department of the Interior and the U.S. Forest Service for 2005, with \$100 million of this supplemental fire funding earmarked for Interior agencies.

For the priorities requested in the President's budget, the House and the Senate Committee provide the following:

**Cooperative Conservation Programs:** The 2005 President's budget included \$507.3 million for cooperative conservation programs in the Department of the Interior. The House provided \$389.4 million for these programs, a reduction of \$117.9 million from the request. The Senate provides \$440.3 million, a reduction of \$67.0 million from the request.

For the Cooperative Conservation Initiative (excluding grant programs), the House recommendation included \$90.9 million and the Senate Committee provides \$114.2 million. The budget proposed \$129.5 million for the Initiative.

- The budget request included \$54.0 million for challenge cost share programs,

comprised of \$29.6 million for conservation challenge cost share grants and \$24.4 million for traditional challenge cost share grants. The House bill did not fund conservation challenge cost share grants and provided \$18.8 million for traditional challenge cost share grants. By comparison, the Senate provides \$41.1 million for challenge grants.

- The House bill funded the FWS Coastal program at the level requested in the budget, \$13.1 million. The Senate funds the FWS Coastal program at \$10.9 million, \$2.2 million below the request and House, but \$700,000 above the enacted level.
- The House funded Migratory Bird Joint Ventures at \$10.4 million, as compared to the request of \$11.4 million. The Senate funds the Migratory Bird Joint Ventures equal to the request and \$1.0 million above the House.
- The House funded FWS Partners for Fish and Wildlife program at \$48.0 million, as compared to the budget request of \$50.0 million. The Senate provides \$50.0 million, but does not fund the High Plains Partnership or the Federal trust species restoration program.
- In the House bill, Take Pride in America was funded at \$497,000, the same as the 2004 funding level, but below the request of \$1.0 million. The Senate funds the program at \$750,000.

For other cooperative conservation grant programs, the House bill provided \$298.6 million as compared to the President's budget request of \$377.8 million. The Senate provides \$326.1 million.

- The budget included \$60.0 million for the Landowner Incentive grant program and Private Stewardship grants. The House bill included \$20.0 million and the Senate provides \$36.5 million.
- The House bill provided \$81.6 million for Cooperative Endangered Species Conservation Fund grants; \$38.0 million for North American Wetlands Conservation Fund grants; and \$67.5 million for State and Tribal Wildlife grants. The Senate provides \$82.6 million for Cooperative Endangered Species Conservation Fund grants; \$38.0 million for North American Wetlands Conservation Fund grants; and \$75.0 million for State and Tribal Wildlife grants.
- LWCF State grants were funded at \$93.8 million in the 2005 budget request. The House provided \$91.5 million and the Senate provides \$94.0 million.

**LWCF:** The 2005 budget request fully funded LWCF at \$900.2 million, including \$660.6 million for Department of the Interior programs. The balance is funded in the Forest Service. The House bill included \$261.4 million for Interior programs funded from LWCF, including \$33.0 million for Federal land acquisition. The Senate funds \$390.1 million from LWCF, including \$134.6 million for Federal land acquisition.

**BIA School Construction:** The Senate funds school construction at \$229.1 million, the same as the request. The House funded school construction at \$294.6 million, an

increase of \$65.5 million above the request, restoring the program to the 2004 level. Of the House increase, \$7.0 million is for facilities improvement and repair and \$58.5 million is to begin replacement of the highest priority schools on the recently published 2004 priority list. Both the House and the Senate provide the requested \$21.0 million increase for annual maintenance.

The Senate, but not the House, includes the proposed bill language to allow BIA to reassume control of a project if construction does not begin within 18 months.

**Wildland Fire/Healthy Forests Initiative:** The House and Senate both fund the Wildland Fire Management program at the request level of \$743.1 million. The House fully endorsed the programmatic changes proposed in the President's budget. By contrast, the Senate provides \$20.0 million of the requested \$25.4 million increase for the Hazardous Fuels Reduction program and restores \$5.0 million to the Rural Fire Assistance program. In addition to the regular appropriation, both the House and Senate provide FY 2005 contingent supplemental appropriation of \$500 million for suppression operations, of which \$100.0 million is designated for the Department of the Interior.

**Preserve America:** Neither the House nor Senate provide the Administration's request of \$10.0 million for the new Preserve America initiative. The Senate allows up to \$2.0 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 \$4.1 million for expanded inventory & monitoring activities and \$528,000 for water quality monitoring. The House bill funded the request. The Senate provides \$2.0 million for inventory & monitoring activities, \$2.1 million below the 2005 request and the House mark.

**Trust Programs:** The President's budget (as amended) included a total of \$609.4 million for trust programs in BIA, the Office of the Special Trustee, and Indian Land Consolidation. The House provided a total of \$520.1 million for the unified trust budget. The Senate provides a total of \$527.0 million, an increase of \$6.9 million above the House.

The House and Senate fully fund the budget request for unified trust programs except for historical accounting, BIA workforce planning, BIA IT, and land consolidation. The House and Senate provide \$58.0 million for historical accounting, \$51.4 million less than the budget request.

The House and Senate provide \$57.3 million for BIA IT enhancements, a decrease of \$10.0 million below the request, but an increase of \$19.0 million above 2004. The Senate provides only \$1.0 million of the \$2.0 million requested increase for BIA workforce planning.

The budget request for Indian Land Consolidation was \$70.0 million. The House provided \$42.0 million and the Senate provides \$50.0 million, an increase of \$8.0 million above the House. The Senate level is a decrease of \$20.0 million below the request, but

an increase of \$28.3 million (almost 130%) above 2004.

**Abandoned Mine Lands Reclamation:** The House funded AML grants to States and Tribes at \$152.8 million, \$3.2 million above the request. The Senate Committee provides \$149.6 million for AML grants to States and Tribes, even with the request level. Neither the House nor Senate provides \$53.0 million for the Administration's proposed payout for certified States under the AML program. House report language states support for the Administration's legislative proposal and urges the authorizing committees to act on the proposal. The Senate Committee bill includes an amendment by Senator Byrd to extend the AML fee authority for nine months, until June 30, 2005. (The first 2005 continuing resolution, P.L. 108-309, extends fee authority for the length of the CR, through November 20.)

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

- **National Park Service:** While funding the park operations account at the budget request level of \$1.686 billion, the House bill provided an across-the-board increase of \$32.7 million for park base operations. Combined with the budget increase of \$22.0 million, this provides an increase of \$54.7 million for park base funding. The House offset its increase with reductions from requested levels for repair and rehabilitation, conservation challenge cost share grants, and law enforcement. The Senate provides \$1.689 billion for the park operations account, \$2.8 million above the request and House action. The Senate provides an increase of \$22.0 million above the request for a park base total of \$44.0 million. The increase is offset by reductions in facility operations and maintenance.
- **Fish and Wildlife Service:** The President's budget request included \$951.0 million for the Fish and Wildlife Service's operating account, Resource Management. The House provided \$970.5 million, an increase of \$19.5 million over the request, primarily reflecting the restoration of Congressional earmarks. The Senate funds the operating account at \$966.3 million, \$15.3 million higher than the request. For refuge operations, the House provided \$389.4 million, an increase of \$1.8 million over the President's request. The House increased funding for invasives control, cooperative projects, staffing, and visitor services. The Senate funds refuge operations at \$391.5 million, an increase of \$3.8 million over the President's request and \$2.1 million above the House.
- **Bureau of Land Management:** The House funded BLM's two operating accounts at \$952.0 million, a decrease of \$1.6 million below the request and an increase of \$6.8 million above the 2004 enacted level. The Senate funds BLM operations at \$969.2 million, \$17.3 million above the House. Both the House and Senate fully fund the \$10.5 million increase requested for the Wild Horse and Burro program.

**Law Enforcement:** The President's budget included \$536.1 million for the Department's law enforcement programs, an increase of \$23.3 million over 2004. The House provided increases of \$2.0 million for BLM California desert rangers and southwest border activities and \$2.0 million for FWS law enforcement vehicles, law enforcement activities and ports of entry. The House reduced, by \$3.2 million, funding for NPS regional

special agents and the law enforcement information system. The House reduced funding for the Office of Law Enforcement by \$400,000. The Senate funds the request and provides an additional \$1.7 million for FWS ports of entry. It reduces the NPS request by \$2.8 million for regional special agents and IMARS and reduces OLES by \$150,000.

**Water 2025:** The 2005 USGS budget included an increase of \$800,000 for water availability (Water 2025) projects in the Lower Colorado and the Great Lakes. The House provided the \$800,000, but focuses the entire amount to work on Great Lakes pilot project. House report language also directs USGS to seek funding in future budgets to expand the program nationwide. The Senate does not provide funding for these projects.

**PILT:** The House funded the Payments in Lieu of Taxes program at \$226.0 million, the request level, and \$1.3 million over the 2004 enacted level. The Senate Committee provides \$230.0 million, \$4.0 million above the request and the House level.

**Fixed Costs:** The President's budget request included \$71.0 million for fixed costs increases, partially funding cost increases and requiring that bureaus and offices absorb \$57 million in anticipated pay and health cost increases. The House mark funded the request with two exceptions: the Office of Inspector General and the Solicitor's Office. The Senate mark appears to fund the request.

More details on funding levels and legislative provisions included in the House and Senate bills follow. A comparison of bureau and office funding levels is provided as Attachment 1. Attachment 2 provides a comparison of key numbers. Attachments 3 and 4 provide summaries of land acquisition and construction.

## DETAILED SUMMARY

### Cooperative Conservation Initiative

	2004 Enacted	2005 Budget	House	Senate		Senate +/- 04 Enacted	Senate +/- 05 Budget	Senate +/- House
<b>CCI Challenge Cost Share Program:</b>								
Bureau of Land Management	7,408	10,000	0	0	1	-7,408	-10,000	0
Fish and Wildlife Service	5,927	7,600	0	5,927		0	-1,673	+5,927
National Park Service	<u>7,871</u>	<u>11,996</u>	<u>0</u>	<u>7,871</u>		0	-4,125	+7,871
Subtotal	21,206	29,596	0	13,798		-7,408	-15,798	+13,798
<b>Tradit. Challenge Cost Share Grants:</b>								
Bureau of Land Management	8,769	11,000	7,500	16,000	1	+7,231	+5,000	+8,500
Fish and Wildlife Service	3,827	4,400	4,400	3,827		0	-573	-573
National Park Service								
Traditional	1,950	3,978	1,950	2,450		+500	-1,528	+500
Lewis & Clark	<u>4,902</u>	<u>4,996</u>	<u>4,902</u>	<u>4,996</u>		+94	0	+94
Subtotal	19,448	24,374	18,752	27,273		+7,825	+2,899	+8,521
<b>Other CCI Programs:</b>								
Fish and Wildlife Service								
Coastal Program	10,186	13,060	13,135	10,886		+700	-2,174	-2,249
Migratory Bird Joint Ventures	10,225	11,449	10,449	11,449		+1,224	0	+1,000
Partners for Fish & Wildlife	42,401	50,000	48,022	50,022		+7,621	+22	+2,000
Departmental Management								
Take Pride in America	493	1,000	497	750		+257	-250	+253
<b>TOTAL CCI</b>	<b>103,959</b>	<b>129,479</b>	<b>90,855</b>	<b>114,178</b>		<b>+10,219</b>	<b>-15,301</b>	<b>+23,323</b>
						<b>+9.8%</b>	<b>-11.8%<sup>1</sup></b>	<b>+25.7%</b>

<sup>1</sup> Senate does not specify the distribution between conservation and traditional challenge grants

The President's budget included \$129.5 million for the Cooperative Conservation Initiative, reflecting increases of \$25.5 million over 2004 funding levels. Overall, the House provided \$90.9 million for CCI. The Senate provides \$114.2 million.

**Challenge Cost Share:** The 2005 request included \$54.0 million for conservation and traditional challenge cost share programs. The House provided \$18.8 million for challenge cost share grants and directed the funding be used for traditional challenge grants. This is a reduction of \$35.2 million from the request. The Senate provides \$41.1 million for challenge cost share grants, \$12.9 million below the request. The Senate funds conservation challenge grants in FWS and NPS at the 2004 level. It does not provide a distribution for \$16.0 million in BLM challenge cost share grants between the traditional and conservation components.

**Coastal Program.** The House funded the FWS Coastal program at \$13.1 million, comparable to the request, and \$2.9 million above the 2004 level. The Senate funds the Coastal program at \$10.9 million, \$700,000 over the 2004 level. The Senate included the

following changes in its mark:

- +\$175,000 for the Hood Canal Salmon Enhancement Group;
- +\$200,000 for Long Live the Kings;
- +\$300,000 to restore funding for the Tampa and Florida panhandle field offices;
- -\$400,000 to decrease regional office support; and
- -\$200,000 to decrease Washington office support.

**Joint Ventures.** The House funded the Migratory Bird Joint Ventures program at \$10.4 million, \$1.0 million below the request. The House Committee directed the Service to provide a \$201,000 increase for implementing the recommendations of the North America Waterfowl Management Plan. The Senate funds the program at \$11.5 million, level with the request.

**Partners.** The FWS Partners for Fish and Wildlife program is funded at \$48.0 million in the House mark, as compared to the budget request of \$50.0 million. The House provided increases of \$2.0 million for a general increase focused on invasive species control and \$6.3 million for Congressional earmarks. These increases were offset by eliminating \$1.1 million for Tamarisk control; reducing the \$6.2 million Upper Klamath restoration program to \$1.0 million; and reducing the \$5.0 million High Plains partnership to \$1.0 million. The Senate funds the program at \$50.0 million, the same as the request.

**Take Pride in America:** The House provided \$497,000 of the \$1.0 million requested for Take Pride in America. The Senate provides \$750,000, \$250,000 below the request.

**Landowner Incentive Program/Stewardship Grants**

\$000					Senate +/-	Senate +/-	Senate +/-
	<u>04 Enacted</u>	<u>05 Budget</u>	<u>House</u>	<u>Senate</u>	<u>04 Enacted</u>	<u>05 Request</u>	<u>House</u>
Landowner Incentive	29,630	50,000	15,000	29,000	-630	-21,000	+14,000
Stewardship Grants	<u>7,408</u>	<u>10,000</u>	<u>5,000</u>	<u>7,500</u>	<u>+92</u>	<u>-2,500</u>	<u>+2,500</u>
Total	37,038	60,000	20,000	36,500	-538	-23,500	+16,500
					-1.5%	-39.2%	+82.5%

The President's budget included \$50.0 million for the Landowner Incentive Program and \$10.0 million for the Private Stewardship Grants program. The House provided \$15.0 million and \$5.0 million, respectively, for these programs. This is a \$40.0 million reduction from the request level. The Senate provides \$29.0 million for Landowner Incentive and \$7.5 million for the Private Stewardship Grants program. This is approximately the same as the 2004 level and \$16.5 million more than the House.

### Stateside LWCF Grants

	<u>04 Enacted</u>	<u>05 Budget</u>	<u>House</u>	<u>Senate</u>	Senate +/-	Senate +/-	Senate +/-
					<u>04 Enacted</u>	<u>05 Request</u>	<u>House</u>
Grants	91,360	91,360	90,000	91,531	+171	+171	+1,531
Administrati	<u>2,469</u>	<u>2,469</u>	<u>1,500</u>	<u>2,469</u>	+0	0	+969
Total	93,829	93,829	91,500	94,000	+171	+171	+2,500
					+0.2%	+0.2%	+2.7%

The President's budget requested \$93.8 million for LWCF State grants. The House bill provided \$91.5 million. The Senate provides \$94.0 million, \$2.5 million above the House level. The Senate level for grants is \$1.5 million above the House. Grants administration is \$969,000 over the House level.

### Fish and Wildlife Service Grants

\$000	<u>04 Enacted</u>	<u>05 Budget</u>	<u>House</u>	<u>Senate</u>	Senate +/-	Senate +/-	Senate +/-
					<u>04 Enacted</u>	<u>05 Request</u>	<u>House</u>
CESCF	81,596	90,000	81,596	82,600	+1,004	-7,400	+1,004
NAWCF	37,532	54,000	38,000	38,000	+468	-16,000	0
Wildlife							
Grants	69,137	80,000	67,500	75,000	+5,863	-5,000	+7,500
Multinational							
Species							
Conservation	5,531	9,500	5,900	5,700	+169	-3,800	-200
Neotropical							
Birds	<u>3,951</u>	<u>[4,000]</u>	<u>4,400</u>	<u>4,000</u>	+49	+4,000	-400
Total	197,747	233,500	197,396	205,300	+7,553	-28,200	+7,904
					+3.8%	-12.1%	+4.0%

The President's budget requested \$233.5 million for FWS conservation grants. The House provided \$197.4 million, close to the 2004 enacted level. The Senate provides \$205.3 million, \$7.4 million more than the House.

**Cooperative Endangered Species Conservation Fund:** The President's budget included \$90.0 million for the Cooperative Endangered Species Conservation Fund, a \$8.4 million increase over 2004. The House funded CESCOF grants at \$81.6 million, equal to the 2004 enacted level. The House stipulated in the bill language that \$49.4 million, the amount provided for HCP land acquisition grants, should be funded from the Land and Water Conservation Fund. The Senate provides \$82.6 million, \$1.0 million above the House.

**North American Wetlands Conservation Fund:** The budget request included \$54.0 million for the North American Wetlands Conservation Fund, a \$16.5 million increase over 2004. The House provided \$38.0 million, \$468,000 above the 2004 level and \$16.0 million below the President's request. The Senate provides \$38.0 million, equal to the House.

**State and Tribal Wildlife Grants:** The budget requested \$80.0 million for State and Tribal Wildlife Grants, an increase of \$10.9 million from 2004. The House provided \$67.5 million, a decrease of \$12.5 million from the request and \$1.6 million less than the 2004



enacted level. The House earmarked \$6.0 million for the tribal grant portion of the program. The Senate provides \$75.0 million, a decrease of \$5.0 million below the request and \$7.5 million above the House. The Senate also earmarks \$6.0 million for tribal grants.

The House included report language stating that it expects each State and Territory to submit its comprehensive wildlife conservation plan on time, and that the FWS should notify each State or Territory as soon as possible after its receipt as to whether or not the plan has been approved. Until a State or Territory has submitted an approved plan, it will not be eligible for funding from this program. The House directed that funds be used by States to supplement, not substitute, existing State revenue sources, and that States should also prioritize the use of these funds for species with the greatest conservation need.

**Multinational Species Conservation Fund and Neotropical Birds:** The budget request funded the Multinational Species Conservation Fund at \$9.5 million, including \$5.5 million for multinational species grants and \$4.0 million for neotropical bird conservation. The House provided \$5.9 million and the Senate provides \$5.7 million for multinational species conservation grant programs. The House and Senate funded the Neotropical Bird Conservation grant program in a separate account, at \$4.4 million and \$4.0 million, respectively.

**Federal LWCF Land Acquisition**

\$000					Senate +/-	Senate +/-	Senate +/-
	<u>04 Enacted</u>	<u>05 Budget</u>	<u>House</u>	<u>Senate</u>	<u>04 Enacted</u>	<u>05 Request</u>	<u>House</u>
BLM	18,371	24,000	4,500	22,850	+4,479	-1,150	+18,350
FWS	43,091	45,041	12,500	49,864	+6,773	+4,823	+37,364
NPS	<u>41,767</u>	<u>84,295</u>	<u>16,000</u>	<u>61,831</u>	<u>+20,064</u>	<u>-22,464</u>	<u>+45,831</u>
Total	103,229	153,336	33,000	134,545	+31,316	-18,791	+101,545
					+30.3%	-12.3%	+307.7%

The President’s budget request contained \$153.3 million for Federal land acquisition, including project funding of \$114.0 million. The balance of the budget request, \$39.4 million, was for acquisition management, inholdings, emergency acquisitions, and land exchanges.

The House mark for Interior land acquisition eliminated funding for the 41 requested line-item projects and provided a total of \$33.0 million for emergencies and hardships, exchanges, and acquisition management. The Senate provides \$134.5 million for Federal land acquisition, a decrease of \$18.8 million from the request. This is \$101.5 million more than the House. The Senate funds \$97.9 million for requested line-item projects and adds funds for 39 projects, totaling \$53.6 million. Specifics for each bureau follow:

**BLM:** The House provided \$4.5 million for BLM, making available \$1.0 million, instead of \$1.5 million, for emergencies and hardships, the requested \$3.0 million for acquisition

management, and \$500,000 for land exchange equalization payments. Projects not provided in the House mark included \$3.5 million for Chain-of-Lakes Recreation Management Area/Lewis and Clark National Historic Trail in Montana and \$2.7 million for the Rio Grande National Wild and Scenic River in New Mexico.

The Senate provides \$22.9 million, a reduction of \$1.2 million below the request. Projects not funded include \$2.0 million for the Upper Snake and South Fork Snake River and \$1.0 million for the Lower Salmon River. The Senate adds \$6.7 million in unrequested projects.

**FWS:** The House provided \$12.5 million for the acquisition account, including \$1.0 million for inholdings, \$1.0 million for emergencies and hardships, and \$500,000 for exchanges. The House reduced acquisition management to \$8.0 million, a reduction of \$365,000. Included among the 20 projects the House did not fund are \$2.6 million for Baca NWR in Colorado and \$4.6 million for Upper Klamath Lake NWR in Oregon. The \$10.0 million requested in FWS land acquisition for the Quinault Indian Reservation in Washington was funded under the Indian Land and Water Settlements account in BIA.

The Senate funds FWS at \$49.9 million, an increase of \$4.8 million above the request. The Senate adds \$34.7 million for unrequested projects. The Senate does not include funds for the Northern Boundary Area of the Quinault Indian under either FWS or BIA. The Senate includes bill language prohibiting the use of funds for land acquisition at Deep Fork NWR, Oklahoma.

**NPS:** The House provided \$16.0 million for NPS including \$3.0 million for emergencies and hardships, \$3.0 million for inholdings, and \$10.0 million for acquisition management. The Senate provides \$61.8 million, a decrease of \$22.5 million below the request. Among projects not funded by the House and Senate are \$40.0 million for Big Cypress (Collier) minerals buy-out in Florida and \$5.3 million for Pinnacles National Monument in California. The Senate adds \$26.3 million in unrequested projects.

House report language states that the Department should take into account reductions in acquisition management funding levels in determining amounts to charge bureaus in 2004 and 2005 for the newly consolidated land appraisal office. The House Committee also directs the Department to identify funds in the Departmental Management account for the appraisal function in its 2006 budget.

A detailed table of Federal land acquisition projects is provided as Attachment 3.

**Land Management Operations**

**National Park Service Operations**

\$000					Senate +/-	Senate +/-	Senate +/-
	<u>04 Enacted</u>	<u>05 Budget</u>	<u>House</u>	<u>Senate</u>	<u>04 Enacted</u>	<u>05 Request</u>	<u>House</u>
ONPS	1,609,561	1,686,067	1,686,067	1,688,915	+79,354	+2,848	+2,848
					+4.9%	0.2%	0.2%

The President's FY 2005 budget request provided an increase of \$76.5 million for the

Operations of the National Park System account. The request included an increase of \$13.2 million for repair and rehabilitation, consisting of \$8.2 million for projects targeted to improve the conditions of priority buildings, \$3.0 million for removal of hazardous structures, and \$2.0 million for condition assessments. An additional \$1.8 million was requested for general facility maintenance. In support of the Secretary's law enforcement reforms, the requested increase included \$1.2 million for regional special agents, \$300,000 for headquarters staff, and \$2.2 million to maintain IMARS, a service-wide incident management, analysis, and reporting system. The request for park base operations of \$992.4 million included a \$22.0 million increase above the 2004 enacted level, including increases of \$11.1 million for park-specific operating increases for repair and rehabilitation, and \$4.7 million for law enforcement and resource protection at the parks.

The House funded the operating account at the request level, but realigned funding within this amount and increased park base funding. The Senate mark provides \$1.689 billion, \$2.8 million above the Administration's request and the House mark, and \$79.4 million above the 2004 enacted level. House and Senate changes from the President's budget include the following:

- The House mark for park base operations was \$32.7 million above the request, an increase of \$54.7 million above the 2004 enacted level. The Senate mark provides an increase of \$22.0 million above the request, an increase of \$44.0 million above the 2004 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 \$573.2 million in the House mark. The Senate mark provides a total of \$577.3 million for facility maintenance and operations, \$8.8 million less than the President's request, but \$4.1 million above the House.
- Neither the House nor the Senate marks include \$2.2 million requested for IMARS. In addition, the House mark did not include \$1.2 million requested for regional special agents, while the Senate mark provides \$600,000.
- The House mark did not include an \$850,000 increase for the Volunteers-in-Parks program and coordination. The Senate mark includes an increase of \$250,000 for VIP coordination.
- The House Committee report language directs the NPS to implement GAO recommendations concerning the National Park Foundation. Report language also directs NPS to contract with the National Academy of Public Administration for a comprehensive review of its priority setting and strategic planning processes. House bill language was included in the Construction account prohibiting the Park Service from entering into partnership projects in excess of \$5 million without Committee approval.
- An amendment to the House mark directs the Secretary to provide a report on the status of reopening the Statute of Liberty. The report would be due 30 days after enactment of the Interior bill.

- The Senate mark provides \$500,000 for Vanishing Treasures and \$250,000 for wild and scenic rivers partnerships; these increases were not requested in the President's request and were not funded in the House mark.

### NPS Natural Resource Challenge

\$000					Senate +/-	Senate +/-	Senate +/-
	<u>04 Enacted</u>	<u>05 Budget</u>	<u>House</u>	<u>Senate</u>	<u>04 Enacted</u>	<u>05 Request</u>	<u>House</u>
Nat. Res.	73,186	77,602	77,602	75,602	+2,416	-2,000	-2,000
Challenge					+3.3%	-2.6%	-2.6%

The 2005 budget request included a total of \$77.6 million for the Natural Resource Challenge, an increase of \$4.4 million from the 2004 enacted level for vital signs and water quality monitoring. The House funded the Administration's request. The Senate mark provides a \$2.0 million increase for inventory and monitoring over the 2004 enacted level, \$2.1 million below the President's budget and the House mark.

### Everglades

\$000					Senate +/-	Senate +/-	Senate +/-
	<u>04 Enacted</u>	<u>05 Budget</u>	<u>House</u>	<u>Senate</u>	<u>04 Enacted</u>	<u>05 Request</u>	<u>House</u>
Everglades	69,057	105,902	64,352	64,102	-4,955	-41,800	-250
					-7.2%	-39.5%	-0.4%

The 2005 budget included \$105.9 million for Everglades restoration, an increase of \$36.8 million over the 2004 enacted level. This increase was mainly attributable to a request of \$40.0 million to acquire Collier family mineral rights in Big Cypress National Preserve. The President's budget included \$3.9 million for Everglades research within the NPS appropriation. The House and Senate bills fund the Everglades request with the exception of the \$40.0 million Big Cypress acquisition request.

House report language reminded the Department to ensure that the scientific research needs of the land management agencies involved in Everglades are met. Accordingly, the Committee directed the Department to submit a report by November 15, 2004 describing the scientific research projects planned for 2005. The House requested a status report on actions taken to implement NAS and GAO recommendations.

### U.S. Park Police

					Senate +/-	Senate +/-	Senate +/-
	<u>04 Enacted</u>	<u>05 Budget</u>	<u>House</u>	<u>Senate</u>	<u>04 Enacted</u>	<u>05 Request</u>	<u>House</u>
Park Police	77,888	81,204	81,204	81,204	+3,017	0	0
					+3.9%	0.0%	0.0%

The President's budget requested \$81.2 million for the U.S. Park Police, including \$2.0 million for additional terrorist threat preparedness and \$1.0 million for non-recurring costs associated with the 2005 Presidential Inauguration. The House and Senate fund the Administration's request.

House report language urges the NPS and the Department to address fiscal and

management problems of the Park Police before December 2004.

### Fish and Wildlife Service

\$000					Senate +/-	Senate +/-	Senate +/-
	<u>04 Enacted</u>	<u>05 Budget</u>	<u>House</u>	<u>Senate</u>	<u>04 Enacted</u>	<u>05 Request</u>	<u>House</u>
Resource Management	<u>956,482</u>	<u>950,987</u>	<u>970,494</u>	<u>966,265</u>	<u>+9,783</u>	<u>+15,278</u>	<u>-4,229</u>
Total	956,482	950,987	970,494	966,265	+9,783	15,278	-4,229
					+1.0%	+1.6%	-0.4%

The President’s budget funded FWS operations at \$951.0 million, a \$5.5 million decrease from the 2004 enacted level. The budget proposed key program increases including: \$5.1 million for listing activities; \$4.6 million for migratory bird management programs; \$7.6 million for the Partners for Fish and Wildlife program; and \$2.9 million for the Coastal program.

Overall, the House provided \$970.5 million, \$19.5 million more than the request and \$14.0 million more than 2004. The Senate provides \$966.2 million, \$15.3 million more than the request and \$4.2 million below the House.

The House and Senate include the following changes from the budget request:

- For the Endangered Species program, the House provided an increase of \$9.15 million over the 2005 request. The Senate provides \$6.7 million more than the request, \$2.3 million below the House. Additional detail is provided in the Endangered Species section that follows.
- For the Partners program, the House provided \$2.0 million less than the request. The House did not fund increases for Tamarisk (\$1.1 million requested), and funded \$1.0 million for the High Plains Partnership (\$5.0 million requested), and \$1.0 million for Klamath Basin restoration (\$6.2 million requested). The Senate provides \$22,000 above the request for the Partners program, but does not provide funding for the High Plains Partnership or the Federal trust species restoration program (-\$5.02 million).

The following earmarks were funded in the House mark:

- +\$2.0 million for competitive, non-specific invasive species control projects;
- +\$1.4 million for Washington regional fisheries enhancement;
- +\$750,000 for the Walla Walla Basin HCP;
- +\$500,000 for Walla Walla basin fish passage improvements;
- +\$180,000 for New Jersey meadowlands technical assistance;
- +\$800,000 for restoration in the Tunkhannock and Bowman’s Creek watersheds in Pennsylvania;
- +\$1.0 million for fish passage improvements on the Susquehanna River;
- +\$1.0 million for Georgia stream bank restoration; and
- +\$700,000 for spartina grass control at Willapa Bay.

The following earmarks were included in the Senate mark:

- +\$1.5 million for the Mississippi State University Wildlife Enterprises program;
  - +\$500,000 for the Thunder Basin Initiative project in Wyoming;
  - +\$850,000 for the New Hampshire Audubon Society to conduct a study on declining wildlife populations at Lake Umbagog NWR;
  - +\$55,000 to the New Hampshire Lakes Association to analyze the impacts of environmental degradation on surface waters;
  - +\$700,000 for invasive species control in Hawaii;
  - +\$750,000 to continue endangered species conservation efforts in Hawaii;
  - +\$100,000 for bald eagle restoration work performed in cooperation with the Vermont Natural Heritage Partners Program;
  - +\$1.250 million for the Nevada Biodiversity Research and Conservation Project;
  - +\$500,000 for the Montana Water Center for the Wild Fish Habitat Initiative;
  - +\$1.4 million for spartina control at Willapa Bay;
  - +\$200,000 for invasive species control work by the Friends of Lake Sakakawea;
  - +\$1.7 million to continue GIS mapping of the refuges in Alaska by a non-governmental organization that has a proven system of land cover products in Alaska and a high level of expertise in forest cover and wetlands; and
  - +\$540,000 for conservation work at the Don Edwards NWR.
- Senate language allows funds previously appropriated for payments to private landowners for the voluntary storage of water in South Dakota to be used for implementation of other voluntary flood mitigation and watershed restoration on private lands, including grassland restorations, grassland enhancements, wetlands creations, wetlands restoration, and riparian restoration.
  - The House provided an increase of \$570,000 over the 2005 request for the Project Planning program. The Senate provides an increase of \$1.15 million.

House changes compared to the request include:

- +\$300,000 for Portland Metro Greenspaces;
- +\$170,000 to restore the base program; and
- +\$100,000 to continue operations at the Cedar City, UT ecological services office.

Senate changes compared to the request include:

- +\$550,000 for the Middle Rio Grande (Bosque) Research program;
  - +\$100,000 to maintain the Cedar City, UT, Endangered Species office at current staffing levels; and
  - +\$500,000 for the development of a wildlife conservation plan in Montana.
- For Refuge Operations and Maintenance the House provided \$389.4 million, an increase of \$1.8 million over the request. The Senate provides \$391.5 million, \$3.8 million above the request and equal to the 2004 enacted level.

House changes to the request include:

- +\$700,000 to restore funding for Spartina grass control at Willapa Bay NWR;
- +\$2.0 million for cooperative projects on invasive species control;
- +\$1.0 million for invasive species projects at Loxahatchee NWR;
- +\$670,000 to restore base programs that support habitat improvement;

- +\$2.0 million to continue minimum staffing implementation;
  - +\$1.9 million to restore base programs that support visitor services;
  - -\$1.0 million reducing funding for invasive species strike teams; and
  - -\$7.6 million reducing funding for the challenge cost share program.
- The House provided a total of \$35.7 million for migratory bird management activities, a reduction of \$1.0 million compared to the 2005 request for the Joint Ventures program. The House provided a \$201,000 increase above the 2004 level for implementing the recommendations of the North American Waterfowl Management Plan. The Senate provides \$36.7 million for migratory bird management, equal to the request.
  - The House provided \$53.4 million for Law Enforcement activities, a \$2.0 million increase over the requested level. The Senate provides \$53.0 million, \$1.7 million above the request. Both the House and Senate fund operation of the Atlanta, Georgia and Louisville, Kentucky ports of entry, although at differing amounts.

House changes to the President's request include:

- +\$250,000 for operations at the Atlanta port of entry;
- +\$450,000 for operations at the Louisville, KY port of entry;
- +\$450,000 for a general increase in law enforcement operations; and
- +\$900,000 to partially restore the requested reduction for vehicle replacement.

Senate changes to the President's request include:

- +\$700,000 for operations at the Louisville, KY port of entry;
  - +\$700,000 for operations at the Memphis, TN port of entry; and
  - +\$300,000 for operations at the Atlanta port of entry.
- The House provided \$59.5 million for Hatchery Operations and Maintenance, a \$2.5 million increase over the President's request. This increase was earmarked for the Washington hatchery improvement program. The House restored a proposed decrease of \$160,000 in hatchery base funding for general program activities and habitat restoration. The Senate provides \$57.0 million for hatchery operations and maintenance, equal to the request. The Senate directs that funding for the Nashua NFH be held at the current base program level.
  - For Fish and Wildlife Management, the House provided \$54.4 million, a \$7.6 million increase over the President's request. The Senate provides \$51.3 million, \$4.5 million above the request.

House changes from the request include:

- +\$100,000 to restore anadromous fish management general program activities;
- +\$200,000 to partially restore fish and wildlife assistance general program activities;
- +\$160,000 for habitat restoration;
- +\$2.5 million to restore the fish passage program;
- +\$180,000 to restore the aquatic nuisance control program;
- +\$2.1 million for Washington State salmon mass marking of hatchery fish;
- +\$1.0 million to partially restore the whirling disease research program;

- +\$500,000 to restore the Great Lakes fish and wildlife restoration program; and
- +\$900,000 for the marine mammal program.

Senate changes from the request include:

- +\$1.4 million to combat whirling disease and related fish health issues including: \$1.0 million for the National Partnership on the Management of Wild and Native Coldwater Fisheries and \$400,000 for the Whirling Disease Foundation;
  - +\$500,000 for the Wildlife Health Center in Montana; and
  - +\$400,000 for implementation of the Yukon River Treaty.
- The Senate provides \$4.6 million for the marine mammal program, \$2.2 million above the request: including \$1.2 million for continued marine mammal protection work in Alaska through cooperative efforts with various marine mammal commissions and \$1.0 million to continue surveying of marine mammal stocks in Alaska.
  - The House mark of \$133.2 million for General Administration is a net decrease of \$1.3 million from the President’s request. The Senate mark for General Administration is \$133.8 million, \$613,000 below the request.

House changes from the request include:

- -\$2.0 million for the science excellence initiative;
- +\$330,000 for the National Fish and Wildlife Foundation; and
- +\$400,000 for the Wildlife Without Borders program within International Affairs.

Senate changes to the request include:

- -\$2.0 million for the science excellence initiative;
  - +\$1.0 million for enhanced training activities at the NCTC; and
  - +\$387,000 to restore proposed cuts for NCTC maintenance activities.
- The House report language notes that the Service should continue to modify its Cost Allocation Methodology. It also states that the Service should continue and intensify its efforts to collect reimbursements for fisheries mitigation efforts and use those funds to address habitat restoration and conservation.

### FWS Endangered Species Program

\$000					Senate +/-	Senate +/-	Senate +/-
	04 Enacted	05 Budget	House	Senate	04 Enacted	05 Request	House
Candidate							
Conservation	9,808	8,610	10,110	9,470	-338	+860	-640
Listing	12,135	17,226	16,226	15,500	+3,365	-1,726	-726
Consult/ HCP	47,146	45,450	47,200	45,450	-1,696	0	-1,750
Recovery	<u>67,905</u>	<u>58,154</u>	<u>65,054</u>	<u>65,877</u>	<u>-2,028</u>	<u>+7,723</u>	<u>+823</u>
Total	136,994	129,440	138,590	136,297	-697	6,857	-2,293
					-0.5%	+5.3%	-1.7%

The President’s budget included a total of \$129.4 million for the endangered species program. This request included \$17.2 million for the listing program, an increase of over \$5.0 million. The House provided a total of \$138.6 million, a \$9.1 million increase



compared to the request. The Senate provides \$136.3 million, an increase of \$6.9 million above the request, but \$2.3 million below the House.

- In the Candidate Conservation program, the House provided a \$1.5 million increase over the request level. The Senate provides an increase of \$860,000 above the President's request, and \$640,000 below the House.

House changes to the President's request include:

- +\$300,000 for Idaho sage grouse;
- +\$750,000 for Alaska sea otter;
- +\$50,000 for slickspot peppergrass;
- +\$100,000 for Tahoe yellow cress; and
- +\$300,000 for the Fisher (*Martes pennanti*).

Senate changes to the request include:

- +\$500,000 for continued funding of the Idaho Sage Grouse Management plan through the Idaho Office of Species Conservation;
  - +\$110,000 for continuing work on the Slickspot Peppergrass in Idaho; and
  - +\$250,000 for the Kootenai River Burbot.
- In the Listing program, the House provided \$16.2 million including \$12.7 million for critical habitat designations. This is a decrease of \$1.0 million compared to the request of \$13.7 million for critical habitat designations. The Senate provides \$15.5 million for the program, \$1.7 million below the request and \$726,000 below the House. The Senate funds critical habitat designations at \$11.4 million.
  - In Consultation, the House provided \$47.2 million, an increase of \$1.7 million compared to the requested level. This increase is for Natural Communities Conservation Planning. The Senate provides \$45.5 million, a decrease of \$1.7 million from the House and equal to the President's request.
  - In the Recovery program, the House provided \$65.1 million, \$6.9 million over the President's request. The Senate provides \$65.8 million, an increase of \$7.7 million above the request.

House changes to the request include:

- +\$1.5 million for base programs;
- +\$1.0 million for the Platte River recovery program;
- +\$1.5 million for wolf monitoring;
- +\$2.0 million for Pacific Salmon grants through the National Fish and Wildlife Foundation;
- +\$700,000 for the Upper Colorado River recovery program; and
- +\$200,000 for Florida manatee rescue and carcass salvage.

Changes to the request include:

- +\$982,000 to restore funding for the Platte River recovery project;
- + \$691,000 to restore funds for Upper Colorado River fish recovery;
- +\$2.0 million for Atlantic Salmon recovery activities administered by the National Fish and Wildlife Foundation;

- +\$500,000 for Lahontan Cutthroat trout;
- +\$350,000 for freshwater mussel recovery at White Sulphur Spring NFH;
- +\$2.0 million for eider and sea otter recovery at the Alaska SeaLife Center;
- +\$1.2 million for wolf recovery efforts including: \$730,000 for the Idaho Office of Species Conservation; \$100,000 for the Snake River Basin Office pursuant to an MOA between the Nez Perce Tribe and the State of Idaho; \$50,000 for the Nez Perce Tribe; and \$320,000 for Montana wolf monitoring and related work; and
- +\$200,000 for Florida manatee rescue and carcass salvage.

### BLM Operations

\$000					Senate +/-	Senate +/-	Senate +/-
	<u>04 Enacted</u>	<u>05 Budget</u>	<u>House</u>	<u>Senate</u>	<u>04 Enacted</u>	<u>05 Request</u>	<u>House</u>
MLR	839,843	837,462	840,401	855,689	+15,846	+18,227	+15,288
O&C	<u>105,358</u>	<u>116,058</u>	<u>111,557</u>	<u>113,558</u>	<u>+8,200</u>	<u>-2,500</u>	<u>+2,001</u>
Total	945,201	953,520	951,958	969,247	+24,046	+15,727	+17,289
					+2.5%	+1.6%	+1.8%

The 2005 President's budget provided \$953.5 million for BLM operations, a net increase of \$8.3 million over the 2004 enacted level. Major funding increases proposed in the budget were focused on improving forest health and increasing timber production, restoring critical habitat, expanded and improved resource monitoring, and achieving appropriate management levels for wild horse and burro populations. The BLM budget also reflected a \$4.0 million reduction in the Energy and Minerals program that the budget assumed would be offset with increased cost recoveries. The budget eliminated funding for Congressional add-ons.

The House funds BLM operations at \$952.0 million, \$1.5 million below the request and \$6.7 million above the 2004 enacted level. The Senate funds BLM operations at \$969.2 million, \$15.7 million above the request and \$17.2 million above the House.

House and Senate changes from the President's Budget include the following:

- In Land Resources, the House restored \$1.0 million for the San Pedro (watershed) Partnership and \$1.0 million of the \$1.2 million reduction proposed for rangeland health monitoring. The Senate provides an additional \$1.25 million for invasive species to restore funding to long-standing earmarks for the National Center for Invasive Plant Management at Montana State University (\$750,000) and the Idaho Department of Agriculture (\$500,000). The Senate fully restores the \$1.2 million decrease proposed for rangeland health monitoring. Both the House and Senate fully fund the \$10.5 million increase requested for the Wild Horse and Burro program. The Senate accepts the \$10.5 million in offsetting decreases included in the President's Budget while the House restored those decreases. The Senate includes report language indicating that it "begrudgingly" agreed to the WH&B budget request and expressing serious concerns with the management of the program.

- In Wildlife and Fisheries, the House provided \$2.7 million of the \$3.2 million increase requested for the sage grouse habitat conservation strategy and \$600,000 of the \$1.0 million increase requested for Columbia River salmon recovery efforts. The Senate fully funds both of these requests. The House provided a \$500,000 increase for the National Fish and Wildlife Foundation.
- In Recreation Management, the House provided a general increase of \$1.6 million for nationwide recreation management support, while the Senate restores \$1.0 million for the Undaunted Stewardship project.
- In Energy and Minerals, the House expressed concern that the \$4.0 million in cost recoveries assumed in the budget would not be realized, and restored \$2.5 million of the proposed \$4.0 million reduction in appropriations. The Senate restores the full \$4.0 million and expresses concern for an “ill-conceived attempts to count savings for cost recovery prior to the implementation of viable cost recovery proposals.” The Senate also provides a \$1.8 million increase for the Alaska Minerals program.
- In Realty and Ownership, the Senate adds \$12.1 million to the request, including \$10.0 million to accelerate the Alaska Conveyance program, \$750,000 to continue the Alaska public lands database, \$300,000 for GIS/Cadastral mapping in Utah, and \$1.0 million for the processing of recordable disclaimer applications in Alaska.
- In Resource Protection and Maintenance, the House funded the requested increase of \$508,000 for IMARS and for border security (\$92,000) and provided a \$600,000 general increase for law enforcement officers. The House rejected the proposed decrease of \$790,000 for the mitigation of resource degradation along the southwest border, and instead provided a \$1.0 million increase over the enacted level for this purpose. Similarly, the House rejected the \$395,000 reduction for California desert rangers and instead provided a \$1.0 million increase over the enacted level for this purpose. The House accepted the proposed \$494,000 reduction for Imperial Sand Dunes law enforcement. The Senate provides a \$750,000 increase for the digitization and cataloguing of the five Interior resource libraries in Alaska.
- The BLM budget request proposed a \$4.0 million increase in the Resource Management Planning subactivity for resource monitoring comprised of \$2.0 million in new funds and \$2.0 million in redirected base funding. The Senate supports the request, although it earmarks at least \$50,000 of monitoring funding for the National Historic Trails in Wyoming. The House did not fund the \$2.0 million increase, but accepted the redirection of \$2.0 million in base funding.
- In Transportation and Facilities Maintenance, the House restored \$1.0 million of a proposed \$2.0 million reduction for removing fish passage barriers. The Senate rejects the proposed \$1.0 million for capping abandoned oil wells in the NPR-Alaska, and instead provides \$1.5 million for this effort.
- In Workforce and Organizational Support, the House did not support the requested \$583,000 for Quicksilver/E-Gov, \$570,000 for competitive sourcing studies, or \$208,000 for Quickhire. The Senate funds the request except for a \$291,000 reduction for SAFECOM.

- In the Oregon and California Grant Lands appropriation, the House provided \$4.0 million of the \$7.0 million increase for revision of six resource management plans in western Oregon. These RMP revisions are part of the Federal Government's settlement of an American Forest Resource Council lawsuit. It appears the House supported the request of \$788,000 in new funds, and the shift of \$3.7 million in Jobs-in-the-Woods funds to accelerate forest thinning to help achieve old growth characteristics in Late Successional Reserves. This will also meet the terms of the settlement agreement with AFRC. The House provided approximately \$1.0 million of the \$2.5 million requested to begin repaying \$12.3 million to the Judgment Fund for Northwest Forest Plan-related court judgments. The Senate provides no funds for the Judgment Fund, but fully funds the rest of the request.

### Wildland Fire Management

\$000					Senate +/-	Senate +/-	Senate +/-
	<u>04 Enacted</u>	<u>05 Budget</u>	<u>House</u>	<u>Senate</u>	<u>04 Enacted</u>	<u>05 Request</u>	<u>House</u>
Preparedness	254,180	262,644	262,644	262,644	+8,464	0	0
Suppression	192,903	221,523	221,523	221,523	+28,620	0	0
Repay	98,416	0	0	0	-98,416	0	0
Subtotal - Sup	291,319	221,523	221,523	221,523	-69,796	0	0
Other Ops							
WUI Fuels	109,884	135,116	135,116	130,116	+20,232	-5,000	-5,000
non-WUI	74,012	74,166	74,166	74,166	+154	0	0
Rehab	24,198	24,276	24,276	24,276	+78	0	0
RFA	9,877	5,000	5,000	10,000	+123	+5,000	+5,000
Facilities	12,222	12,374	12,374	12,374	+152	0	0
Fire Science	7,901	8,000	8,000	8,000	+99	0	0
04 Cont. Supp			[100,000]				
05 Cont. Supp			[100,000]	[100,000]			
Total	783,593	743,099	743,099	743,099	-40,494	0	0
					-5.2%	+0.0%	+0.0%

The 2004 Enacted and 2005 President's Budget amounts for Preparedness have been adjusted to reflect a budget restructuring by the House and Senate, in which Facilities and Fire Science are shifted from Preparedness to Other Operations.

The President's budget request for Wildland Fire Management was \$743.1 million, a \$57.9 million increase over the base 2004 appropriation. The base excludes a \$98.4 million emergency appropriation provided in 2004 to partially repay funds borrowed from construction and land acquisition accounts.

The budget included an increase of \$25.0 million for the Hazardous Fuels Reduction program to further the goals of the Healthy Forest Initiative supporting additional projects and strengthening and improving the effectiveness and performance of the program. The budget proposed an increase of \$6.2 million in Preparedness to continue development of the Fire Planning Analysis system and to implement aviation safety recommendations. The request included a \$28.6 million increase to fund suppression operations at the 10-year average. The budget also proposed a \$4.9 million reduction to the Rural Fire Assistance program.

The House and the Senate fund the Wildland Fire Management program at the request level. The House endorsed the program changes proposed in the President's Budget. By contrast, the Senate reduces the hazardous fuels request by \$5.0 million in order to restore \$5.0 million to the Rural Fire Assistance program. Both the House and Senate bills provide a contingent supplemental appropriation of \$100 million for the Department of the Interior for suppression operations in 2005.

**Unified Trust Budget**

\$000	<u>04 Enacted</u>	<u>05 Budget</u>	<u>House</u>	<u>Senate</u>	Senate +/-	Senate +/-	Senate +/-
					<u>04 Enacted</u>	<u>05 Request</u>	<u>House</u>
Total	453,369	609,439	520,119	527,040	+73,671	-82,399	+6,921
					+16.2%	-13.5%	+1.3%

The revised 2005 Unified Trust Budget request was \$609.4 million, an increase of \$156.1 million or 34 percent above 2004. The additional funding would strengthen the Department's ongoing efforts to reform management of its fiduciary obligations to Tribes and individual Indians and reduce the exponentially growing burden of maintenance of fractionated interests of Indian lands on trust activities. Increases included: \$65.0 million for the Office of Historical Trust Accounting to provide a total of \$79.0 million to carry out the Department's plan to conduct a historical accounting for individual Indian money accounts and \$30.0 million to account for funds in tribal accounts.

An additional \$48.3 million for Indian land consolidation would provide for a significant expansion of efforts to reduce the fractionation of individual land ownership interests under a nationwide program. This multi-year effort, together with proposed new legislative initiatives on probate and fractionated lands, would be a proactive step towards bringing these lands to more economically productive status for tribes.

Other trust program increases included \$29.1 million that would continue efforts to meet OMB circular A-130 IT security requirements and rebuild the Bureau of Indian Affairs' information technology infrastructure to support trust, as well as non-trust, programs. Continuation of efforts to provide an organization that meets fiduciary

standards, is accountable at every level, and is staffed with people trained in the principles of trust management requires \$7.2 million for additional trust staff positions in BIA and the Office of the Special Trustee. An additional \$4.0 million would provide for additional staff to reduce the time frames to resolve current probate cases.

The House provided a total of \$520.1 million for unified trust, a decrease of \$89.3 million below the request level, but an increase of \$66.7 million above 2004. The Senate provides a total of \$527.0 million for unified trust, \$82.4 million below the request level, \$73.7 million above 2004, and an increase of \$6.9 million above the House.

As is discussed below under OST and BIA, the House and Senate provide all the increases and decreases requested except for historical accounting, land consolidation, BIA workforce planning and BIA IT.

**Office of the Special Trustee for American Indians**

\$000			Senate +/-				
	<u>04 Enacted</u>	<u>05 Budget</u>	<u>House</u>	<u>Senate</u>	<u>04 Enacted</u>	<u>05 Request</u>	<u>House</u>
OST	187,305	247,666	196,267	196,267	+8,962	-51,399	0
Indian Land Consolidation	<u>21,709</u>	<u>70,000</u>	<u>42,000</u>	<u>50,000</u>	<u>+28,291</u>	<u>-20,000</u>	<u>+8,000</u>
Total	209,014	317,666	238,267	246,267	+37,253	-71,399	+8,000
						-22.5%	+3.4%

The revised FY 2005 budget for OST accounts totaled \$317.7 million, including \$247.7 million for Federal Trust Programs and \$70 million for Indian Land Consolidation. The budget for OST reflected a net \$108.6 million or 52 percent increase in funds above the FY 2004 enacted level, including a 222 percent increase in Indian Land Consolidation.

The FY 2005 request for the Office of Historical Trust Accounting was \$109.4 million, \$65.0 million over the FY 2004 level. The budget also included an additional \$1.7 million for additional support staff to support the new Trust Officers in field locations, \$1.6 million for the expansion of third party audit coverage of fiduciary trust asset management activities, \$250,000 for additional review of self-governance trust asset management activities, \$1.3 million for additional litigation support, and \$250,000 for establishment of a trust records training program with Haskell Indian Nations University.

The budget included decreases of \$1.7 million as a result of the adjustment of the Interior-wide effort to address the requirements of information technology security, and trust systems architecture; \$2.5 million to reflect completion of tasks under the trust policy and procedures program; and \$4.0 million to reflect the reduction of one-time costs of establishing the trust administrators and trust officers in 2004.

The House and Senate provide \$196.3 million Federal Trust programs, \$51.4 million below the request level, but \$9.0 million above 2004. Except for the increase requested for historical accounting, the House and Senate provide for all the increases requested,

and agree to the reductions proposed. The House and Senate provide \$58.0 million for historical accounting, \$51.4 million below the request, but \$13.6 million above 2004.

The House provided \$42.0 million and the Senate \$50.0 million for Indian Land Consolidation, a decrease of \$28.0 million and \$20.0 million below the request, respectively. This is an increase of \$20.3 million and \$28.3 million above 2004, respectively.

House and Senate Bill language limits spending on historical accounting to \$58 million. House and Senate Report language expresses continued concerns about the scope and costs of an historical accounting, the potential for such an accounting to divert funds away from other high-priority Indian programs, the need for Congress to act to develop a comprehensive legislative solution, and the uncertainty of the ongoing litigation and its potential impact on the Department's accounting plan.

Senate Report language earmarks \$1.8 million to assist the Great Plains agencies in meeting workload in probate, realty, and land title and records programs, from anticipated slippage in field operations activities in 2005.

Senate Report language in the land consolidation program indicates the Department is expected to direct land consolidation funding to reservations where tribal leadership has taken an active role in supporting other activities to slow fractionation of ownership, and continue work with the Quapaw nation at or above level of activity in 2004.

The House and Senate bills include general provisions bill language that continues authority 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 Indian probate backlog;
- 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.

## Bureau of Indian Affairs

\$000	04 Enacted*	05 Budget	House	Senate	Senate +/- <u>04 Enacted</u>	Senate +/- <u>05 Budget</u>	Senate +/- <u>House</u>
Op. of Indian Programs	1,892,705	1,929,477	1,935,033	1,951,798	+59,093	+22,321	+16,765
Construction	346,827	283,126	348,626	283,126	-63,701	0	-65,500
Land & Water Settlements*	59,865	34,771	44,771	34,771	-25,094	0	-10,000
Guaranteed Loan Program	6,417	6,421	6,421	6,421	<u>+4</u>	<u>0</u>	<u>0</u>
BIA Total	2,305,814	2,253,795	2,334,851	2,276,116	-29,698 -1.3%	+22,321 +1.0%	-58,735 -2.5%

\*2004 Enacted Land & Water Settlements differs from Congressional support table due to the inclusion of \$5.0 million Quinault transfer from FWS.

The BIA budget request was \$2.3 billion, a net decrease of \$52.0 million below the 2004 enacted level. The 2005 budget request included a program increase of \$42.0 million for trust programs and \$7.8 million to operate new detention centers. Other increases included funding for border security on the Tohono O’odham Nation in Arizona, removal of Chiloquin dam on the Klamath River, economic development, increased education scholarships, expansion of the FOCUS program, and funding for new Tribes. The budget proposed a one-time reduction of \$5.4 million in the operations account due to the availability of carryover balances.

For the school construction program, the 2005 budget proposed a reduction of \$65.8 million to allow the program to focus on building the schools already funded. The budget also included an increase of \$4.0 million for the tribal school construction program.

The budget proposed increases to fund two new settlements—the Zuni Pueblo water claims settlement in New Mexico and the Cuba Lake land claims settlement with the Seneca Nation in New York.

The House provided \$2.3 billion for BIA, \$81.1 million or 3.6 percent over the 2005 President’s request. The Senate Committee bill provides \$2.3 billion for BIA, \$22.3 million or one percent over the 2005 President’s request. The Senate mark is \$58.7 million below the House mark.

The details of the House and Senate action include:

### Trust Programs

- Both the House and Senate include \$7.2 million to support the new trust-related positions at the local level and \$4.0 million to quicken the pace at which probate cases are resolved.
- The Senate provides an increase of \$19.0 million, \$10.0 million below the request for information technology. The House provided an increase of \$19.1 million, \$9.9



million below the request for information technology. House report language commends BIA for the significant progress it has made in improving information technology.

- The Senate provides \$1.0 million, half the requested increase for the workforce initiative. The House fully funded this initiative at \$2.0 million.

### **Other Operational Programs**

- Both the Senate and House provide the requested increases for law enforcement including a \$7.8 million increase to operate new detention centers and a \$1.4 million increase for border security on the Tohono O'odham Nation in Arizona.
- The House and Senate both provide the \$560,000 increase request to provide base funding for new Tribes, \$1.0 million for new or expanded contracts in the Indian self-determination fund, and \$1.0 million for grants to develop tribal ordinances and commercial business codes. The Senate provides \$3.0 million above the request for contract support and \$2.0 million for welfare assistance.
- For elementary and secondary school operations, both the House and Senate fully fund the request, including the \$500,000 increase to expand the successful FOCUS program. In addition, the House added \$1.9 million for student transportation, and \$3.0 million for the administrative costs grants fund to encourage Tribes to take over BIA run schools.
- The Senate funds tribal college operating grants at \$55.9 million, \$12.5 million above the requested level. The House funded the request level of \$43.4 million. The request included a \$500,000 increase for two tribal colleges newly qualified for BIA funding. Both the House and Senate funded the \$250,000 increase request for higher education scholarships.
- The House provided \$3.0 million for United Tribes Technical College and \$1.2 million for Crownpoint Institute. The Senate funds United Tribes Technical College at \$3.5 million and Crownpoint Institute of Technology at \$1.75 million.
- The Senate includes an increase of \$250,000 for the Indian Arts and Crafts Board. This was not in the request or the House mark.
- Both the House and Senate accept the reduction of \$5.4 million in the operations account due to the availability of carry over balances that will sustain the current level of program delivery in 2005.
- The Senate provides funding for a number of resource management programs not requested in the budget including funding for the Alaska Sea Otter Commission (\$98,000), the Wetlands/Waterfowl Management program (\$592,000), the Upper Columbia United Tribes (\$316,000), the Bering Sea Fishermen's Association (\$790,000), the bison program (\$1,087,000), and the Chugach Regional Resources Commission (\$346,000). Senate report language directs the Bureau to enter into annual reimbursable support agreements with the Bureau of Reclamation for the operation and maintenance of the Dry Prairie Rural Water System. In addition, report language directs the Bureau to continue to support the prairie dog management programs overseen by the Cheyenne River Sioux Tribe and the Rosebud Sioux Tribe.
- The House provided funding for a number of different resource management programs not requested in the budget including funding for the Seminole Tribe for Everglades restoration (\$150,000), the Washington State Timber-Fish-Wildlife Project (\$4.0 million), the Upper Columbia United Tribes (\$320,000), Lake Roosevelt

management (\$630,000), the Circle of Flight program (\$600,000), and Intertribal Bison Management (\$1,000,000). House report language stipulates the allocation of funds within the base for the Chippewa/Ottawa Resource Authority.

- The Senate provides funding for a number of community development activities not requested in the budget, including the Rocky Mountain Technology Foundation (\$500,000), the rural Alaska fire program (\$750,000), the nursing program at Salish and Kootenai Tribal College (\$1.5 million), Alaska legal services (\$392,000), the Denali Commission (\$1.0 million), the Native American Engineering program at the University of Denver (\$250,000), United Sioux Tribes Development Corporation (\$450,000), and the Western Heritage Center's Distance Learning and tribal histories project (\$1.5 million), and the Alaska Native Aviation Training program (\$750,000). The House included funding for the National Ironworkers Training Program (\$515,000).
- The Senate mark does not reflect the internal transfers made in Central Office Operations and Regional Office Operations in 2004 to align the budget with the changes made in the reorganization. These changes were not in the 2005 request, but they were in the House mark. In addition, the House did not fund the requested increases for E-gov programs (\$409,000) and the Enterprise Services Network (\$500,000).

### **Construction**

- The House funds school construction at \$294.6 million, an increase of \$65.5 million above the request and \$371,000 below the 2004 enacted level. \$7.0 million of the increase is for facilities improvement and repair. The remaining increase of \$58.5 million is to begin replacement of the highest priority schools on the 2004 priority list. The Senate funds school construction at \$229.1 million, the same as the request. Both the House and the Senate provide the requested \$21.0 million increase for annual maintenance.
- The Senate includes the proposed bill language to allow BIA to reassume control of a project if construction does not begin within 18 months. The House did not include this proposed language.
- The Senate report states that the Committee expects the Bureau to give full consideration to the Sac and Fox Meskwaki school expansion project and the Twin Buttes Elementary school project as candidates for funding under the cost share demonstration program. House bill language provided that \$4.5 million from the Tribal Demonstration Program funds is to be allocated to the Eastern band of Cherokee education facility at the Ravensford tract.
- Both the House and Senate provide \$2.15 million requested for the removal of Chiloquin dam on the Klamath River.

### **Indian Land and Water Claims**

- Both the House and Senate provide the \$14.0 million increase requested for the Zuni Pueblo water claims settlement in New Mexico and the \$1.75 million increase for the Cuba Lake land settlement with the Seneca Nation in New York.
- The House provided \$10.0 million above the request for Indian Land and Water Claims Settlements to fund the Quinault Indian Nation North Boundary settlement. The budget proposed funding for this settlement in FWS LWCF land acquisition.

## Maintaining America's Heritage

### Maintenance

	<u>04 Enacted</u>	<u>05 Budget</u>	<u>House</u>	<u>Senate</u>	Senate +/-		
					<u>04 Enacted</u>	<u>05 Request</u>	<u>House</u>
BLM	104,532	99,624	102,769	101,124	-3,408	+1,500	-1,645
USGS	34,051	33,352	33,352	32,825	-1,226	-527	-527
FWS	121,992	117,502	121,388	118,979	-3,013	+1,477	-2,409
NPS	559,211	586,093	573,178	577,343	+18,132	-8,750	+4,165
BIA	<u>76,934</u>	<u>74,551</u>	<u>74,551</u>	<u>74,551</u>	<u>-2,383</u>	<u>+0</u>	<u>+0</u>
Total	896,720	911,122	905,238	904,822	+8,102	-6,300	<u>-416</u>
					+0.9%	-0.7%	-0.0%

The Administration's 2005 budget proposal included \$911.1 million for annual, deferred, and cyclic maintenance programs in BLM, USGS, FWS, NPS, and BIA.

The House mark provided \$905.2 million, \$5.9 million below the 2005 request, but \$8.5 million above 2004. The Senate provides \$904.8 million, a reduction of \$6.3 million from the request.

In the House mark, both USGS and BIA received their requested amounts, while BLM and FWS received increases of \$3.1 million and \$3.9 million respectively. NPS is reduced in House action by \$12.9 million. In the Senate mark, BLM and FWS each receive \$1.5 million above the request. The Senate reduces USGS by \$527,000 and reduces NPS by \$8.8 million and funds BIA at the request.

In its report, the House Committee indicates that NPS maintenance is reduced in order to provide additional operating funds for parks and because NPS has had difficulty in obligating the funds. The House specifies the decrease including \$8.2 million for repair and rehabilitation, \$3.0 million for removal of hazardous structures, and \$1.7 million for general maintenance. The Senate reductions to NPS maintenance are: \$3.0 million for hazardous structures, \$4.0 million for repair and rehabilitation, and \$1.8 million for general facility maintenance. (More detail on NPS maintenance funding is provided below Under NPS Deferred Maintenance Backlog.)

### Construction

\$000	<u>04 Enacted</u>	<u>05 Budget</u>	<u>House</u>	<u>Senate</u>	Senate +/-		
					<u>04 Enacted</u>	<u>05 Request</u>	<u>House</u>
BLM	13,804	6,476	15,000	8,976	-4,828	+2,500	-6,024
FWS	59,808	22,111	48,400	37,136	-22,672	+15,025	-11,264
NPS	329,879	329,880	297,628	330,019	+140	+139	+32,391
BIA	<u>346,825</u>	<u>283,126</u>	<u>348,626</u>	<u>283,126</u>	<u>-63,699</u>	<u>0</u>	<u>-65,500</u>
Total	750,316	641,593	709,654	659,257	-91,059	+17,664	-50,397
					-12.1%	+2.8%	-7.1%

The President's budget included \$641.6 million for construction. The House mark

provided \$709.7 million, an increase of \$68.1 million over the request and a decrease of \$40.7 million from 2004. The House omitted funding for 18 of the 82 requested line item projects and includes 28 add-on projects.

The Senate provides \$659.3 million, a decrease of \$91.0 million from 2004, but an increase of \$17.7 million over the request. The Senate mark includes 43 add-on projects but omits funding for five of the 92 requested line-item projects.

Specifics for each bureau follow:

**BLM:** The House provided a total of \$15.0 million including \$6.5 million for projects requested in the budget and an additional \$8.5 million contingent on BLM's supplying a list of projects to the Committee by December 31, 2004. Report language expresses concern with BLM's relatively low level of construction funding and suggests that the Department and Administration should place more emphasis on funding large deferred maintenance projects on public lands managed by BLM. The Senate provides \$9.0 million for BLM, including \$6.5 million for requested projects and \$2.5 million for three Congressional add-on projects.

**FWS:** The \$48.4 million provided in the House mark is \$26.3 million higher than the 2005 request. The House funded the requested projects and added \$26.3 million is for 13 projects. Among the add-ons are \$5.7 million for visitor centers in Alaska, Massachusetts, and Oregon to be constructed using standard designs, \$3.2 million for Midway Atoll NWR infrastructure improvements, \$6.7 million for the Clark R. Bavin Forensics Laboratory in Oregon, and \$5.0 million for Servicewide visitor contact facilities.

The Senate provides \$37.1 million for construction, an increase of \$15.0 million over the request. The projects requested in the budget are funded and an additional \$15.0 million is provided for 19 add-on projects.

**NPS:** The House provided \$297.6 million, a decrease of \$32.3 million from the budget request. NPS does not receive funding for 18 of the 56 requested projects, but does receive funding for 15 add-on projects. Included among the requested projects that are not funded are the \$2.0 million security fence for Independence National Historical Park in Pennsylvania, the \$4.1 million main gate facility at Wolf Trap Farm in Virginia, and the \$2.7 million courthouse at Yellowstone National Park in Wyoming.

The House-added projects included \$1.5 million for site development and utilities at the Tuskegee Airmen National Historic Site in Alabama, \$5.0 million for the Gettysburg National Military Park visitor center in Pennsylvania, and \$5.0 million for the Lincoln Library in Illinois.

The Senate provides \$330.0 million for NPS, an increase of \$139,000 over the request. Five of the 56 line-item projects in the President's request do not receive funding, including \$4.2 million for the San Francisco Maritime NHP in California and \$3.0 million for the Boston NHP, Massachusetts. The Senate reduces Elwha River restoration at Olympic NP in Washington by \$12 million to \$15 million. The Senate's

21 add-on projects include \$6.0 million for the Morris Thomson Cultural and Visitors Center in Alaska, \$5.8 million for the Gettysburg National Monument in Pennsylvania, and \$5.0 million for the Utah Public Lands Artifact Preservation Act.

The House placed a moratorium on all NPS partnership construction projects in excess of \$5.0 million, excluding the Flight 93 Memorial in Pennsylvania, without written approval from the House and Senate Committees on Appropriations. This restriction applies to new projects and those already under consideration. Partners cannot fund planning and design of a project that has not been approved by the Committees. The Senate does not impose a moratorium but indicates that the Committee will work closely with NPS to ensure partnerships do not undermine the core mission.

**BIA:** The House provided \$348.6 million for BIA construction, \$65.5 million above the request and \$1.8 million above the 2004 enacted level. The increase included \$58.5 million for replacement school construction and \$7.0 million for facilities improvement and repair. House bill language provided that \$4.5 million from the Tribal Demonstration Program funds is to be allocated to the Eastern band of Cherokee education facility at the Ravensford tract. The Senate provides \$283.1 million for BIA, fully funding requested line-item projects.

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

**National Park Service Deferred Maintenance Backlog**

	<u>04 Enacted</u>	<u>05 Budget</u>	<u>House</u>	<u>Senate</u>	Senate +/- <u>04 Enacted</u>	Senate +/- <u>05 Request</u>	Senate +/- <u>House</u>
Maintenance	370,112	394,843	381,928	386,093	+15,981	-8,750	+4,165
Construction	<u>329,879</u>	<u>329,880</u>	<u>297,628</u>	<u>330,019</u>	<u>+140</u>	<u>+139</u>	<u>+32,391</u>
Total	699,991	724,723	679,556	716,112	+16,121	-8,611	+36,556
					+2.3%	-1.2%	5.1%

The President’s budget requested \$724.7 million in support of the Administration’s commitment to manage the NPS deferred maintenance backlog, an increase of \$24.7 million over the 2004 enacted level. The increase provided an additional \$13.2 million for Repair and Rehabilitation, including \$8.2 million for projects targeted to improve the condition of priority buildings, \$3.0 million for the demolition and removal of hazardous structures in park units, \$2.0 million to continue performing comprehensive condition assessments, and \$1.8 million for general facility maintenance. Finally, an \$11.1 million park base increase for repair and rehabilitation at specific parks was included to address facility maintenance needs.

The House provided a net reduction of \$45.2 million below the Administration’s request for funding to manage the NPS maintenance backlog. The House reduced the Facility Maintenance component of the ONPS account by \$12.9 million including an \$8.2 million reduction for priority Repair and Rehabilitation projects, a \$3.0 million reduction for the demolition and removal of hazardous structures, and a \$1.8 million reduction for general facility maintenance. The House provided \$297.6 million for the Construction account, \$32.2 million below the request. The entire reduction to the Construction

account is taken from funding for line-item construction projects.

The Senate provides a total of \$716.1 million, \$8.6 million below the request and \$36.6 million above the House. Within the total, the Senate mark includes a \$4.0 million reduction for Repair and Rehabilitation projects, a \$3.0 million reduction for the demolition and removal of hazardous structures, and a \$1.8 million reduction for general facility maintenance. The Senate mark also provides \$330.0 million for the Construction account. The majority of the increase is provided for line-item construction projects.

### U.S. Geological Survey

\$000					Senate +/-	Senate +/-	Senate +/-
	<u>04 Enacted</u>	<u>05 Budget</u>	<u>House</u>	<u>Senate</u>	<u>04 Enacted</u>	<u>05 Request</u>	<u>House</u>
Geography	129,759	118,941	122,779	119,424	-10,335	+483	-3,355
Geology	234,183	220,754	230,894	228,214	-5,969	+7,460	-2,680
Water	215,714	202,682	211,249	212,948	-2,766	+10,266	+1,699
Biology	174,529	167,604	171,976	172,821	-1,708	+5,217	+845
Enterprise Information	0	45,147	44,148	45,233	+45,233	+86	+1,085
Science Support	90,811	68,716	67,508	65,435	-25,376	-3,281	-2,073
Facilities	<u>92,989</u>	<u>95,944</u>	<u>95,944</u>	<u>95,011</u>	<u>+2,022</u>	<u>-933</u>	<u>-933</u>
Total	937,985	919,788	944,498	939,086	+1,101	+19,298	-5,412
					+0.1%	+2.1%	-0.6%

The 2005 President's Budget requested \$919.8 million for the USGS. The House increased this amount by \$24.7 million and provided \$944.5 million. The Senate provides \$939.1 million, \$19.3 million above the request, but \$5.4 million below the House level.

Senate report language asks that future budget requests place a stronger emphasis on core programs of the Survey that have proven value and strong public support.

The House funded \$9.1 million requested in the President's budget for uncontrollable costs while the Senate provides \$8.5 million. The House and the Senate restore the proposed streamlining reduction of \$3.0 million, but differ on the proposed vehicle fleet reduction of \$697,000 – the House accepted the reduction and the Senate rejects it.

The Senate does not fund the requested \$2.0 million increase for the USGS to expand its Klamath River Basin studies, while the House provided \$1.0 million of the requested increase for Klamath.

Neither the House nor the Senate accept the requested increase of \$1.2 million for Science on the DOI Landscape initiatives in the Geology, Water Resources, or Biological Research disciplines, but both accept the proposed budget restructure for Enterprise Information.

The House funded the Geography program at \$122.7 million, \$3.8 million above the budget request. The Senate funds Geography at \$119.8 million, \$483,000 above the request, but \$3.5 million below the House level. Details include:

- Both the House and Senate accept the proposed reduction for the Tennessee GIS project and the Senate also accepts the reduction of \$1.9 million in expected buyout savings.
- The House provided an additional \$2.4 million for National Map activities and \$1.0 million for North Carolina flood mapping.
- The Senate earmarks \$1.0 million within base funding for mapping activities in Alaska and provides \$400,000 for a cooperative geospatial information project with the University of Texas.
- Both the House and the Senate provide \$7.9 million for satellite operations. The House recommended operation of Landsat 7 from within base funding and limiting activities to data collection and archiving. The House also directed that any additional funding needed for the program be collected through data sales and reimbursable agreements with other Federal agencies, and urged the Administration to continue working to place the Landsat 7 follow-on in orbit as soon as possible. The Senate states that if the Landsat program is going to be maintained at the current level, the various Federal agencies that typically rely on the data and want production continued should share in the cost of the satellite's operations. Additionally, the Senate directs the Geography program to be cautious in committing itself to new or expanded cooperative agreements before consensus is reached on Landsat funding. The Senate expects that savings generated by the buy-out that occurred in 2004 will cover any shortfalls within the EROS data center in 2005, but they do not expect to see these amounts become a part of the EROS base. The Senate also directs the Survey to provide quarterly reports that display the costs of Landsat operations, the revenue produced, the funds required to supplement that revenue, and the source of those funds.

The Geologic Hazards, Resources and Processes activity was funded at \$230.9 million in the House bill and \$228.2 million in the Senate bill. The funding level in the House was \$10.1 million above the President's request and \$2.7 million above the Senate level. Details include:

- Both the House and the Senate restore \$6.5 million to the minerals resources assessment program. The House also provided increases above the request of \$1.3 million for the Advanced National Seismic System, including \$750,000 for the landslide hazards program and \$1.9 million to further current studies on global dust and Tampa Bay. The Senate increases funding above the request for the following: \$1.7 million for Hawaiian volcanoes, \$1.5 million for the Alaska mineral resources assessment program, and \$100,000 for the geological materials center to support energy and minerals exploration in Alaska. The Senate also requests that \$1.3 million be absorbed within base funding for coastal erosion and monitoring studies in South Carolina and Georgia.
- The House reduced the \$800,000 requested for Earth observation and monitoring by half while the Senate rejects the entire amount. The House also provided report language expressing the importance of the mineral resources program. The Senate noted that it expects the budget for the Alaska Volcano Observatory to be continued

at no less than the 2004 enacted level.

The House provided \$211.2 million for Water Resources Investigations, \$8.6 million above the budget request, but \$465,000 below the enacted level. The Senate provides \$212.9 million for Water Resources Investigations, \$1.7 million above the House level and \$10.3 million above the request. Details follow:

- Both the House and the Senate recommend restoration of \$6.5 million for the Water Resource Research Institutes.
- The House supported the request of \$800,000 for water availability (Water 2025), but moved the study area from the western United States to the Great Lakes.
- Both the House and the Senate provide funding for a variety of specific water projects. The House provided \$1.4 million and the Senate provides \$4.6 million, including \$1.5 million for studies with the University of Oklahoma on groundwater contamination and subsidence in the Roubidoux aquifer.
- Neither the House nor the Senate accepts the proposed increase of \$200,000 for SPARROW.
- The House directed the Survey to allocate \$2.0 million to the Lake Pontchartrain restoration project and provided report language urging expansion of the water availability program nationwide. The Senate allocates up to \$900,000 with in base funding to be used for the Survey's participation in the long-term estuary assessment program.

The House recommended \$172.0 million for biological research, while the Senate recommends \$172.8 million. The House funding level was \$4.4 million above the President's request. The Senate funding level is \$5.2 million above the request and \$800,000 above the House. Details follow:

- Both the House and Senate agreed with the proposal for the Northern Prairie Carbon Sequestration program. The House provided the requested \$500,000 and the Senate provides \$1.0 million.
- The House and Senate restore the Fire Science Program that was proposed for reduction in the President's budget.
- Increases to the requested level provided by the House include \$500,000 for manatee research, \$170,000 for the Anadromous Fish Research lab, \$250,000 for the Great Lakes Deepwater large vessel program, and \$900,000 for the cooperative research program.
- The Senate provides an additional \$8.2 million for biology programs, all of which were eliminated in the request. In report language, the House directs the Survey, from within base funds, to provide \$75,000 for the Southeastern Cooperative Wildlife Disease Study for chronic wasting disease and \$250,000 for the Delaware River Basin Ecologically Sustainable Water Management Project.
- The House report expressed concern over the growth of the National Biological Information Infrastructure and directs the Survey to locate all new thematic nodes in the same physical location as existing regional nodes, to reduce the number of planned NBII regions, and to realign NBII regions in consort with the Survey's existing regional structure. The House also directs the Survey to develop a longterm plan addressing the number and location of new Cooperative Fish and Wildlife Research Units.



The House funded the newly created Enterprise Information program at \$44.1 million, while the Senate funds it at \$45.2 million. The House funding level is \$999,000 below the President’s request and \$1.1 million below the Senate mark. Details follow:

- Both the House and Senate include reductions to the request of \$5,000 for E-records Management, \$64,000 for SAFECOM, and \$680,000 for Disaster.gov.
- The House reduced the request for Enterprise Services Network by \$250,000. The Senate reduces ESN by \$200,000.
- The Senate adds \$300,000 to the request of \$1.8 million for the Enterprise Information initiative.
- The Senate restores \$895,000 for the certification and accreditation of systems and \$592,000 for accessible data transfer.

The House funded Science Support at \$67.5 million, \$1.2 million below the request. The Senate provides \$65.4 million for Science Support, \$2.1 million below the House mark. Details follow:

- Neither the House nor the Senate funded the requested increases of \$414,000 for e-government initiatives or \$405,000 for competitive sourcing.
- The Senate does not support the requested increase of \$2.7 million for financial management improvement, while the House provided \$2.0 million.
- The Facilities program was funded at the request level in the House mark, \$95.9 million. The Senate provides \$95.0 million, \$933,00 below the House and President’s request. The Senate includes a reduction of \$527,000 in facilities improvements. The House included bill language making up to \$1.6 million of the facilities operation and maintenance and deferred maintenance funding no year.
- The Senate mark includes a decrease to the request of \$406,000 in uncontrollable costs.
- The Senate report expresses concern about the unsafe conditions at the Patuxent Wildlife Research Center and it’s expectation that future year budget requests will contain requests for any additional funding needed to correct the problems.
- The House bill provided language allowing the Survey to compensate student or recent graduates for Survey related costs for travel, workers compensation, and tort claims.

**Other Bureaus, Offices, and Programs**

**National Recreation & Preservation**

\$000					Senate +/-	Senate +/-	Senate +/-
	<u>04 Enacted</u>	<u>05 Budget</u>	<u>House</u>	<u>Senate</u>	<u>04 Enacted</u>	<u>05 Request</u>	<u>House</u>
NR&P	61,776	37,736	53,077	63,023	+1,247	+25,287	+9,946
					+2.0%	+67.0%	+18.7%

The President’s budget request included \$37.7 million for National Recreation and Preservation programs. The 2005 request was a decrease of \$24.0 million below 2004. The request proposed \$2.5 million for National Heritage Areas, a decrease of \$11.8 million from 2004. The budget request also eliminated funding for Statutory and Contractual Aid grants, -\$12.8 million. Finally, the request included \$301,000 for the administration of previously awarded UPARR grants.

The House provided \$53.1 million for NR&P programs, an increase of \$16.1 million above the President's request. This included \$15.1 million for National Heritage Areas, an increase of \$12.6 million above the Administration's request of \$2.5 million. The House funded Statutory & Contractual Aid as requested, at \$3.8 million, a decrease of \$7.9 million below the 2004 enacted level. The House also provided \$301,000 for administration of previously awarded UPARR grants.

The Senate mark provides \$63.0 million for NR&P programs, \$25.3 million above the request and \$9.9 million above the House mark. This includes \$14.3 million for National Heritage Areas, \$778,000 below the House. The Senate also provides \$12.1 million for Statutory & Contractual Aid, an increase of \$9.1 million above the House mark.

The House added bill language that prohibits the use of Rivers and Trails funds for cooperative agreements, contracts, or grants.

### NPS Historic Preservation Fund

	<u>04 Enacted</u>	<u>05 Budget</u>	<u>House</u>	<u>Senate</u>	Senate +/- <u>04 Enacted</u>	Senate +/- <u>05 Request</u>	Senate +/- <u>House</u>
Historic Pres.	34,569	34,570	34,570	38,000	+3,431	+3,430	+3,430
Tribal Grants	2,963	2,963	2,963	3,250	+287	+287	+287
America's Treasures	32,594	30,000	30,000	30,000	-2,594	0	0
Preserve Amer	0	10,000	0	0	0	-10,000	0
National Trust	494	0	0	0	-494	0	0
HBCUs	2,963	0	4,000	0	-2,963	0	-4,000
Total	73,583	77,533	71,533	71,250	-2,333	-6,283	-283
					-3.2%	-8.1%	-0.4%

The President's budget requested a total of \$77.5 million for the NPS Historic Preservation Fund. This included \$37.5 million in grants to States, Territories and Tribes. It also included \$30.0 million for the Save America's Treasure program and \$10.0 million for the Preserve America initiative. The President did not request funding for the National Trust or grants to HBCUs; last year Congress added \$494,000 and \$2.963 million for these programs, respectively. Overall, the 2005 request was a \$4.0 million decrease from the 2004 enacted level.

The House provided \$71.5 million for the Historic Preservation Fund, a decrease of \$2.0 million below the President's request. The House funds the Administration's request of \$37.5 million for grants to States, Territories and Tribes, and provides the Administration's request of \$30.0 million for the Save America's Treasures program. The House did not fund the \$10.0 million request for the new Preserve America initiative, and accepted the request to eliminate funding for the National Trust. The House provided \$4.0 million for grants to HBCUs.

The Senate includes a total of \$71.2 million for the Historic Preservation Fund, a decrease of \$6.3 million below the 2005 budget request and \$283,000 below the House. The Senate provides an increase of \$3.7 million for grants to States, Territories and Tribes and \$30.0 million for Save America's Treasures, the same as the Administration's request. The Senate does not provide funding for the Preserve America initiative, but

does allow for \$2.0 million of Save America’s Treasures funding to be used for pilot Preserve America heritage tourism grants. The Senate does not fund grants to HBCUs.

### Minerals Management Service

\$000					Senate +/-	Senate +/-	Senate +/-
	<u>04 Enacted</u>	<u>05 Budget</u>	<u>House</u>	<u>Senate</u>	<u>04 Enacted</u>	<u>05 Request</u>	<u>House</u>
ROMM	163,280	171,575	171,575	171,175	+7,895	-400	-400
Oil Spill	7,017	7,105	7,105	7,105	+88	0	0
Offsetting							
Collections	<u>100,230</u>	<u>103,730</u>	<u>103,730</u>	<u>103,730</u>	<u>+3,500</u>	<u>0</u>	<u>0</u>
Total	270,527	282,410	282,410	282,010	+11,483	-400	-400
					+4.2%	-0.1%	-0.1%

The President’s budget request for MMS included \$178.7 million for direct appropriations, a net increase of \$8.4 million over 2004. Collections from Outer Continental Shelf rents and other fee sources were requested at \$103.7 million, providing a total of \$282.4 million for MMS operations.

The 2005 budget proposed increases including: \$4.0 million for the third-year of the OCS Connect e-government project, \$1.9 million to acquire new interpretive tools to support Gulf of Mexico oil and gas evaluation and estimates, \$600,000 for a methane hydrates initiative, \$941,000 for an Indian Trust Initiative, and \$305,000 to fund cost of living increases for the State 205 cooperative audit program. The President’s budget also included a redirection of \$400,000 within the Environmental Studies program to fund a methane hydrates initiative.

The House mark provided the same amount as the President’s budget for MMS, but directed MMS to reprogram \$40,000 to partially restore funding to the Environmental Studies Program. The House included new bill language giving MMS authority to pay any late disbursement interest caused by delays in processing royalty payments for States and Tribes out of the Federal royalty share rather than the agency’s appropriated funds.

The Senate Committee provides \$178.3 million in direct appropriations, \$400,000 below the request level and the House. The Senate retains the House language giving MMS authority to pay late disbursement interest out of the Federal royalty share. Within the ROMM activity the Senate Committee provides a \$1.8 million increase for resource evaluation and a \$600,000 million increase for the regulatory program, offset by a \$2.8 million reduction to the information management program. The resource evaluation increase provides \$900,000 for the Marine Mineral Technology Center in Alaska and \$900,000 for the Center for Marine Resources and Environmental Technology. The \$600,000 regulatory increase is for the Technology Assessment and Research program. The Senate includes new bill language that allows MMS to use amounts from the franchise fund to offset the reduction to the information management program. The Senate directs MMS to spend \$150,000 for the Alaska Whaling Commission within the funds provided for the leasing and environmental program.

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 Committee includes new bill language authorizing MMS to use a portion of the revenues from royalty-in-kind sales to pay for transportation and processing costs, salaries and other administrative costs directly related to the royalty-in-kind program.

### Office of Surface Mining

\$000					Senate +/-	Senate +/-	Senate +/-
	<u>04 Enacted</u>	<u>05 Budget</u>	<u>House</u>	<u>Senate</u>	<u>04 Enacted</u>	<u>05 Request</u>	<u>House</u>
Reg & Tech	105,384	108,905	108,905	109,905	+4,521	+1,000	+1,000
AML	<u>190,591</u>	<u>243,863</u>	<u>194,106</u>	<u>190,863</u>	<u>+272</u>	<u>-53,000</u>	<u>-3,243</u>
Total	295,975	352,768	303,011	300,768	+4,793	-52,000	-2,243
					+1.6%	-14.7%	-0.7%

The President's budget included \$352.8 million for OSM programs, a net increase of \$56.8 million above 2004. The budget included a \$53.3 million increase in the Abandoned Mine Land program to support the Administration's AML reauthorization proposal, and a \$3.5 million increase for Regulation and Technology.

The House mark provided \$303.0 million for OSM programs. An increase of \$3.2 million was included for AML grants to States and Tribes funding AML grants at the FY 2004 enacted level. The Senate provides \$300.8 million for OSM, \$52.0 million below the request and \$2.2 million below the House. AML grants to States and Tribes are funded at \$149.6 million, even with the request level and \$3.2 million less than the House mark.

Neither the House nor the Senate provided \$53.0 million for the proposed payout for certified States under the AML program. The House report language urged the authorizing committees to act on the Administration's legislative proposal. The Senate bill includes an amendment proposed by Senator Byrd that extends OSM's authority to collect the fee for abandoned mine land reclamation until June 30, 2005.

The House and Senate also retain language limiting funding for minimum program States to \$1.5 million and provides Maryland special flexibility. The House and Senate both continue funding the Appalachian Clean Streams Initiative at an amount not to exceed \$10.0 million.

The Senate Committee provides \$109.9 million for the regulation and technology program, a \$1.0 million increase over the request level and the House mark. The Senate directs OSM to use the \$1.0 million to contract with the National Research Council of the National Academy of Sciences for a coal study to be completed within two years.

## Office of Insular Affairs

\$000					Senate +/-	Senate +/-	Senate +/-
	04 Enacted	05 Budget	House	Senate	04 Enacted	05 Request	House
Assistance to Territories	75,744	72,935	74,935	74,255	-1,489	+1,320	-680
Compact of Free Association	<u>6,379</u>	<u>5,941</u>	<u>5,499</u>	<u>5,400</u>	<u>-979</u>	<u>-541</u>	<u>-99</u>
Total	82,123	78,876	80,434	79,655	-2,468	+779	-779
					-3.0%	+1.0%	-1.0%

The 2005 President's Budget requested \$78.9 million in current funding for the Office of Insular Affairs, including \$72.9 million for Assistance to Territories and \$5.5 million for Compact of Free Association. The House recommended \$80.4 million in current funding, providing an additional \$2.0 million for Assistance to Territories. The Senate recommends \$79.7 million in current funding for OIA and provides \$1.4 million above the request for Assistance to Territories.

Within Assistance to Territories, the House funded Territorial Assistance at \$24.1 million, including increases of \$1.0 million above the request for water system rehabilitation in the CNMI and \$1.0 million for payments to replace the Prior Service Trust Fund.

The Senate funds Territorial Assistance at \$23.4 million, \$680,000 below the House level, and \$1.3 million above the request. The Senate funds the items in the request, and provides an additional \$320,000 to expand the Continuing Judicial Court Education and Court Administrative Improvement Project that is conducted in cooperation with the Pacific Islands Committee of the Judicial Council of the Ninth Circuit. The Senate also provides an additional \$1.0 million to continue health care programs that ensure the continuation of medical programs and services to members of the Enewetak, Bikini, Rongelap, and Utrik communities born prior to 1960 and who currently reside on various islands within the Pacific.

Both the House and the Senate fund the American Samoa grants and Northern Mariana Island/Covenant grants at the request levels of \$23.1 million and \$27.7 million, respectively. The Senate directs the Department to provide a report on the planned 2005 expenditures for the CNMI Covenant Grant funding within 60 days of enactment of the 2005 appropriations bill. The House instructed the Department to work with the governments of the CNMI, Guam, Palau, and representatives of the Prior Service Benefits Board of Directors to establish an appropriate funding mechanism to replace the Prior Service Trust Fund.

The Senate directs the Department to work with the Healthcare Association of Hawaii to obtain independent verification of the reimbursement claims that the HCA has requested on behalf of FAS citizens. The Senate also directs the Department to work with the HCA to develop adequate protocols to ensure that future claims for reimbursement are well documented and limited to eligible individuals.

Both the House and Senate provide bill language directing the OIA to provide "sufficient" funding for a grant to the Pacific Basin Development Council. The Senate

includes bill language directing \$750,000 to the Close Up Foundation, while the House bill language directed Insular to provide “sufficient” funding to the organization.

Within the \$5.5 million recommended for Compact of Free Association, the Senate reduces the request level for Federal Services by \$941,000. The Senate provides an additional \$400,000 above the request level for Enewetak support. This is \$100,000 less than the House provided.

**Departmental Offices**

\$000					Senate +/-	Senate +/-	Senate +/-
	<u>04 Enacted</u>	<u>05 Budget</u>	<u>House</u>	<u>Senate</u> <sup>1/</sup>	<u>04 Enacted</u>	<u>05 Request</u>	<u>House</u>
Dept. Mgmt.	82,998	80,548	79,551	80,108	-2,890	-440	+557
FBMS	11,556	18,555	13,500	1,500	-10,056	-17,055	-12,000
Fleet Reduc.	<u>0</u>	<u>0</u>	<u>-13,500</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>+13,500</u>
Subtotal, DM	94,554	99,103	79,551	81,608	-12,946	-17,495	+2,057
PILT	224,697	226,000	226,000	230,000	+5,303	+4,000	+4,000
Solicitor	49,753	53,453	51,356	53,053	+3,300	-400	+1,697
OIG	38,272	39,400	37,655	38,100	-172	-1,300	+445
NRDA	<u>5,564</u>	<u>5,818</u>	<u>5,818</u>	<u>5,818</u>	<u>+254</u>	<u>0</u>	<u>0</u>
Total	412,840	423,774	400,380	408,579	-4,261	-15,195	+8,199
					-1.0%	-3.6%	+2.0%

1/ Senate includes \$13.5 million in Central Hazmat Balances and \$1.5 million for FBMS

Overall, the 2005 President’s budget for Departmental Offices provided \$423.8 million. The House provided \$400.4 million, a reduction of \$23.4 million from the request. The Senate provides \$408.6 million, \$15.2 million below the request.

**Departmental Management:**

For Departmental Management, the President’s budget request of \$99.1 million continued strategic investments to address important Department-wide needs, including:

- \$18.6 million for the Financial and Business Management System;
- \$800,800 for implementation of the Enterprise Services Network;
- \$550,000 for four positions to further enhance the law enforcement and security program;
- \$503,200 for Take Pride in America;
- \$388,100 for financial statement audit costs;
- \$83,400 for the Indirect Cost Negotiation Team;
- \$38,200 to construct American embassy compounds worldwide;
- \$32,000 to support the Administration’s e-government initiatives; and
- \$68,400 for fixed costs.

The House provided \$79.5 million, a decrease of \$19.6 million from the request. The House funded requested increases for the financial statement audit costs, Indirect Cost Negotiation Team, and fixed costs. The House bill did not provide the increases requested for the Take Pride in America program, embassy construction, or the e-government initiatives. The House provided \$150,000 for one new law enforcement position, reducing the law enforcement request by \$400,000. During House floor action an amendment was adopted that reduced the Departmental Management appropriation by \$13.5 million for fleet reductions, however, the reduction would be allocated to bureaus and offices.

The Senate Committee provided \$81.6 million for Departmental Management, \$17.5 million below 2004. The Senate funds Take Pride in America at \$750,000 as compared to the House level of \$497,000; reduces the request for law enforcement to \$400,000 as compared to the House level of \$150,000; funds \$54,000 for E-Government initiatives as compared to House action that zeroed out the request; and, like the House, eliminates funding for the embassy security construction initiative.

The House mark funded the Financial and Business Management System at \$13.5 million, a decrease of \$5.1 million from the request. A proposed transfer of funds from the Central Hazardous Materials Fund offsets this increase. The Senate also included a transfer of unobligated balances in the Central Hazardous Materials Fund as a means to fund FBMS and included \$1.5 million in appropriations for a total of \$15.0 million.

#### **Payments in Lieu of Taxes:**

For the Payments in Lieu of Taxes program, the budget included \$226.0 million, an increase of \$1.3 million over the 2004 enacted level. The House Committee funded the program at the requested level. The Senate provides \$230.0 million, \$4.0 million higher than the request.

#### **Office of the Solicitor**

For the Office of the Solicitor, the President's budget requested \$53.4 million including the following increases:

- \$1.1 million for Paralegal and support positions and support for legal staff in the Legal Services Division;
- \$1.9 million for fixed costs;
- \$421,000 for general administration and information technology; and
- \$254,000 for training, audits, and evaluation in the Office of Ethics.

The House mark provided \$51.4 million, a decrease of \$2.1 million from the request, but \$1.6 million above 2004. The House reduced the fixed cost increase by \$267,000, eliminated funding for paralegal and support positions and support for legal staff, reduced \$400,000 for computers, \$15,000 for e-government initiatives, and \$254,000 for training, audit, and evaluation. The House funded some requested increases for uncontrollable expenses, information technology improvements and audit of financial statements. The Senate provides \$53.1 million, an increase of \$1.7 million above the House and \$400,000 below the request. The Senate reduces the SOL request by \$300,000 for IT equipment and \$100,000 for training, audit and evaluation.

### **Office of the Inspector General**

For the Office of the Inspector General, the budget request was \$39.4 million, which included the following increases:

- \$1.0 million for fixed costs;
- \$300,000 for 2 FTE for new ON TARGET initiative, one each in Audit and Investigations divisions;
- \$1.05 million for an additional 7 FTEs in the Audit divisions with non-traditional auditor backgrounds; and
- \$600,000 for IT standardization.

The House mark provided \$37.7 million, a decrease of \$1.7 million from the request, and \$616,000 below 2004. The House mark reduced fixed costs by \$507,000, and reduced \$450,000 for staff with non-traditional auditor backgrounds, \$150,000 for a contract specialist, \$150,000 for the On TARGET initiative, \$78,000 for equipment replacement, \$300,000 for information management staff, \$100,000 for information technology standardization, and \$10,000 for e-government initiatives. The House funded increases for some equipment replacement, additional staffing, and professional development and training. The Senate provides \$38.1 million, an increase of \$445,000 from the House and a reduction of \$1.3 million from the request. The Senate reduces the funding by \$550,000 for additional audit staff, \$150,000 for the On Target initiative, \$250,000 for law enforcement equipment replacement, \$150,000 for IT staffing, and \$200,000 for IT related activities.

### **Natural Resource Damage Assessment and Restoration Program:**

For the Natural Resource Damage Assessment and Restoration program, the budget included \$5.8 million. The House and Senate both fund the program at the requested level.



## MAJOR LEGISLATIVE LANGUAGE ITEMS

### Title I – General Provisions, Department of the Interior

**Administrative Provisions.** The House proposed to make permanent several administrative provisions that have been annually repeated without change for many years. (House §§ 103, 105, 106)

**Outer Continental Shelf Moratoria.** As requested in the President’s budget, the House and Senate continue the moratoria on OCS oil and gas activities in the areas under the Presidential moratoria. (House §§107-109, Senate §§107-109)

**Entrance Fee.** As requested in the President’s budget, the House continued a restriction on reduced entrance fee programs for non-local travel through park units. (House §110)

**Advance Payments to Indian Tribes, Tribal Organizations, and Tribal Consortia.** The House and Senate continue a provision requiring that any advance payments of funds provided under contracts, grants, or annual funding agreements be invested in obligations or securities guaranteed or insured by the United States or deposit accounts that are insured by the United States. (House §111, Senate §110)

**Redistribution of TPA Funds.** The House and Senate continue a provision allowing the Secretary to redistribute TPA funding, with a 10 percent limitation on reducing any single Tribe’s base funding. (House §114, Senate §113)

**Post-secondary Schools.** The House and Senate continue a provision requiring that the funds appropriated be allocated among the schools proportionate to the unmet need, as determined by the funding formula. (House §115, Senate §114)

**Huron Cemetery (KS).** Language was retained in the President’s budget and in the House and Senate making the Secretary of the Interior responsible for ensuring that the Huron Cemetery in Kansas City, Kansas, is used only for religious and cultural uses that are compatible with the use of the land as a cemetery and burial ground. (House §116, Senate §115)

A related item (House §129 Senate §124) provides that nothing in §134 of the 2002 Interior Appropriations Act affects the decision in *Sac and Fox Nation v. Norton*, 240 F.3d 1250 (10<sup>th</sup> Cir. 2001). Section 134 dealt with the authority of the Secretary of the Interior to determine whether tribal land is “Indian land” for purposes of the Indian Gaming Regulatory Act. This section was retained in the President’s budget.

**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 these properties. (House §117, Senate §116)

**Golden Gate NP.** The House included language not included in the budget allowing the Golden Gate Parks Association to provide visitor services within the Presidio. (House §118)

**Mine Claim Fees.** The Senate includes language prohibiting the Departments of the Interior and Agriculture from increasing mine claim maintenance and location fees until the Departments have (1) established a nationwide tracking system to determine and address the length of time from submission of a plan of operations to mine on public lands to final approval of such submission and (2) filed a report within one year providing detailed information on the causes of delays in approval of mining plans of operations and recommending steps to reduce such delays. (Senate §119)

**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 §120, Senate §118)

**Land Acquisition Grants.** The House continued language not included in the budget allowing the use of land acquisition funds for grants to protect Shenandoah Valley Battlefields NHD, New Jersey Pinelands Preserve, and Ice Age National Scenic Trail. (House §121)

The Senate includes a provision that NPS Federal Land Acquisition funds provided for the New Jersey Pinelands Reserve and the Ice Age NST may be used for a grant to a State, local government or any land management entity for the acquisition of lands without regard to any restriction in the LWCF Act of 1965 (Senate §120).

**Carlsbad Caverns.** The House and Senate continue the limitation on the use of funds to enter into a concessions contract permitting or requiring the removal of the underground lunchroom at Carlsbad Caverns NP. The budget proposed to eliminate this provision. (House §122, Senate §121)

**Bridge Demolition.** The President's budget proposed to eliminate a provision that prohibits the use of funds for demolition of a bridge between Jersey City, New Jersey, and Ellis Island or to prevent pedestrian use of the bridge. The House continued the provision. (House §123)

**Cape Canaveral.** The President's budget proposed to eliminate a provision that prohibits the use of funds to designate or to post any sign designating any portion of the Canaveral National Seashore as clothing optional. The House continued the provision. (House §124)

**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 §125, Senate §122)

**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 §126, Senate §123)

**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. (House §127)

**Midway Atoll.** The House included a provision that directs the transfer of funds from Departmental Management to FWS for operational needs at Midway Atoll NWR airport. (House §128)

**Franchise Fund.** The Senate includes a provision that allows MMS to use amounts from the franchise fund for the acquisition of capital equipment, and for the improvement and implementation of financial management, ADP, and other support systems. (Senate §129)

**Lake Powell.** The House and Senate 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. (House §130, Senate §125)

**Indian Gaming.** The House included a provision capping the imposition of fees by the Indian Gaming Commission in FY 2006 at \$12 million. (House §131)

**Tribal Trust Demonstration Project.** The House and Senate continue a 2004 provision that allows the Department to provide funds to certain, specified Tribes for a trust demonstration project. Senate adds new proviso to apply provisions of Self determination grants funding. (House §132, Senate §127)

**SMCRA.** The Senate extends the authority of OSM to collect a reclamation fee until June 30, 2005. (Senate §132)

**National Mall.** The House continued a 2004 provision that limits the use of the National Mall for special events. (House §133)

### **Title III – General Provisions (Bill-wide)**

Title III of the House bill includes numbered legislative provisions, including the following:

**Assessments, Charges, or Billings.** The House and Senate continue an expanded provision that limits the use of assessments and directs that no assessments, charges, or billings may be levied against programs funded in the bill unless advance notice is presented to and approval is provided by the appropriations committees. (House §305, Senate §305)

**Mine Patent Moratorium.** As requested in the President's budget, the House continued the mine patent moratorium for an additional year. (House §307)

**Contract Support Costs.** The House and Senate continue a provision stating that the amount appropriated for contract support costs is the total amount available, and that tribes may use the tribal priority allocations to cover unmet indirect costs. (House §308, Senate §308)

**Government-wide Administrative Functions.** The House and Senate continue a provision that disallows the use of funds to support government-wide administrative functions unless justified in the budget and approved by the appropriations subcommittees. (House §313, Senate §313)

**Answering Machines.** The House and Senate continue a provision included in the 2003 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 §316, Senate §316)

**National Monuments.** The House continued a prohibition on the use of funds to conduct mineral preleasing, leasing, and related activities within the boundaries of a national monument that were 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 §320)

**Reciprocal Agreements for Firefighters.** As requested in the President's budget, the House included a provision providing liability coverage to foreign firefighters. (House §323)

**Pennsylvania Avenue.** The House continued the provision that prohibits the use of funds for planning, design, or construction of improvements to Pennsylvania Avenue in front of the White House. (House §327)

**Declarations of Taking.** The House continued 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 Everglades acquisitions. (House §329).

**Competitive Sourcing.** The House included a provision requiring an annual report on competitive sourcing activities, imposing a limit of \$2.5 million on competitive sourcing, and prescribing the conditions under which activities may be converted to contractor performance. (House §331). The Senate imposed a limit of \$3.25 million on competitive sourcing activities. (Senate §329)

**Overhead Charges.** The House and Senate include a provision that requires that all overhead charges, deductions, reserves or holdbacks from programs be presented in the budget and approved by the Committees. (House §332, Senate §330)

**E-Government.** The House bill included a provision that precludes agencies funded in the bill from implementing E-government projects including: SAFECOM, Disaster

Management, E-Training, and E-Rulemaking. (House §333). The Senate bill includes a provision that precludes agencies funded in the bill from implementing SAFECOM and Disaster Management. (Senate §331)

**Watershed Restoration in Colorado.** The House bill extended authority to the BLM, that is currently provided to the U.S. Forest Service, to enter into cooperative agreements or contracts with the Colorado State Forest Service to perform watershed restoration and protection services on BLM lands in Colorado when similar and complimentary watershed restoration and protection services are being performed by the State Forest Service on adjacent State or private lands (House §335).

**Eastern Nevada Landscape Coalition.** The Senate includes bill language authorizing the Secretaries of the Interior and Agriculture to make grants to the Eastern Nevada Landscape Coalition for the study and restoration of lands in Nevada’s Great Basin in order to help assure the reduction of hazardous fuels and for related purpose, and directs the BLM to enter into a cooperative agreement with the ENLC for the Great Basin Restoration Project. Specifically, the language exempts BLM’s relationship with the ENLC from the Federal Grant and Cooperative Agreement Act of 1977, which requires a competitive award process for contracts, grants, and cooperative agreements. (Senate §340).

**Title IV –** The House and Senate bills provide a total of \$500 million in FY 2005 contingent supplemental appropriations for fire suppression, with \$100 million designated for the Department of the Interior and \$400 million designated for the Forest Service.

### 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 2004 enacted to date appropriations (including supplemental appropriations) and the 2005 President’s budget as scored by Congressional Appropriations Committees, as amended. The Committees’ scoring of 2004 and the President’s budget differs 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

	2004 Enacted	2005 Budget	2005 House	2005 Senate
OMB Scoring	\$9,695,763	\$9,919,174	\$9,692,326	\$9,823,179
Committee Scoring	\$9,747,964	\$9,971,299	\$9,744,451	\$9,875,304

The Committees' scoring differs from OMB scoring by a net \$52.1 million. The Committee includes 4 current mandatory accounts that OMB does not include in its discretionary totals - BLM's Range Improvements (\$10.0m), BLM's Miscellaneous Trust (\$12.4m), OIA's Assistance to Territories (\$27.7m) and Compact Assistance (\$2.0m). Additionally, the Committee's scoring of the 2004 enacted differs from OMB scoring by an additional \$0.1m due to rounding of the across-the-board reductions.

## Legislative History

### House Bill – H.R. 4568/Report 108-542

#### **House Subcommittee**

The House Subcommittee reported the bill on June 3, 2003, unanimously approving the measure.

#### **House Committee**

The House Committee reported the bill on June 9, with 3 amendments, by voice vote. Amendments were offered in Committee action on the following:

- **Fire Supplemental Funding** - Chairman Young made a motion to adjust the Subcommittee allocations to include \$1 billion in emergency fire funding. Title IV provides \$500 million for 2004 and 2005 in the event that suppression funds are needed. The motion was approved by unanimous consent.
- **Jurisdictional Changes** - Chairman Young moved to adopt the jurisdictional changes including the move of DOE's weatherization program to HHS. The motion was passed on voice vote.
- **Park Base** – Congressman Dicks offered an amendment to add \$45 million to park base to be redirected from other parks programs. Chairman Taylor opposed the amendment and asked that it be withdrawn, suggesting instead that park management needs to be improved. Congressman Dicks agreed to withdraw the amendment with assurances that the Committee would work toward an additional increase of \$25 million for park base funding.
- **Conservation Spending** - Congressman Obey offered an amendment to increase funding for land and water conservation programs by \$228 million, including \$171 million for land acquisition and \$56 million for Forest Legacy to restore funding consistent with the President's budget. Congressman Sam Farr argued on behalf of restoring land acquisition funding for Pinnacles National Monument, a project that has been in the works for many years and has finally reached the stage where the landowners are willing to sell. Congressman Doolittle argued against the amendment because of the need to improve the management of existing parks and not expand the system. The amendment was defeated on a voice vote.
- **USGS EROS Data Center** - Congressman Lewis proposed a language amendment on the USGS EROS data center relating to archiving information that was adopted without objection.
- **Arkansas Refuges** - Congressman Berry proposed an amendment addressing management of Arkansas refuges that was adopted without objection.
- **Great Lakes Cooperative Geological Mapping** - Congressman Kirk gave a colloquy on the value of Great Lakes cooperative mapping.

## **House Floor Action**

The House took up the 2005 Interior and Related Agencies appropriations bill (H.R. 4568) on June 16. The House adopted a rule (H.Res.674) governing consideration of the bill by a vote of 428 to 1. On June 17 after acting on a number of amendments, which are summarized below, the House passed the bill by a vote of 334 to 86.

- The House adopted an amendment proposed by Mrs. Slaughter increasing funding for the National Endowment for the Arts by \$10 million and the National Endowment for the Humanities by \$3.5 million with offsetting reductions from Interior vehicle fleet funding. The amendment was adopted by a recorded vote of 241 to 185.
- The House adopted, by a voice vote, an amendment by Mr. Hunter prohibiting the use of recreation fee demonstration project funding to cover the costs of any biological monitoring for an endangered or threatened species or potentially endangered or threatened species.
- Mr. Rahall offered an amendment that would have placed a limitation on funds used to adversely affect the integrity of Indian sacred sites. The amendment was defeated by a roll call vote of 209 to 215.
- The House considered an amendment by Mr. Hensarling of Texas that would have limited to \$50 million spending by the Department on web sites. Chairman Taylor opposed the amendment on the basis that the appropriations subcommittee is already working with the Department to improve the management of IT programs and the potential impacts of such a limitation to industry and the public that use these web sites. Congressman Hensarling withdrew his amendment.
- An amendment by Mr. Flake of Arizona to increase PILT by \$15 million was defeated. Mr. Flake's amendment included an offset from the Smithsonian Institution. The vote on the amendment was 94 to 332.
- The House defeated an amendment by Mr. Hinchey prohibiting the use of funds to kill bison in the Yellowstone National Park herd. The vote on the amendment was 202 to 215.
- The House defeated an amendment by Mr. Holt of New Jersey to prohibit recreational snowmobile use in Yellowstone National Park, the John D. Rockefeller Jr. Memorial Parkway, and Grand Teton National Park. The vote on the amendment was 198 to 223.
- A point of order was sustained against an amendment by Mr. Weiner requiring that the Statute of Liberty be reopened by July 31 to the level of public access available before 9/11. Chairman Taylor objected that the amendment would constitute legislation in an appropriations bill. After the Chair sustained the point of order, the House adopted by a voice vote an amendment by Mr. Dicks and Mr. Peterson to require the Secretary to provide a report on the status of reopening the Statute of Liberty. The report would be due 30 days after enactment of the Interior bill.
- The House defeated an amendment by Mr. Sanders to limit the amount of oil in the Strategic Petroleum Reserve to 647 million barrels. The vote on the amendment was 152 to 267. The amendment would have resulted in suspending delivery of MMS RIK oil to the SPR.

## **Senate Bill – S.2804/Report 108-341**

### **Senate Subcommittee**

The Senate Subcommittee approved the bill on June 23, 2004.

## Senate Committee

The Senate Committee reported the bill on September 14, 2004 after adopting two amendments. The measure was adopted on voice vote.

The Committee adopted the following managers' amendments:

- Senator Bennett to move funding between Utah projects;
- Senator Burns technical changes to supplemental fire funding, elimination of 2004 supplemental fire funding, report language on firefighting aircraft, report language on clean coal technology research, bill language modifications on RIK administrative costs, technical corrections to the Indian Land and Water Claims account;
- Senator Byrd report language on the New River Gorge Parkway Authority and the New River Gorge education center;
- Senator Campbell funding for the Indian Arts and Craft Board;
- Senator Craig bill language on Forest Service Salmon River lodges;
- Senator Dorgan technical modifications to efficiency standards and report language on SIDS;
- Senator Durbin report language on Lincoln Home NHS and Lincoln Memorial;
- Senator Hollings to move \$1.5 million between DOE projects;
- Senator Hutchison to move funding between Texas land acquisition projects and to reallocation MMS and USGS funds;
- Senator Inouye funds for James Campbell NWR land acquisition;
- Senator Landrieu to strike report language on SAT and Abbeville Theater, reallocate funding for land acquisition, and modify conservation language;
- Senator Leahy report language on Pittsford NFH and bill language on NPS authority to acquire security screening sites for the Statue of Liberty, Governors Island, and Ellis Island;
- Senator Reid to modify the conveyance to UNLV and contracting authority for Eastern Nevada Landscape Coalition;
- Senator Stevens to move funding between Alaska NPS construction projects, bill language on the Doyon land exchange, Forest Service Elfin Cove conveyance, bill language revising alcohol prevention funds, bill language making permanent the prohibition on native villages pulling funds from native regional health organizations, bill language allowing Barrow hospital construction funds to be used for land acquisition, bill language providing authority for facilities construction on land owned by Norton Sound Regional Health Corporation, and bill language on the Seward Interagency Center.

Senator Bond proposed to strike Section 338 of the bill proposing a 40 million acre-foot minimal water-in-storage for the Pick-Sloan Missouri River Basin System. The motion to strike the provision failed on a roll call vote of 9 to 14.

Senator Byrd offered an amendment to extend the AML coal fee authority for nine months. The Committee unanimously agreed to the measure, which would extend the authority through June 30, 2005.