



**UNITED STATES
DEPARTMENT OF THE INTERIOR
Director of Budget**

**SUMMARY: THE FISCAL YEAR
2003 OMNIBUS APPROPRIATIONS ACT FOR DEPARTMENT OF THE
INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL PROGRAMS**

The House of Representatives and the Senate adopted the Conference report on the Fiscal Year 2003 Omnibus Appropriations bill on February 13, 2003, clearing the measure for the President. The House acted by a vote of 338 to 83; Senate by a vote of 76 to 20.

For the Department of the Interior, the Omnibus bill provides \$10.4 billion in current appropriations. This amount is reduced to \$10.3 billion by a 0.65% across-the-board reduction. The Omnibus bill also provides \$189.0 million to repay funds borrowed from land acquisition and construction accounts in 2002 for fire suppression, emergency stabilization and rehabilitation needs. The repayment amount is not subject to the across-the-board reduction.

The Omnibus bill (not including the fire repayment) is \$ 71.5 million above the President's 2003 budget before the across-the-board reduction, but only \$4.0 million above the budget with the across-the-board reduction. The President's 2004 budget is \$340.0 million, or 3.2 %, above the Omnibus bill at the across-the-board reduction level.

For programs funded in the Interior and Related Agencies Act, the Omnibus bill provides current appropriations of \$9.5 billion (again not including the fire repayment). With the across-the-board reduction, this amount is reduced to \$9.4 billion. The Omnibus bill is \$10.5 million above the President's budget before the across-the-board reduction and \$50.8 million below the budget with the reduction. The 2004 budget is \$369.8 million, or 3.6%, above the Omnibus bill at the across-the-board level.

For programs funded in the Energy and Water Development Act, the bill provides current appropriations of \$952.2 million, \$61.0 million more than the President's budget. With the across-the-board reduction, Energy and Water Development programs are funded at \$946.0 million, \$54.8 million above the budget. The 2004 budget requests \$29.8 million less than the amount provided in the Omnibus bill at the across-the-board level.

For the priorities requested in the President's budget, the Omnibus bill provides the following: (Comparisons do not include the across-the-board reduction.)

- The Office of the Special Trustee operating account is funded at \$141.3 million. This is \$39.1 million above 2002, but \$9.8 million below the request. The Indian land

consolidation program is funded at \$8.0 million, the same level as the request. BIA receives an increase of \$25.8 million for trust programs, \$3.0 million below the request level.

- Funding for the Park Service maintenance backlog and Indian school replacement and repair is at roughly the budget level. NPS maintenance backlog funding is \$8.8 million below the request; BIA school construction is \$3.0 million above the request.
- The Natural Resource Challenge is increased by \$18.0 million, as requested in the budget.
- The Cooperative Conservation Initiative receives \$15 million, primarily in challenge cost share programs in the operating accounts of the land management bureaus. The budget requested \$50 million in the operating accounts. The request for \$50 million in CCI grants from the Land and Water Conservation Fund is not funded.
- Funding for the Landowner Incentive Program is \$40 million, \$10 million less than the request. This appropriation is offset by rescission of \$40 million appropriated for the program in 2002. The statement of the managers directs that the 2003 appropriation be applied to fund grant applications submitted for the 2002 funding. The Private Stewardship program is similarly treated, with a new appropriation of \$10 million, offset by a \$10 million rescission of 2002 balances.
- The Wildland Fire program is funded at \$654.4 million, \$652,000 above the request. As noted above, an additional \$189.0 million is provided to repay funds borrowed for the fire program in 2002.

In general, the Omnibus bill funds Interior operating programs in the same range as the President's 2003 budget. The BLM operating account is \$12.7 million above the budget. The FWS Resource Management account is \$13.8 million above the request. The Operation of the National Park System account is \$19.0 million below the request, but \$78.5 million above 2002.

Funding for the U.S. Geological Survey under the Omnibus bill is \$925.3 million, \$11.3 million above 2002 and \$57.9 million above the budget.

The bill funds land acquisition for DOI agencies at \$184.3 million, \$94.9 million below 2002 and \$19.8 million below the President's request. The LWCF Stateside program for formula grants to states is \$98.0 million, \$52.0 million below the budget request and \$46.0 million below the enacted level.

PILT is funded at \$220.0 million, \$55.0 million above the 2003 request and \$10.0 million above 2002.

The bill funds pay and other uncontrollables at the level of the President's budget, which funded approximately 50% of 2002-2003 pay increases and 100% of non-pay uncontrollable cost increases.

The Congress did not adopt the Administration’s proposal to charge individual agencies for the fully accrued costs related to retirement benefits of Civil Service Retirement System employees and retiree health benefits for all civilian employees as the authorizing committees have not acted on the legislation. The proposal to transfer workers compensation administrative costs from the Department of Labor was also rejected.

More details on funding levels and legislative provisions included in the bill follow. Please note that funding in the following tables and narrative do not reflect the 0.65% across the board reduction included in the Omnibus appropriation. Attachments 1 and 2 provide a comparison of key numbers. The attachments show comparisons with and without the 0.65% across-the-board reduction.

FUNDING LEVELS

Land Management Operations

National Park Service Operations

| \$000 | | | | | | Conf +/- | |
|-------|-------------------|------------------|-----------------|------------------|-----------------|-------------------|------------------|
| | <u>02 Enacted</u> | <u>03 Budget</u> | <u>03 House</u> | <u>03 Senate</u> | <u>03 Conf.</u> | <u>02 Enacted</u> | <u>03 Budget</u> |
| ONPS | 1,487,075 | 1,584,565 | 1,605,593 | 1,571,065 | 1,565,565 | +78,490 | -19,000 |
| | | | | | | +5.3% | -1.3% |

The President’s FY 2003 budget request for the NPS Operation of the National Park System account included an increase of \$97.5 million including the following: \$18.0 million for the Natural Resource Challenge, \$25.0 million for cyclic maintenance, and \$17.6 million for the repair and rehabilitation program. Of the requested repair and rehabilitation increase, \$7.6 million was for condition assessments and \$1.6 million was for the Facility Management Software System.

The Omnibus bill provides \$78.5 million more for ONPS than the 2002 enacted level, but the Omnibus funding level is a net decrease of \$19.0 million below the President’s request. Included in ONPS is \$14.0 million for park bases increases.

The bill provides a \$5.6 million increase for condition assessments, rather than the \$7.6 million increase requested. The bill decreases repair and rehabilitation by \$10 million as compared to the request and \$1.6 million compared to 2002 repair and rehabilitation.

The bill includes \$5.0 million for the Cooperative Conservation Initiative within the existing NPS Challenge Cost Share program. The Administration requested \$22.0 million for the CCI program.

The bill funds \$4.0 million for the Everglades Critical Ecosystem Studies Initiative within NPS rather than in the USGS as proposed in the President’s budget. It also funds uncontrollable costs for ONPS at the requested level.

NPS Natural Resource Challenge

| \$000 | <u>02 Enacted</u> | <u>03 Budget</u> | <u>03 House</u> | <u>03 Senate</u> | <u>03 Conf.</u> | <u>Conf +/-</u> <u>02 Enacted</u> | <u>Conf. +/-</u> <u>03 Budget</u> |
|----------------------------|-------------------|------------------|-----------------|------------------|-----------------|--------------------------------------|--------------------------------------|
| Natural Resource Challenge | 47,548 | 67,548 | 67,548 | 67,548 | 67,438 | +18,000 | 0 |
| | | | | | | +37.8% | 0% |

The President's budget included an increase of \$18.0 million for the Natural Resource Challenge. Activities funded by this request include completing inventories and monitoring resources, eliminating critical mitigation problems and Alaska natural resource projects. The President's budget proposed that, of the \$18.0 million increase, \$9.0 million was to be earmarked for the U.S. Geological Survey to conduct NPS Natural Resource Challenge activities.

The Omnibus bill provides the requested level of funding, however it does not accept the proposed language to require that \$9.0 million be earmarked for the USGS.

U.S. Park Police

| \$000 | <u>02 Enacted</u> | <u>03 Budget</u> | <u>03 House</u> | <u>03 Senate</u> | <u>03 Conf.</u> | <u>Conf +/-</u> <u>02 Enacted</u> | <u>Conf. +/-</u> <u>03 Budget</u> |
|-------------|-------------------|------------------|-----------------|------------------|-----------------|--------------------------------------|--------------------------------------|
| Park Police | 90,555 | 78,431 | 78,431 | 78,431 | 78,431 | -12,124 | 0 |
| | | | | | | -13.4% | 0% |

The President's budget requested \$78.4 million for the U.S. Park Police, including \$12.6 million for security measures. The President's budget did not continue \$12.7 million in funding provided in the first 2002 supplemental for one-time security-related projects. The Omnibus bill includes \$78.4 million, the same amount as the President's request.

Fish and Wildlife Service Operations

| \$000 | <u>02 Enacted</u> | <u>03 Budget</u> | <u>03 House</u> | <u>03 Senate</u> | <u>03 Conf.</u> | <u>Conf. +/-</u> <u>02 Enacted</u> | <u>Conf. +/-</u> <u>03 Budget</u> |
|---------------|-------------------|------------------|-----------------|------------------|-----------------|---------------------------------------|--------------------------------------|
| Resource Mgt. | 850,597 | 903,604 | 918,359 | 902,697 | 917,429 | +66,832 | +13,825 |
| | | | | | | +7.9% | +1.5% |

The President's budget funded FWS operations at \$903.6 million, a \$53.0 million increase over 2002. The budget proposed \$28.0 million in reductions in unrequested congressional earmarks and \$5.7 million in administrative efficiencies. The budget also included a \$1.0 million program reduction for the National Fish Hatchery System. The budget proposed key program increases including: \$5.9 million for ESA consultation/HCP, recovery, and candidate conservation programs; \$56.5 million for National Wildlife Refuge System operations and maintenance; \$3.7 million for Columbia River Basin salmon recovery; \$1.0 million for law enforcement; and \$970,000 for migratory bird programs.

Overall, the Omnibus bill provides \$917.4 million for FWS operations, an increase of \$13.8 million above the President's request. Within the total for FWS operations, refuge operations and maintenance are funded at \$369.8 million, \$50.8 million above 2002. The bill includes \$4.9 million of the \$5.7 million reduction proposed in the budget for streamlining.

Changes from the President’s budget include:

- The bill provides \$5.0 million in support of the Cooperative Conservation Initiative, targeting existing programs: +\$3.0 million for refuge challenge cost-share; +\$1.0 million for refuge invasive species; and +\$1.0 million for cooperative fish passage projects.
- The bill provides \$6.9 million above the budget for Endangered Species Act operations, as discussed below.
- For the Partners for Fish and Wildlife Program, the bill provides a number of earmarks:

| (dollars in thousands) | <u>House</u> |
|--|--------------|
| Nutria eradication at Blackwater NWR, MD | 500 |
| Spartina control at Willapa Bay (CSC) | 700 |
| Hawaii Invasive Species Control | 700 |
| Columbia River estuary research | 500 |
| Bull trout conservation in WA State | 550 |
| WA State Salmon Enhancement | 1,400 |
| Georgia streambank restoration | 500 |
| Walla Walla Basin HCP | 750 |
| New Jersey Meadowlands study | 180 |
| Vermont Natural Heritage – Bald Eagles | 100 |
| Big Hole Watershed Committee | 400 |
| Hawaii ESA Community Conservation Plan | 750 |
| NV Biodiversity Research & Conservation | 1,250 |
| Thunder Basin Grasslands Initiative | 175 |
| Montana Water Center | <u>500</u> |
| Total | 8,955 |

- Under project planning, the bill provides an additional \$150,000 for the Middle Rio Grande (Bosque) research program and \$474,000 for wildlife assessments at Yukon Flats, Alaska.
- The bill provides an additional \$1.4 million for coastal programs, including: \$200,000 for Long Live the Kings; \$175,000 for Hood Canal Salmon enhancement group; \$300,000 for Tampa Bay and Florida Panhandle offices; and \$750,000 for the Cook Inlet Aquaculture Association.
- The bill provides a net decrease of \$5.7 million below the President’s budget for Refuge Operations and Maintenance as follows:
 - + \$5.0 million for minimum staffing
 - + \$3.0 million for challenge cost share with emphasis on invasive species control
 - \$5.0 million for Cooperative Conservation Initiative
 - + \$1.0 million for invasive species control using friends groups and volunteers
 - + \$300,000 for invasive species control at Willapa NWR in Washington
 - \$10.0 million for refuge maintenance.

- The bill provides an increase of \$575,000 for migratory bird management to reduce seabird bycatch in Alaska.
- The bill provides an additional \$12.6 million for the Fisheries program, including an additional \$1.0 million for hatchery operations to restore the program to its 2002 level. Remaining increases are earmarked as follows:

| (dollars in thousands) | <u>House</u> |
|---|---------------|
| Washington State Hatchery Improvement Project | 3,500 |
| Reproductive biology/salmon research at Washington State University | 400 |
| Great Lakes fish and wildlife restoration | 500 |
| Fish passage/cooperative projects | 1,000 |
| Sea lamprey program | 900 |
| AK Railroads fish passage projects | 300 |
| White Sulphur Springs Fish Surveys | 118 |
| Starksville, MS Wildlife Enhancement | 850 |
| Montana Wildlife Health Center | 400 |
| Yukon River Treaty Implementation | 2,403 |
| AK Marine Mammals | <u>1,200</u> |
| Total | 11,571 |

- The bill provides increases of \$1.5 million under general administration, including: \$750,000 to restore a general reduction for administrative reforms; \$600,000 for maintenance at NCTC; and \$200,000 for Caddo Lake Ramsar Center in Texas.

FWS Endangered Species Program

| \$000 | <u>02 Enacted</u> | <u>03 Budget</u> | <u>House</u> | <u>Senate</u> | <u>03 Conf.</u> | Conf. +/- <u>02 Enacted</u> | Conf. +/- <u>03 Budget</u> |
|-------------------------|-------------------|------------------|---------------|---------------|-----------------|--------------------------------|-------------------------------|
| Candidate Conserv | 7,620 | 8,682 | 8,682 | 9,982 | 9,932 | +2,312 | +1,250 |
| Listing Consult/ HCP | 9,000 | 9,077 | 9,077 | 9,077 | 9,077 | +77 | 0 |
| Recovery | 45,501 | 47,770 | 47,770 | 47,970 | 47,770 | +2,269 | 0 |
| Total | <u>63,617</u> | <u>60,215</u> | <u>64,715</u> | <u>64,427</u> | <u>65,840</u> | <u>+2,223</u> | <u>+5,625</u> |
| | 125,738 | 125,744 | 130,244 | 131,456 | 132,619 | +6,881 | +6,875 |
| | | | | | | +5.5% | +5.5% |

The President's budget for endangered species operations included \$7.8 million in reductions for unrequested congressional increases; a \$1.4 million increase in candidate conservation; a \$2.0 million increase in the consultation/HCP program; and a \$2.5 million increase for the recovery program. Within the ESA listing program, the budget adjusted the amount of funding that can be spent on critical habitat designations for already-listed species from \$6.0 million to \$5.0 million. Subsequent to submission of the budget, the Department submitted a recommendation to the Appropriations Committees recommending that, because of increasing litigation, the listing program should be increased from \$9.1 million to \$11.8.

The Omnibus bill provides funding for listing and consultation/HCPs at the President's budget level. The bill increases funding over the request for candidate conservation and recovery, adding \$1.25 million in earmarks in Candidate Conservation and \$5.6

million in earmarks in Recovery. The Recovery earmarks include \$2.0 million for Washington salmon grants, \$1.1 million for Atlantic salmon, and \$1.0 million for the Alaska Sealife Center for eider recovery.

The Omnibus bill funds the listing program at the original President's budget level of \$9.1 million, but retains the subcap for critical habitat designation at \$6.0 million.

Bureau of Land Management Operations

| \$000 | | | | | | Conf +/- | Conf. +/- |
|----------|-------------------|------------------|-----------------|------------------|-----------------|-------------------|------------------|
| | <u>02 Enacted</u> | <u>03 Budget</u> | <u>03 House</u> | <u>03 Senate</u> | <u>03 Conf.</u> | <u>02 Enacted</u> | <u>03 Budget</u> |
| MLR Acct | 775,632 | 812,990 | 826,932 | 816,062 | 825,712 | +50,080 | +12,722 |
| O&C | 105,032 | 105,633 | 105,633 | 105,633 | 105,633 | +601 | 0 |
| Total | 880,664 | 918,632 | 932,565 | 921,695 | 931,345 | +50,681 +5.8% | +12,722 +1.4% |

The President's budget proposed \$918.6 million for BLM operations in the Management of Lands and Resources and O&C appropriations accounts, a net \$35.4 million increase over the 2002 level. The increases supported key Administration and Secretarial priorities, including: \$14.0 million to accelerate the completion of land use plans; \$10.2 million to support energy development; and \$10.0 million for the Cooperative Conservation Initiative. The President's budget also included a several smaller program increases to address particular bureau priorities and needs, including: \$1.0 million to develop conservation plans for T&E species; \$1.0 million to establish an interdisciplinary applications of science program; \$900,000 in the recreation program education programs at NLCS units; \$600,000 to address cultural resource protection needs in NLCS units; \$500,000 for increased law enforcement capability in NLCS units; and \$302,000 for OHV monitoring and management. These proposed increases were offset by reductions in unrequested congressional earmarks, completed projects, and travel costs.

The Omnibus bill funds BLM operations at \$931.3 million, an increase of \$12.7 million above the budget request and \$50.5 million above the fiscal year 2002 enacted level.

The Omnibus bill fully funds the \$14.0 million requested increase for land use planning. The bill supports all of the energy-related increases proposed in the President's budget, but also provides additional funding for geothermal and wind energy development in Nevada (+\$750,000) and for processing applications for permits to drill, principally in the Powder River Basin (+\$1.0 million). Congress did not fund the Cooperative Conservation Initiative, but instead added \$5.0 million to BLM's existing Challenge Cost Share program.

The Omnibus bill funds the smaller program increases proposed in the President's budget and enumerated above. The bill also provides several general program increases over the President's budget. These included \$1.0 million for range monitoring; \$250,000 for recreation access; \$2.0 million for the Alaska Conveyance program; \$1.1 million for the Cadastral Survey program, of which \$750,000 is to restore funding for the public lands database in Alaska (a \$1.5 million congressional earmark in 2002); and \$2.0 million to remove fish barriers.

The Omnibus bill restores funding for a number of congressional earmarks that the President's budget proposed to eliminate, including: \$1.5 million for invasive species-related work by the Idaho Department of Agriculture and Montana State University; \$1.0 million for the San Pedro Partnership; \$1.0 million for Undaunted Stewardship; \$350,000 for the State of Utah Automated Geographic Reference Center; and \$250,000 for the Iditarod Trail.

The bill adds additional earmarks, including an increase of \$700,000 to support additional realty personnel in Nevada; \$400,000 for operations at the Colorado Canyons NCA; \$250,000 for the West Mojave plan; \$200,000 for California Desert rangers; \$500,000 for Imperial Sand Dunes law enforcement; \$700,000 to mitigate and restore lands damaged by illegal immigrants in Arizona; \$500,000 for the Alaska resources library project; \$100,000 for maintenance of the Pacific Crest Trail; \$800,000 for California Desert communications equipment; and \$1.0 million to cap abandoned oil wells in the NPR-A.

Wildland Fire Management

| \$000 | | | | | | Conf +/- | Conf. +/- |
|------------|-------------------|------------------|-----------------|------------------|-----------------|-------------------|------------------|
| | <u>02 Enacted</u> | <u>03 Budget</u> | <u>03 House</u> | <u>03 Senate</u> | <u>03 Conf.</u> | <u>02 Enacted</u> | <u>03 Budget</u> |
| Prepare. | 280,807 | 277,213 | 278,639 | 277,213 | 277,213 | -3,594 | 0 |
| Suppress | 127,424 | 160,351 | 160,351 | 160,351 | 160,351 | +32,927 | 0 |
| Non-WUI | 74,935 | 74,935 | 74,935 | 74,935 | 74,935 | 0 | 0 |
| WUI | 111,255 | 111,255 | 111,407 | 111,755 | 111,907 | +652 | +652 |
| Rehab. | 20,000 | 20,000 | 20,000 | 20,000 | 20,000 | 0 | 0 |
| Rural Asst | 10,000 | 10,000 | 10,000 | 10,000 | 10,000 | 0 | 0 |
| Conting'y | <u>54,000</u> | <u>0</u> | <u>200,000</u> | <u>0</u> | <u>0</u> | <u>-54,000</u> | <u>0</u> |
| Total | 678,421 | 653,754 | 855,332 | 654,254 | 654,406 | -24,015 | +652 |
| | | | | | | -3.5% | +0.1% |

The President's budget request for Wildland Fire Management of \$653.8 million included a net increase of \$29.3 million above the base 2002 appropriation, which did not include \$54.0 million in emergency contingency funding provided in 2002. The request included an increase of \$34.0 million for annual base fire suppression operations, offset by a reduction of \$5.7 million in Preparedness -Deferred Maintenance made possible by phasing construction of the Alaska Fire Service barracks.

The Omnibus measure provides funding consistent with the President's budget proposal with two minor exceptions: the addition of \$152,000 to reimburse Trinity County, California for expenses incurred in the 1999 Lowden Fire; and the addition of \$500,000 for the National Center for Landscape Fire Analysis at the University of Montana.

The Omnibus bill also provides \$189.0 million to reimburse funding borrowed for fire suppression, emergency stabilization, and rehabilitation from land acquisition and construction accounts in 2002. Total 2002 borrowing was \$240.0 million. The Fire program also reprogrammed \$14.1 million from the Preparedness (\$9.1 million) and Other Operations (\$5.0 million) to meet 2002 emergency needs. The reimbursement will be restored to land acquisition and construction accounts on a pro rata basis.

Native American Programs

Bureau of Indian Affairs

| \$000 | | | | | | Conf +/- | |
|-----------------|-------------------|------------------|-----------------|------------------|-----------------|-------------------|------------------|
| | <u>02 Enacted</u> | <u>03 Budget</u> | <u>03 House</u> | <u>03 Senate</u> | <u>03 Conf.</u> | <u>02 Enacted</u> | <u>03 Budget</u> |
| OIP | 1,789,809 | 1,837,110 | 1,859,064 | 1,855,635 | 1,857,319 | +67,510 | +20,209 |
| Const. | 357,132 | 345,252 | 345,252 | 348,252 | 348,252 | -8,880 | +3,000 |
| L&W Settlements | 60,949 | 57,949 | 60,949 | 57,949 | 60,949 | 0 | +3,000 |
| G. Loans | 4,986 | 5,493 | 5,493 | 5,493 | 5,493 | +507 | 0 |
| BIA Total | 2,212,876 | 2,245,804 | 2,270,758 | 2,267,327 | 2,272,013 | +59,137 | +26,209 |
| | | | | | | +2.67+ | +1.17% |

The President's budget request funded BIA at \$2.2 billion, an increase of \$22.9 million above the 2002 enacted level. The request emphasized areas of priority concern on a nationwide basis in Indian country, including quality education within structurally sound and adequately equipped and maintained school facilities and continued improvement in trust management services. The request continued funding for the education construction program at \$292.7 million; increased Indian early childhood, elementary and secondary education programs by \$18.8 million; and provided increases of \$28.8 million in trust programs and \$6 million in other BIA programs to support trust reform efforts.

The Omnibus bill provides \$2.3 billion for BIA, an increase of \$59.1 million, or +2.7%, over the 2002 enacted, and \$26.2 million, or +1.2% over the 2003 President's request.

The funding for elementary and secondary school operations is \$11.9 million above 2002, but \$6.9 million below the request. The bill adds \$2.0 million above the request for formula funds for a total increase of \$5.5 million and fully funds the \$3.0 million increase requested for early childhood development. The bill allows \$1.0 million of the \$2.0 million increase requested for student transportation and \$2.0 million of the \$3.0 million increase request for administrative cost grants. The bill does not fund the school privatization initiative or the requested increase for school facilities operations and maintenance.

The bill includes \$4.0 million in funding above the budget for tribally controlled community colleges. It also funds Crownpoint Institute of Technology (\$1.2 million) and United Tribes Technical College (\$3.0 million). The statement of the managers includes language directing BIA to provide funding for CIT and UTTC under a P.L. 93-638 contract, including contract support, if there is no objection by the Navajo Nation to CIT being treated as a tribal organization.

The bill includes \$2.0 million above the President's request for welfare assistance, resulting in a \$2.0 million decrease from 2002. The bill includes \$2.0 million above the budget request for detention center services and adds \$500,000 for tribal government services.

The bill provides an increase of \$25.8 million for trust programs, \$3.0 million less than requested. Increases requested for trust reform oversight and coordination within central office operations are not included.

The bill includes increases above the request for natural resource programs including endangered species, Western Washington shellfish management, tribal management/development and Chippewa/Ottawa treaty fisheries.

The bill provides funding for a number of resource management programs not requested in the budget, including the Washington State Timber-Fish-Wildlife project (\$3.1 million), the Bering Sea's Fisherman's Association (\$800,000), the Chugach Regional Resources Commission (\$350,000), the Upper Columbia United Tribes (\$320,000), the Alaska Sea Otter Commission (\$100,000), and Intertribal Bison Management (\$146,000).

The bill also provides funding for a number of community development activities not requested in the budget, including the United Sioux Tribes Development Corporation (\$350,000), Alaska Native Aviation Training program (\$1.0 million), the Yuut Elitnaviat People's Learning Center (\$1.0 million contingent upon compliance with reporting requirements), the Alaska Rural Fire Program (\$750,000), the National Ironworkers Training Program (\$521,000), the Western Heritage Distance-Learning and Training Program (\$1.0 million), and the distance learning project in Montana (\$1.5 million.) The statement of the managers directs that a study of American Indian and Alaska Native child abuse/child welfare be undertaken in consultation with Tribes and social service agencies and provided to the committee by April 30, 2003. The bill does not provide specific funding for the study.

As is discussed below in more detail, the bill funds Construction at \$348.3 million, \$3 million above the request.

The bill provides \$3.0 million above the President's request of \$57.9 million for Indian Land and Water Claims Settlements. This reflects the shift of \$3.0 million requested for the Shivwits settlement in Departmental Management to the Land and Water Claims Settlement account.

Office of the Special Trustee for American Indians

| \$000 | <u>02 Enacted</u> | <u>03 Budget</u> | <u>03 House</u> | <u>03 Senate</u> | <u>03 Conf.</u> | <u>Conf +/-</u> <u>02 Enacted</u> | <u>Conf. +/-</u> <u>03 Budget</u> |
|-------|-------------------|------------------|-----------------|------------------|-----------------|--------------------------------------|--------------------------------------|
| OST | 110,204 | 159,007 | 149,257 | 159,007 | 149,257 | +39,053 +35.4% | -9,750 -6.1% |

The 2003 budget requested \$159.0 million for the OST, \$48.8 million above the enacted level for 2002, a 44% increase. The 2003 request included \$16.5 million for the Office of Historical Trust Accounting, an increase of \$9 million above the 2002 level, and \$8.0 million for the fifth year of the Indian Land Consolidation program, a decrease \$3.0 because of available balances in the program.

The Omnibus bill provides \$149.3 million for the OST, \$9.8 million below the request level, but \$39.1 million above the 2002 enacted level. The OST total includes \$47.8 million for operations and \$2.5 million for executive direction. The bill provides \$90.1 for improvement initiatives, including increases above the 2002 level of \$2.5 million for OST data cleanup, \$2.0 million for BIA data cleanup, \$10.0 million for trust net to address high-priority computer security, and \$7.5 million for historical trust accounting.

Funding for historical accounting of \$15.0 million, \$1.5 million below the request, is earmarked in bill language.

Maintaining America’s Heritage:

Maintenance

| \$000 | <u>02 Enacted</u> | <u>03 Budget</u> | <u>House</u> | <u>Senate</u> | <u>03 Conf.</u> | Conf. +/- <u>02 Enacted</u> | Conf. +/- <u>03 Budget</u> |
|-------|-------------------|------------------|----------------|----------------|-----------------|--------------------------------|-------------------------------|
| BLM | 108,560 | 101,290 | 107,610 | 101,790 | 106,660 | +1,900 | +5,370 |
| USGS | 36,335 | 32,358 | 34,881 | 33,056 | 32,358 | -3,977 | 0 |
| FWS | 98,876 | 124,576 | 119,576 | 129,126 | 118,626 | +19,750 | -5,950 |
| NPS | <u>481,201</u> | <u>531,428</u> | <u>539,660</u> | <u>537,823</u> | <u>515,823</u> | <u>+34,622</u> | <u>-15,605</u> |
| Total | 724,972 | 789,652 | 801,727 | 802,795 | 773,467 | +48,945 +6.8% | -16,185 -2.0% |

The Administration requested \$789.7 million for the annual, deferred, annual, and cyclic maintenance funding needs of the BLM, USGS, FWS, and NPS.

The Omnibus bill provides \$773.4 million, 6.8% higher than the 2002 enacted level and 2.0% lower than the request.

Details on funding for NPS deferred maintenance funding follow construction discussion.

Construction

| \$000 | <u>02 Enacted</u> | <u>03 Budget</u> | <u>03 House</u> | <u>03 Senate</u> | <u>03 Conf.</u> | Conf +/- <u>02 Enacted</u> | Conf +/- <u>03 Budget</u> |
|-----------|-------------------|------------------|-----------------|------------------|-----------------|-------------------------------|------------------------------|
| BLM | 13,076 | 10,976 | 10,976 | 12,976 | 11,976 | -1,100 | 1,000 |
| FWS | 55,543 | 35,402 | 53,108 | 42,182 | 54,427 | -1,116 | 19,025 |
| NPS | 388,668 | 322,384 | 325,186 | 361,915 | 327,843 | -60,825 | 5,459 |
| BIA Educ. | 292,503 | 292,717 | 292,717 | 295,717 | 295,717 | 3,214 | 3,000 |
| BIA Other | <u>64,629</u> | <u>52,535</u> | <u>52,535</u> | <u>52,535</u> | <u>52,535</u> | <u>-12,094</u> | <u>0</u> |
| Total | 814,419 | 714,014 | 734,522 | 765,325 | 742,498 | -71,921 -9% | 28,484 4% |

The Administration requested \$714.0 million for construction in BLM, FWS, NPS and BIA.

The Omnibus bill provides \$742.5 million, which funds 96 of the 109 projects proposed in the budget and includes \$93.2 million for 72 congressional earmarks. The Omnibus funding level is \$28.5 million or 4% over the request, and \$71.9 million under the 2002 enacted level.

Specifics for each bureau are as follows:

BLM

- \$12.0 million in the Omnibus bill provides funding for all Administration requests and also provides \$1.0 million for one add-on project, the California Trail Interpretative Center in Elko County, Nevada.

FWS

- \$54.4 million in the bill includes \$19.0 million for 20 earmarked projects. Two requested projects, upgrades for the Clark R. Bavin Forensics Lab and for Dam Safety EAPs/ SOPs, are not funded for a total of \$1.4 million.

NPS

- \$327.8 million in the Omnibus bill includes \$73.2 million for 51 earmarked projects. Eleven requested projects totaling \$62.7 million are not funded in the Omnibus bill, including stabilizing Fort Jefferson in the Dry Tortugas in Florida; rehabilitation of the Horace Albright Training Center in Arizona; restoration of Old House at Old Faithful Inn in Wyoming; and improving security around the Washington and Jefferson monuments. The statement of the managers notes that funding for several deferred projects could not be obligated in 2003 and points out that ability of NPS to start construction at the Washington and Jefferson monuments in 2003 has been delayed by planning, review and clearance processes.

BIA

- \$348.3 million in the Omnibus funds the Administration's request and also includes \$3.0 million for the Tribal School Demonstration program. As requested, the bill funds replacement school construction at Kayenta, Low Mountain, and Wide Ruins boarding schools in Arizona; Santa Fe Indian School in New Mexico; and St. Francis Indian and Tiospa Zina Tribal schools in South Dakota.

A detailed list of construction projects for the bureaus is included as Attachment 3.

National Park Service Deferred Maintenance Backlog

| \$000 | <u>02 Enacted</u> | <u>03 Budget</u> | <u>03 House</u> | <u>03 Senate</u> | <u>03 Conf.</u> | <u>Conf +/-</u> <u>02 Enacted</u> | <u>Conf. +/-</u> <u>03 Budget</u> |
|---------------|-------------------|------------------|-----------------|------------------|-----------------|--------------------------------------|--------------------------------------|
| ONPS/Facility | | | | | | | |
| Maintenance | 294,192 | 340,665 | 343,565 | 344,394 | 324,394 | +30,202 | -16,271 |
| Construction | <u>387,668</u> | <u>320,384</u> | <u>325,186</u> | <u>322,826</u> | <u>327,843</u> | <u>-59,825</u> | <u>+7,459</u> |
| Total | 681,860 | 661,049 | 668,751 | 667,220 | 651,237 | -29,623 | -8,812 |
| | | | | | | -4.3% | -1.3% |

The President's budget request included \$661.0 million in appropriated funds for construction and maintenance needs in parks. This figure is composed of the entire Construction appropriation as well as the Facility Maintenance component of the Park Management activity in the Operation of the National Park System account. The request included increases of \$25.0 million for cyclic maintenance, \$8.4 million for repair and rehabilitation projects, \$7.6 million for comprehensive condition assessments, and \$1.6 million for Facility Management Software System.

The Omnibus bill provides \$651.2 million in appropriated funds for construction and maintenance needs in parks. This is \$8.8 million less than the President's request. Major changes from the President's request include a \$2.0 million reduction to the requested level for condition assessments, a \$10.0 million decrease to the requested level for repair and rehabilitation projects, and a \$10.5 million increase for line item construction projects. The bill also includes an \$18.0 million increase above the 2002 enacted level for

the cyclic maintenance program and provides \$2.0 million for the Youth Conservation Corps, the same level as 2002.

Conservation Spending Category

The President's budget request proposed \$1.3 billion from the Conservation Spending Category for programs in the Interior and Related Agencies Appropriations Act. This included \$978.8 million for Department of the Interior programs and \$338.9 million for the Forest Service. The Omnibus bill does not include funds derived from the Conservation Spending Category, although programs previously funded under this category are, for the most part, continued in 2003.

Cooperative Conservation Initiative

| \$000 | <u>02 Enacted</u> | <u>03 Budget</u> | <u>03 House</u> | <u>03 Senate</u> | <u>03 Conf.</u> | <u>Conf +/-</u> | <u>Conf. +/-</u> |
|--------------|-------------------|------------------|-----------------|------------------|-----------------|-------------------|------------------|
| | | | | | | <u>02 Enacted</u> | <u>03 Budget</u> |
| BLM | | 10,000 | 0 | 0 | 5.0 | 5.0 | -5.0 |
| FWS | | 18,000 | 0 | 0 | 5.0 | 5.0 | -13.0 |
| NPS | | | | | | | |
| State Grants | | 50,000 | 0 | 0 | 0 | 0 | -50.0 |
| Operations | | <u>22,000</u> | 0 | 0 | <u>5.0</u> | <u>5.0</u> | <u>-17.0</u> |
| Total | | 100,000 | 0 | 0 | 15.0 | 15.0 | -85.0 |
| | | | | | | N/A | -85% |

The Administration proposed \$50.0 million in the operating accounts of the land management bureaus for the Cooperative Conservation Initiative to fund stewardship on working landscapes and stimulate conservation innovation in conjunction with citizens, land-user groups, environmental organizations, communities, local and State governments, Tribes, and industries. The budget also proposed \$50.0 million for competitive CCI grants within the stateside LWCF program. The Omnibus bill provides \$15.0 million for CCI in BLM, FWS and NPS Challenge Cost Share programs. The proposed competitive CCI State grants are not funded.

Landowner Incentive Program/Stewardship Grants

| \$000 | <u>02 Enacted</u> | <u>03 Budget</u> | <u>House</u> | <u>Senate</u> | <u>03 Conf.</u> | <u>Conf. +/-</u> | <u>Conf. +/-</u> |
|---------------------|-------------------|------------------|--------------|---------------|-----------------|-------------------|------------------|
| | | | | | | <u>02 Enacted</u> | <u>03 Budget</u> |
| Landowner Incentive | 40,000 * | 50,000 | 40,000 | 600 | 40,000 | 0 | -10,000 -20% |
| Stewardship Grants | 10,000 * | 10,000 | 10,000 | 200 | 10,000 | 0 | 0 |

* The 2003 Conference level rescinds funds appropriated in 2002.

The Omnibus bill funds the Landowner Incentive program at \$40.0 million, \$10.0 million below the request. This appropriation is offset by rescission of \$40 million appropriated for the program in 2002. The statement of the managers directs that the 2003 appropriation be applied to fund grant applications submitted for the 2002 funding. The Private Stewardship program is similarly treated, with a new appropriation of \$10 million offset by a \$10 million rescission of 2002 balances.

Federal LWCF Land Acquisition

| \$000 | <u>02</u> | <u>03</u> | <u>03 House</u> | <u>03 Senate</u> | <u>03 Conf.</u> | Conf +/- | Conf. +/- |
|-----------------|----------------|---------------|-----------------|------------------|-----------------|-------------------|------------------|
| | <u>Enacted</u> | <u>Budget</u> | | | | <u>02 Enacted</u> | <u>03 Budget</u> |
| BLM | 49,920 | 44,686 | 47,486 | 30,150 | 33,450 | -16,470 | -11,236 |
| FWS | 99,135 | 70,384 | 82,250 | 81,555 | 73,370 | -25,765 | +2,986 |
| NPS | 130,117 | 86,057 | 99,099 | 89,005 | 74,468 | -55,649 | -11,589 |
| DM- Shivwits | 0 | 3,000 | 3,000 | 3,000 | 3,000 | +3,000 | 0 |
| DOI Total | 279,172 | 204,127 | 231,835 | 203,710 | 184,288 | -94,884 | -19,839 |

The Administration proposed \$335.2 million for Federal land acquisition, including \$131.1 million for the Forest Service. The Interior portion of the request was \$204.1 million, with \$44.7 million for BLM, \$70.4 million for FWS, \$86.1 million for NPS, and \$3.0 million in Departmental Management for the Shivwits water rights settlement.

The Omnibus bill provides \$184.3 million for Interior agencies, which funds 60 of the 100 projects proposed in the President's budget and includes \$25.3 million for 32 projects that were not requested in the President's budget. The Omnibus level is \$19.8 million or 8.6% below the request and \$94.9 million or 34% below the 2002 enacted appropriation. Specifics for each bureau are as follows:

BLM

- \$33.4 million in conference action includes \$7.2 million for five add-on projects. Unfunded requests, including the San Pedro Ecosystem in Arizona, total \$13.4 million.

FWS

- \$73.4 million in conference action includes \$27.6 million for 17 add-on projects. Unfunded requests, including the CALFED San Joaquin NWR in California, total \$19.0 million.

NPS

- \$74.5 million in conference action includes \$25.2 million for ten add-on projects. Nine requested projects, including the Blue Ridge Parkway in North Carolina and Virginia, are not funded, totaling \$29.8 million.

BIA

- The \$3.0 million request for the Shivwits Band of the Paiute Indian Tribe for Utah Water Rights is funded in Omnibus bill. Instead of appropriating funds as requested in Departmental Management, the bill includes funding for this project in BIA's Land and Water Settlement account.

A detailed table of Federal land acquisition projects is provided as Attachment 4.

State LWCF Grants

| \$000 | <u>02 Enacted</u> | <u>03 Budget</u> | <u>03 House</u> | <u>03 Senate</u> | <u>03 Conf.</u> | <u>Conf +/- 02 Enacted</u> | <u>Conf. +/- 03 Budget</u> |
|-----------------------------|-------------------|------------------|-----------------|------------------|-----------------|--------------------------------|--------------------------------|
| Tradition LWCF State Grants | 144,000 | 150,000 | 154,000 | 115,000 | 98,000 | -46,000 | -52,000 |
| CCI | 0 | <u>50,000</u> | <u>0</u> | <u>0</u> | <u>0</u> | <u>0</u> | <u>-50,000</u> |
| Total | 144,000 | 200,000 | 154,000 | 115,000 | 98,000 | -46,000 -31.9% | -102,000 -51.0% |

The President's budget proposed \$200.0 million for LWCF state grants composed of \$150.0 million in traditional formula LWCF State grants and \$50.0 million in competitive CCI State grants.

The Omnibus bill provides \$98.0 million for traditional LWCF state grants, \$52.0 million below the budget request. The bill does not include any funding for CCI state grants.

Fish and Wildlife Service Grants

| \$000 | <u>02 Enacted</u> | <u>03 Budget</u> | <u>House</u> | <u>Senate</u> | <u>03 Conf.</u> | <u>Conf. +/- 02 Enacted</u> | <u>Conf. +/- 03 Budget</u> |
|---------------------------------------|-------------------|------------------|--------------|---------------|-----------------|---------------------------------|--------------------------------|
| CESCF | 96,235 | 91,000 | 121,400 | 99,400 | 81,000 | -15,235 | -10,000 |
| NAWCF | 43,500 | 43,560 | 43,560 | 43,560 | 38,560 | -4,940 | -5,000 |
| Wildlife Grants | 85,000 | 60,000 | 100,000 | 60,000 | 65,000 | +5,000 | +5,000 |
| <i>Rescission of Wildlife Grants*</i> | -25,000 | -- | | | | | |
| Multi-Natl. Species Cons.* | 4,000 | 4,000 | 4,800 | 5,500 | 4,800 | +800 | +800 |
| Neo Birds* | <u>3,000</u> | <u>1,000</u> | <u>5,000</u> | <u>3,000</u> | <u>3,000</u> | <u>0</u> | <u>+2,000</u> |
| Total | 206,735 | 199,560 | 274,760 | 211,460 | 192,360 | -14,375 -7.0% | -7,200 -3.6% |

*Notes: 2002 enacted for State Wildlife Grants reflects a \$25.0 million rescission of the 2001 program. The 2003 President's budget requested \$1.0 million for the Neotropical Migratory Bird Conservation Fund under the Multi-national Species Conservation Fund, however, it is included in a separate account above for comparison purposes.

The President's budget funded the Cooperative Endangered Species Conservation Fund at \$91.0 million, \$5.2 million below 2002. The Omnibus bill provides \$81.0 million, \$10.0 million below the request. The President's budget proposed that funding for the Cooperative Endangered Species Conservation fund be derived from LWCF. The bill funds only the HCP land acquisition portion of the program (\$51.5 million) from LWCF.

The President's budget funded the North American Wetlands Conservation Fund at \$43.6 million, a slight increase from 2002. The bill reduces the program by \$5.0 million below the request. The budget proposed that the program be funded from the LWCF; the bill does not derive any funds for NAWCF from the LWCF.

The Omnibus bill funds the State and Tribal Wildlife Grants program at \$65.0 million, an increase of \$5.0 million above the President's budget level of \$60.0 million.

The President's budget funded the Multinational Species Conservation Fund at \$5.0 million, which included \$1.0 million for the Neotropical Migratory Bird Conservation Fund. The Omnibus bill funds the Neotropical Migratory Bird Conservation Fund in a separate account, consistent with 2002. The Neotropical Migratory Bird Fund is increased by \$2.0 million above the request.

NPS Historic Preservation Fund

| \$000 | | | | | | Conf +/- | |
|----------------|------------|-----------|----------|-----------|----------|------------|-----------|
| | 02 Enacted | 03 Budget | 03 House | 03 Senate | 03 Conf. | 02 Enacted | 03 Budget |
| Historic Pres. | 42,000 | 37,000 | 44,000 | 37,000 | 37,000 | -5,000 | 0 |
| Save Amer. | | | | | | | |
| Treasures | 30,000 | 30,000 | 30,000 | 30,000 | 30,000 | 0 | 0 |
| Natl. Trust | 2,500 | 0 | 2,500 | 0 | 2,000 | -500 | 0 |
| Total | 74,500 | 67,000 | 76,500 | 67,000 | 69,000 | -5,500 | +2,000 |
| | | | | | | -7.4% | +3.0% |

The President's budget requested a total of \$67.0 million for the NPS Historic Preservation Fund. This included \$37.0 million in grants to States, Territories and Tribes. It also included \$30.0 million for the Save America's Treasure program. The President did not request funding for the National Trust for Historic Preservation; last year Congress added \$2.5 million for this program.

The Omnibus bill provides \$69.0 million, a \$2.0 million increase above the President's request. This increase is directed to the National Trust.

NPS Urban Parks and Recreation Recovery

| \$000 | | | | | | Conf +/- | |
|-------|------------|-----------|----------|-----------|----------|------------|-----------|
| | 02 Enacted | 03 Budget | 03 House | 03 Senate | 03 Conf. | 02 Enacted | 03 Budget |
| UPARR | 30,000 | 300 | 30,000 | 10,000 | 300 | -29,700 | 0 |
| | | | | | | -99% | 0% |

The President's budget did not request funding for UPARR grants; \$300,000 was requested to administer grants funded through previous appropriations. The Omnibus bill supports the budget request.

Payments in Lieu of Taxes/Refuge Revenue Sharing

| \$000 | | | | | | Conf +/- | |
|------------------------------|------------|-----------|----------|-----------|----------|------------|-----------|
| | 02 Enacted | 03 Budget | 03 House | 03 Senate | 03 Conf. | 02 Enacted | 03 Budget |
| PILT (BLM) | 210,000 | 165,000 | 230,000 | 220,000 | 220,000 | +10,000 | +35,000 |
| | | | | | | +4.8% | +21.2% |
| Refuge Revenue Sharing (FWS) | 14,414 | 14,414 | 19,414 | 14,414 | 14,414 | 0 | 0 |

The President's budget included \$165.0 million for BLM's Payments in Lieu of Taxes program, a reduction of \$45.0 million from 2002. The Conference funds PILT at \$220.0 million, an increase of \$10.0 million above 2002. The FWS National Wildlife Refuge Fund is maintained at the 2002 level, the same as the request.

Crosscutting and Regional Initiatives

Everglades Restoration

| \$000 | <u>02 Enacted</u> | <u>03 Budget</u> | <u>03 House</u> | <u>03 Senate</u> | <u>03 Conf.</u> | <u>Conf +/-</u> <u>02 Enacted</u> | <u>Conf. +/-</u> <u>03 Budget</u> |
|------------|-------------------|------------------|-----------------|------------------|-----------------|--------------------------------------|--------------------------------------|
| Everglades | 115,382 | 96,125 | 95,925 | 92,882 | 84,580 | -30,802 -26.7% | -11,545 -12.0% |

The President's budget included \$96.1 million for Everglades restoration activities. The \$19.4 million decrease from the 2002 level was mainly attributable to a decreased funding need in 2003 for the NPS Modified Water Deliveries project. The President's budget included a proposal to move funding for Everglades research (\$4.0 million) from the NPS appropriation to the USGS appropriation to consolidate Everglades science in a single appropriation.

The Omnibus bill provides \$84.6 million for Everglades activities. This is a decrease of \$11.6 million from the President's budget. NPS changes include a reduction of \$4.5 million for grants to the State of Florida, and a \$3.3 million reduction in funding for the Modified Water Deliveries project. Significant changes in FWS funding include a nearly \$3.8 million reduction in land acquisition funding compared to the President's request.

Funding for Everglades science is retained in the NPS appropriation.

Attachment 5 provides further detail on Everglades funding.

Columbia River Basin Salmon Recovery

| \$000 | <u>02 Enacted</u> | <u>03 Budget</u> | <u>House</u> | <u>Senate</u> | <u>03 Conf.</u> | <u>Conf +/-</u> <u>02 Enacted</u> | <u>Conf. +/-</u> <u>03 Budget</u> |
|--------------------------|-------------------|------------------|--------------|---------------|-----------------|--------------------------------------|--------------------------------------|
| Funding for Biops | | | | | | | |
| BOR | 11,000 | 15,000 | 15,000 | 15,550 | 15,550 | +4,500 | +500 |
| FWS | <u>6,026</u> | <u>9,746</u> | <u>9,746</u> | <u>9,746</u> | <u>9,746</u> | <u>+3,720</u> | <u>0</u> |
| Total | 17,026 | 24,746 | 24,746 | 25,296 | 25,296 | +8,220 +48.0% | +500 +2.0% |
| Other CRB Salmon Funding | | | | | | | |
| BIA | 400 | 400 | 400 | 400 | 400 | 0 | 0 |
| USGS | 510 | 510 | 510 | 510 | 510 | 0 | 0 |
| BLM | 1,500 | 1,500 | 1,500 | 1,500 | 1,500 | 0 | 0 |
| FWS | <u>5,100</u> | <u>0</u> | <u>5,000</u> | <u>600</u> | <u>2,900</u> | <u>-2,200</u> | <u>+2,900</u> |
| Total | 7,510 | 2,410 | 7,410 | 3,010 | 5,310 | -2,200 -29.0% | +2,900 +120% |

The President's budget included an increase of \$7.7 million for BOR and FWS necessary to fulfill reasonable and prudent alternatives identified in several biological opinions in the Columbia Basin. The Omnibus bill provides an additional \$500,000 for Reclamation and funds FWS at the request level.

The Omnibus bill also provides funding for programs that may assist in salmon recovery in the Basin, but are not FWS requirements under the biological opinions. The bill provides \$2.0 million in FWS construction for fish passage improvements in Washington, Oregon, Montana, and Idaho; \$400,000 to complete reproductive biology

salmon research at Washington State University; and \$500,000 for the Columbia River estuary research project.

Also, the bill provides additional funds for nationwide fish passage projects in BLM +\$2.0 million and FWS + \$900,000.

Science Programs

U.S. Geological Survey

| \$000 | | | | | | Conf +/- | |
|-------------|-------------------|------------------|-----------------|-----------------|-----------------|-------------------|------------------|
| | <u>02 Enacted</u> | <u>03 Budget</u> | <u>03 House</u> | <u>03Senate</u> | <u>03 Conf.</u> | <u>02 Enacted</u> | <u>03 Budget</u> |
| Mapping | 133,277 | 129,294 | 135,077 | 131,077 | 134,077 | +800 | +4,783 |
| Geology | 232,810 | 224,656 | 234,692 | 234,903 | 234,693 | +1,883 | +10,037 |
| Water | 205,826 | 177,828 | 209,678 | 206,626 | 208,507 | +2,681 | +30,679 |
| Biology | 166,389 | 160,481 | 170,414 | 166,927 | 170,926 | +4,537 | +10,445 |
| Sci Support | 86,225 | 86,104 | 87,369 | 85,734 | 85,734 | -521 | -370 |
| Facilities | 89,445 | 88,975 | 91,175 | 89,350 | 91,350 | +1,905 | +2,375 |
| Total, USGS | 914,002 | 867,338 | 928,405 | 914,617 | 925,287 | +11,285 | +57,949 |
| | | | | | | +1.2% | +6.3% |

The 2003 President's budget focused on USGS science programs that support the Department's role in land and resource management and species conservation, as well as core USGS responsibilities. The overall budget request of \$867.3 million preserved significant program increases received in recent years and increased funding to address priority programs while proposing reductions to one-time increases, Congressional add-ons, and lower priority programs. The budget also proposed to seek reimbursement and cost sharing for water programs that primarily benefit customers that are external to the Department of the Interior.

The Omnibus bill restores most of the reductions proposed in the budget, funding USGS science programs at \$57.9 million over the requested level and \$11.3 million over the 2002 enacted level. The measure provides \$10.9 million in funding for 17 new congressionally added projects in 2003.

Changes include:

- The Omnibus bill funds the Mapping program at \$135.1 million, \$4.8 million above the request and \$800,000 above the 2002 enacted level. The bill accepts the Administration's proposal to increase Alaska mapping by \$1.0 million and restores \$3.0 million for America View and \$809,000 for urban dynamics research.
- Geology is funded at \$234.7 million in the bill, \$10.0 million above the request and \$1.9 million above the 2002 enacted level. The bill restores funding for Shemya Volcano monitoring (\$1.0 million), the Central Great Lakes Geologic Mapping Coalition (\$500,000), the National Cooperative Geologic Mapping program (\$5.4 million), LIDAR technology (\$499,000), coastal erosion studies in North Carolina (\$500,000), and land subsidence and sea-level rise research in Louisiana (\$500,000). The bill also restores funding for aggregate minerals studies (\$1.3 million), Alaska minerals information (\$1.5 million) and international minerals information (\$750,000). Congressional additions within Geology include \$500,000 for research concerning the impact of global dust on the continental United States and \$2.0

million for the Tampa Bay Pilot study. The bill does not fund requests of \$1.2 million for oil and gas estimates, and \$500,000 for geothermal studies.

- Water resources is funded at \$208.5 million, \$30.7 million above the request and \$24.0 million above the 2002 enacted level. The National Water Quality Assessment program is funded at \$63.6 million, the Toxic Substances Hydrology program at \$13.5 million, and the National Streamflow Information program at \$14.3 million. In each case these funding levels are at or near the 2002 enacted level. The water resources institute program, proposed for termination in the budget, is funded at the 2002 level of \$6.0 million. Other restorations include the Berkeley Pit studies in Montana (\$200,000), Lake Champlain studies (\$300,000), and the Noyes Slough study (\$195,000). New congressional additions include the Lake Pontchartrain study (\$1.0 million), the Potomac river basin ground water study (\$500,000), and an algae study in Hawaii (\$220,000). The \$1.0 million proposed in the President's budget for the U.S. - Mexico border environmental health initiative is not funded.
- Biological research is funded at \$170.9 million, which is \$10.4 million above the request and \$4.5 million above the 2002 enacted level. Increases include \$2.0 million for fire science, \$750,000 for the study of mining in the Mark Twain National Forest, \$499,000 for ballast water research, \$180,000 for Yukon River chum salmon research, \$500,000 for molecular biology at Leetown Science Center, and \$100,000 for a diamondback terrapin study. New congressional additions include \$1.0 million for a DNA bear sampling study in Montana, \$300,000 for a multidisciplinary water resources study, \$500,000 for additional work at Lake Tahoe, \$120,000 for the operations costs of a vessel on the Great Lakes, \$180,000 for two additional researchers at the Great Lakes Science Center, \$1.0 million for amphibian research, \$500,000 for genetic research at Wellsboro Laboratory, \$300,000 for inventorying and monitoring at Cherokee National Forest, and \$400,000 for the establishment of a cooperative research unit at the University of Nebraska. Conferees also realigned the Gap Analysis Program by moving \$3.9 million from Biological Research and Monitoring into Biological Information Management and Delivery.
- Science Support is funded at \$84.8 million, \$370,000 below the request and \$521,000 below the 2002 enacted level. The bill does not include the \$1.0 million proposed increase in the request for Enterprise GIS.
- The Omnibus bill funds Facilities at \$91.4 million, \$2.4 million above the request and \$1.9 million above the 2002 enacted level. Included is \$375,000 for the expansion of the Leetown Research Center, \$1.2 million to purchase equipment for the Center for Coastal and Regional studies in Florida and \$800,000 to modernize the Tunison Laboratory.

The Omnibus bill includes the travel and transportation reduction of \$1.1 million proposed in the budget, but restores the \$6.0 million in proposed management streamlining savings.

The statement of the managers expresses the importance of implementing the National Map for the Nation's urban areas and encourages the USGS to continue with its efforts to develop and implement the National Map.

The statement of the managers also expresses concern regarding the direction and budget accountability of NBII and requests a strategic plan and report outlining the vision of the network with and many details concerning the current and planned operation of the program. This plan is due by April 30, 2003.

Other Bureaus, Offices, and Programs

NPS National Recreation and Preservation

| \$000 | | | | | | Conf +/- | |
|-------|-------------------|------------------|-----------------|------------------|-----------------|-------------------|------------------|
| | <u>02 Enacted</u> | <u>03 Budget</u> | <u>03 House</u> | <u>03 Senate</u> | <u>03 Conf.</u> | <u>02 Enacted</u> | <u>03 Budget</u> |
| NR&P | 66,159 | 46,824 | 56,330 | 62,978 | 61,667 | -4,492 | +14,843 |
| | | | | | | -6.7% | 31.7% |

The President’s budget request included \$46.8 million for National Recreation and Preservation. This \$19.3 million decrease from the 2002 enacted level included reductions for one-time cultural programs (\$1.0 million), heritage partnership program (\$5.5 million), and statutory and contractual aid (\$12.9 million).

The Omnibus bill provides \$61.7 million, or \$14.8 million above the requested level. This increase is provided mainly to heritage partnership commissions and grants (+\$6.6 million), and to statutory aid (\$7.9 million).

Minerals Management Service

| \$000 | | | | | | Conf +/- | |
|----------------|-------------------|------------------|-----------------|------------------|-----------------|-------------------|------------------|
| | <u>02 Enacted</u> | <u>03 Budget</u> | <u>03 House</u> | <u>03 Senate</u> | <u>03 Conf.</u> | <u>02 Enacted</u> | <u>03 Budget</u> |
| Direct Approp. | 156,772 | 170,327 | 170,826 | 170,427 | 171,426 | +14,654 | +1,099 |
| Offsetting | | | | | | | |
| Collections | 102,730 | 100,230 | 100,230 | 100,230 | 100,230 | -2,500 | 0 |
| Total | 269,502 | 270,557 | 271,056 | 270,657 | 271,656 | +12,154 | +1,099 |
| | | | | | | +4.5% | +0.4% |

The Omnibus bill provides \$271.7 million for MMS programs, including \$100.2 million in offsetting collections and \$171.4 million in direct appropriations.

Royalty and Offshore Minerals Management is funded at \$165.3 million, \$1.1 million above the President’s request of \$164.2 million. The request proposed to eliminate funding for the Center for Marine Resources and Environmental Technology, and the Marine Mineral Technology Center in Alaska. The bill provides \$800,000 for each Center. The bill also provides \$499,000 for the Offshore Technology Research Center; MMS is further directed to provide a total of \$1.4 million for OTRC.

The President’s request included \$8.7 million for the OMM E-government transformation initiative. The bill provides \$7.7 million for this project.

The bill continues language included in the 2002 supplemental appropriations bill authorizing MMS to use receipts from the sale of RIK oil to offset the costs directly associated with the fill of the Strategic Petroleum Reserve.

Office of Surface Mining

| \$000 | | | | | | Conf +/- | |
|----------------|-------------------|------------------|-----------------|------------------|-----------------|-------------------|------------------|
| | <u>02 Enacted</u> | <u>03 Budget</u> | <u>03 House</u> | <u>03 Senate</u> | <u>03 Conf.</u> | <u>02 Enacted</u> | <u>03 Budget</u> |
| Reg. and Tech. | 103,075 | 105,367 | 105,367 | 105,367 | 105,367 | +2,292 | -- |
| AML | 203,455 | 174,035 | 184,745 | 191,745 | 191,745 | -11,710 | +17,710 |
| Total | 306,530 | 279,402 | 290,112 | 297,112 | 297,112 | -9,418 -3.1% | +17,710 +6.3% |

The Omnibus bill provides \$297.1 million for OSM programs, an increase of \$17.7 million above the President's budget request.

State regulatory grants are funded at \$57.6 million, the same level as the President's budget request. However, the Administration's proposal to give a special allotment to the State of West Virginia is no longer necessary. Therefore, the statement of the managers directs the allocation of grants to States follow the normal methodology.

The AML appropriation is funded at \$191.7 million, \$17.7 million above the President's request. The increase includes \$17.5 million above the President's budget for State reclamation grants and an increase of \$210,000 for Federal high-priority projects. The reduction in the Federal emergency program proposed in the budget is accepted. The Clean Streams initiative is funded at \$10.0 million, the same as the 2002 enacted level.

Office of Insular Affairs

| \$000 | | | | | | Conf +/- | |
|---------------------------|-------------------|------------------|-----------------|------------------|-----------------|-------------------|------------------|
| | <u>02 Enacted</u> | <u>03 Budget</u> | <u>03 House</u> | <u>03 Senate</u> | <u>03 Conf.</u> | <u>02 Enacted</u> | <u>03 Budget</u> |
| Assistance to Territories | 78,950 | 70,217 | 73,217 | 75,217 | 76,217 | -2,733 | +6,000 |
| Compact of Free Assoc | 23,245 | 20,745 | 21,045 | 20,925 | 20,985 | -2,260 | +240 |
| Total, OIA | 102,195 | 90,962 | 94,262 | 96,142 | 97,202 | -4,993 -5.1% | +6,240 +6.4% |

The 2003 President's budget request proposed an increase of \$750,000 for additional staffing to support OIA's role in implementing the renegotiated Compact of Free Association with the Federated States of Micronesia and the Republic of the Marshall Islands. The budget proposed the elimination of impact of Compact assistance to Hawaii (\$4 million), Guam (\$1.8 million), and the CNMI (\$1.5 million) in discretionary funding. The budget continued to allocate \$4.6 million in mandatory Covenant grant funds to Guam for impact assistance and proposed to shift \$340,000 within mandatory covenant grant funds to CNMI for this purpose, offsetting them from the CNMI immigration initiative. Also included in the 2003 budget were adjustments for a one-time increase to forgive a FEMA loan to the Virgin Islands (\$2.0 million) and the elimination of funding for a Virgin Islands utility study.

The Omnibus bill funds OIA at \$97.2 million, which is \$6.2 million above the request and \$5.0 million below the 2002 enacted level. Increases above the President's request level include \$4.0 million for Compact impact assistance (\$3.0 million for Hawaii and \$1.0 million for Guam), \$1.0 million for the court mandated infrastructure needs of the U.S. Virgin Islands, \$1.0 million for the Prior Service Benefit Fund, and \$240,000 for repairs to the shipping vessel that provides food to Enewetak.

The Conference report directs the Department to meet with representatives of the Prior Service Benefits Board to develop a proposal for future funding at a reduced level and to arrange for transfer of the program administration function to the freely associated states and CNMI. The Conferees also direct the Department to work with the government of the Virgin Islands and relevant Federal agencies to develop a Federal-Local plan to accomplish the environmental infrastructure improvements required by Federal law.

Departmental Offices

| \$000 | | | | | | Conf +/- | |
|-------------|-------------------|------------------|----------------|------------------|----------------|-------------------|------------------|
| | <u>02 Enacted</u> | <u>03 Budget</u> | <u>03House</u> | <u>03 Senate</u> | <u>03 Conf</u> | <u>02 Enacted</u> | <u>03 Budget</u> |
| Dept. Mgmt. | 69,946 | 78,596 | 57,533 | 72,427 | 72,427 | +2,481 | -6,169 |
| Solicitor | 45,000 | 47,773 | 47,473 | 47,773 | 47,773 | +2,773 | 0 |
| Inspector | | | | | | | |
| General | 34,302 | 36,659 | 36,239 | 36,239 | 36,239 | +1,937 | -420 |
| NRDA | 5,497 | 5,538 | 5,538 | 5,538 | 5,538 | +41 | 0 |
| NIGC | <u>0</u> | <u>2,000</u> | <u>2,000</u> | <u>0</u> | <u>0</u> | <u>0</u> | <u>-2,000</u> |
| Total | 154,745 | 170,566 | 148,783 | 161,977 | 161,977 | +7,232 | -8,589 |
| | | | | | | +4.7% | -5.3% |

For Departmental Management, the President's budget request of \$78.6 million included program increases totaling \$5.4 million. This included \$2.9 million for security improvements to the Interior complex including a public address system, protective covering for windows, and an upgraded security access control system. The \$5.4 million increase also proposed \$436,000 for the Office of Law Enforcement and Security and the Watch Office and \$150,000 for strategic planning and management. The budget included a net increase of \$5.4 million for uncontrollables including \$3.3 million to fund payments to the Department of Labor to administer the workers compensation program.

The Omnibus bill provides \$72.4 million for Departmental Management. The bill does not fund the \$2.9 million requested for security improvements to the Interior complex. The bill also rejects the Administration's proposal to shift workers compensation administrative costs from the Department of Labor and eliminates the \$3.3 million increase to pay these costs. The bill funds the \$2.3 million requested for uncontrollables. The conference agreement does not include a reduction proposed as an amendment in House floor action that would have reduced Departmental Management by \$15.0 million in order to increase funding for NEA/NEH. The conferees also restored House proposed reductions to staff offices totaling \$400,000.

For the Office of the Solicitor, the President's budget included \$47.8 million. The bill provides the request level.

For the Office of Inspector General, the budget included \$36.7 million. The bill provides \$36.2 million, a decrease of \$420,000 below the request. This reduction provides OIG with uncontrollable amounts comparable with other Interior bureaus and offices.

For the Natural Resource Damage Assessment and Restoration Fund, the budget included \$5.5 million. The bill funds the program at the request level.

The President's budget request proposed a \$2.0 million increase to supplement the \$8 million that the National Indian Gaming Commission is authorized to collect in fees. The Conference did not fund the request. However, a general provision raises the NIGC fee collection cap to \$12 million for 2003. (§159)

MAJOR LEGISLATIVE LANGUAGE ITEMS

Title I Provisions

Title I of the Omnibus bill includes 61 numbered legislative provisions, including the following:

Outer Continental Shelf Moratoria. As requested in the President's budget, the Omnibus bill continues the moratoria on OCS oil and gas activities. (§§107-110)

California OCS Leases. The Omnibus bill includes a provision expressing the sense of the Congress that funds should not be used to approve any exploration, development, or production plan for, or application for a permit to drill on, the 36 undeveloped leases in the southern California OCS planning area during any period in which the lessees are engaged in settlement negotiations with the Secretary of the Interior for retirement of the leases. (§156). The House passed bill had included a provision prohibiting the Department from approving exploration, development and production plans and applications for permits to drill on the 36 leases.

Trust Reform Funding. As requested in the President's budget, the Omnibus bill continues a prior-year provision authorizing the transfer of BIA and OST appropriations and unobligated balances for trust management and reform activities. (§113)

Huron Cemetery (KS). The Omnibus bill retains 2002 language 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. (§118) A related language item 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 (10th Cir. 2001). Section 134 of last year's Act 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. (§145)

Tribal School Construction Demonstration Program. The Omnibus bill continues language authorizing a demonstration program to provide grants to Indian Tribes for the construction of tribally controlled schools. The President's budget had proposed to eliminate this provision. (§122)

White River Oil Shale Mine, Utah. The President's budget included language permitting the sale of improvements and equipment at the White River Oil Shale Mine in Utah and the retention and use of these funds by BLM and GSA. The conference bill includes this language. (§124)

FWS Horse and Burro Management. Consistent with the President's budget, the Omnibus bill continues language that authorizes the use of helicopters or motor vehicles to capture and transport horses and burros at the Sheldon and Hart NWRs. (§125)

Refuge Centennial Expenses. The Omnibus bill includes House language authorizing the use of funds for incidental expenses of promoting and celebrating the national wildlife refuge centennial. (§129)

Historical Accounting. The Omnibus bill includes a House provision that directs the Secretary to provide a summary of the Ernst and Young report on historical accounting for the five named plaintiffs in *Cobell v. Norton*. (§131)

Special Master/Court Monitor. The Omnibus bill includes a House provision that precludes the Department of the Interior and the Department of 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 highest SES rate of pay for the Washington-Baltimore locality pay area. (§132)

Special Trustee Advisory Board. The Omnibus bill includes a House provision that directs the Special Trustee for American Indians, in consultation with the Secretary and the Tribes, to appoint new members to the Special Trustee Advisory Board within 90 days of enactment of the Act. (§133)

Employee Attorneys Fees. The Omnibus bill includes a House provision that allows the Secretary to use discretionary funds to pay private attorneys fees and costs for employees and former employees of the Department of the Interior reasonably incurred in connection with *Cobell v. Norton*. (§134)

Watershed Agreements. Authority provided to BLM in 1997 to enter into cooperative watershed agreements with private landowners is extended to allow NPS, FWS and BIA to enter into such agreements with funds from the Wildland Fire appropriation. The cooperative agreements are authorized to provide for restoration and enhancement of fish, wildlife, and other biotic resources on public or private land or both that benefit these resources on public lands within the watershed. (§135)

National Museum of African American History and Culture. The Omnibus bill extends the availability of funds appropriated in 2002 for the Presidential Commission on the proposed museum to complete the plan for the museum (§137) and extends the date for completion of the plan to September 30, 2003 (§136).

Hatchery Salmon Marking. The Omnibus bill includes House language that requires FWS to implement a system of mass marking of salmonid stocks released from Federally operated or Federal financed hatcheries. (§138)

Joseph R. Skeen Visitors Center. The Omnibus bill names the visitor center at the Bitter Lake NWR for Joe Skeen, who retired as chairman of the House Interior Appropriations Subcommittee at the end of the 107th Congress. (§139)

Zion and Rocky Mountain Transportation Services. The Omnibus bill makes permanent authority for Zion NP and Rocky Mountain NP to obligate fees for transportation services in advance of receipt. (§140)

Alaskaland. The Omnibus bill removes LWCF grant restrictions requiring use of a heritage education park in Fairbanks, Alaska for recreation. (§141)

John Adams Presidential Memorial. The NPS is authorized by the Omnibus bill to obligate \$1.0 million in 2002 funds to plan the John Adams presidential memorial in cooperation with non-Federal partners. (§142)

Administrative Authorities. The Omnibus bill makes permanent the authority of the Department's National Business Center to enter into contracts under the Defense Conversion, Reinvestment and Transition Assistance Act (§144) and authorizes the Interior Franchise Fund to record obligations against reimbursable agreements (§149).

Midway NWR. Omnibus bill language authorizes the use of \$650,000 in prior-year FWS construction funds and such sums as may be necessary from the 2003 Departmental Management account for operational needs at Midway NWR. (§147)

Historically Black Colleges and Universities. The Omnibus bill reauthorizes grants for renovation of historic buildings at HBCUs at \$10 million annually from 2003 to 2008 and reduces the matching requirement for grants from 50% to 30%. (§150)

Trans-Alaska Pipeline. The Omnibus bill contains a provision deeming the final environmental impact statement on renewal of the TAPS right-of-way to be sufficient to meet the requirements of NEPA. (§151)

Missouri River. The Omnibus bill includes a Senate provision expressing the sense of the Congress that the member States and Tribes of the Missouri River Basin Association are strongly encouraged to reach an agreement on a 2003 flow schedule for the Missouri River. (§152)

Combined Benefit Fund. The Omnibus bill continues, with modification, Senate language providing for transfer of up to \$34 million in interest on the Abandoned Mine Reclamation Fund to offset the amount of any deficit in the net assets of the Combined Benefit Fund, which provides health benefits to retired coal miners. (§153)

Everglades Modified Water Deliveries Project. The Omnibus bill includes, with modifications, a Senate provision directing the Corps of Engineers to carry out alternative 6D of the Modified Water Deliveries project EIS. Alternative 6D calls for acquisition and flooding of a portion of the 8.5 square mile area to improve water flow to Everglades National Park. The Omnibus provision requires that the Corps offer displaced homeowners comparable property within the portion of the 8.5 square mile area that will be provided with flood protection. (§157)

Moccasin Bend National Archeological District Area. The Omnibus bill includes legislation establishing the Moccasin Bend National Archeological District as a unit of the Chickamauga and Chattanooga National Military Park. (§160)

Land Transfer to Lower Elwha Klallam Tribe. The Omnibus bill transfers 1.7 acres of land in Port Angeles, Washington to the Lower Elwha Klallam Tribe. (§161)

Other Provisions. The Omnibus bill includes several prior-year legislative provisions that the President's budget had proposed to delete as unnecessary. These include: a prohibition on demolishing the bridge between Jersey City and Ellis Island (§127); a prohibition on designating a clothing optional area at Canaveral NS (§128); and a prohibition on studying or implementing any plan to drain Lake Powell (§158).

The Omnibus bill does not include other Title I legislative provisions that were included in the House or Senate-passed versions of the 2003 Interior bill. Among the provisions not continued are:

Cadiz Groundwater Storage. A House provision that precluded the Department of the Interior from spending funds to issue a Record of Decision or take any action to issue a right-of-way grant for a pipeline or associated facilities for the Cadiz groundwater storage and dry-year supply program. (House §126)

South Fox Island. A Senate provision that prohibited the use of funds for approval of the transfer of lands on South Fox Island, Michigan until Congress has authorized the transfer. (Senate §123)

Glacier Bay Compensation Program. A Senate provision that directed the Park Service to make interim payments as part of the Glacier Bay compensation program. (Senate §129)

Title III Provisions

Department of the Interior-related legislative provisions in Title III of the Omnibus bill include the following:

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

Answering Machines. The Omnibus bill continues a prior-year provision prohibiting the use of telephone answering machines that do not offer callers the option to reach promptly an individual on-duty with the agency. (§317)

National Monuments. As requested in the President's budget, the Omnibus bill continues a prior-year prohibition on the use of funds to conduct mineral preleasing, leasing, and related activities within the boundaries of a national monument that was established pursuant to the Antiquities Act, as the boundaries existed on January 20, 2001, except where such activities are allowed under the Presidential proclamation establishing the monument. (§322)

Stewardship Contracting. Omnibus bill provides to BLM authority previously available to the Forest Service to enter into stewardship contracting projects with private persons or other public and private entities to perform services to achieve land management

goals. The bill extends the period of the authorization for stewardship contracts to 2013. (§323)

Grazing Permits. As requested in the President's budget, the Omnibus bill continues authorization for automatic extension of grazing permits if not acted on by BLM before permit expiration. Similar authorization is provided for extension of grazing permits on National Forest lands. (§328)

Local Timbering Contracting. The Omnibus bill provides authority to give preference to local contractors in historically timber-dependent communities in awarding contracts for fuels reduction, watershed monitoring and improvement, wildlife and fish monitoring, and habitat restoration and management. (§333)

Alaska Native Settlement Trusts. The Omnibus bill amends the Alaska Native Claims Settlement Act to modify the procedures for Native corporations to establish settlement trusts. (§337)

Condemnations. The Omnibus bill adds a new provision requiring the approval of the Committees on Appropriations for the filing of declarations of taking or complaints in condemnation. This requirement is not applicable to funds appropriation to implement the Everglades National Park and Protection Act or to funds appropriated for Federal assistance to the State of Florida to acquire lands for Everglades restoration. (§340)

Title VI Provision

T'uf Shur Bien Preservation Trust Area. Title VI of the Omnibus bill is the T'uf Shur Bien Preservation Trust Area Act. The Act settles the Pueblo of Sandia's claim to land in the Cibola National Forest and provides for establishment and management of the T'uf Shur Bien Preservation Trust Area.

Other Legislative Provisions

Fire Facility Leases. The Omnibus bill authorizes the Secretary to lease real property from local governments on non-competitive sole-source basis and to construct fire facilities on the leased property. (BLM Wildland Fire Management)

Clark R. Bavin Forensic Lab and Kodiak Visitor Center. The Omnibus bill contains language within the FWS Construction account permitting the full scope of the contract for the forensic lab and the Kodiak visitor center. These projects are to be funded in phases, and the language would allow the Service to contract for all phases of the projects prior to funding being appropriated for all phases. (FWS Construction)

Royalty in Kind. The Omnibus bill includes House and Senate language that allows MMS to retain a portion of the receipts from the RIK program to pay for expenses related to the filling of the Strategic Petroleum Reserve. (MMS Royalty and Offshore Minerals Management)

Technical Notes

All amounts are current dollars.

All years referred to are fiscal years unless otherwise noted.

Comparisons of congressional action in this document are to 2002 enacted appropriations (including supplemental appropriations) and the 2003 President's budget as scored by Appropriations Committees. The Committees' scoring of 2002 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

| | 2002 Enacted | 03 Budget | Omnibus |
|-------------------|--------------|-----------|-----------|
| OMB Scoring | 9,611,953 | 9,641,218 | |
| Committee Scoring | 9,496,419* | 9,450,753 | 9,455,108 |

The Committees' scoring for FY 2002 enacted differs from OMB scoring by \$115.5 million. The Committees exclude \$238.4 million associated with the proposed CSRS/FEHB accrual legislation and \$1 million transferred to NPS from the DoD appropriation for Ft. Baker maintenance. The Committees include \$59.2 million in emergency counter-terrorism funding and \$64.6 million in current mandatory funding not included in OMB's figure. The Committees' scoring for the FY 2003 request includes \$62.1 million in current mandatory funding and excludes \$244.9 million associated with the CSRS/FEHB legislative proposal. In FY 2003, OMB and the Committees agreed to reclassify BLM's Service Charges receipts from mandatory to discretionary. Its receipts now offset the spending from this account. Committee figures include this offset but some of OMB figures do not reflect the offset due to a technical error in its database.

Legislative History

107th Congress

House Bill – H.R. 5093 (H. Report No. 107-564)

- The House Subcommittee reported the bill on June 25, 2002.
- The House Committee reported the bill on July 9, with amendments, by voice vote.
- The House took up the bill on July 16, 2002. Floor debate continued through July 17, at which point the House passed the bill on a vote of 377 to 46.

Senate Bill – S. 2708 (S. Report No. 107-201)

- There was no Senate Subcommittee markup of the bill.
- The Senate Committee reported the bill on June 27, 2002, with a set of managers' amendments, by roll call vote, 29-0.
- The full Senate considered the bill in September 2002, but did not reach final passage.

108th Congress

House Bill – H.J.Res. 2

- The House passed H.J. Res. 2 on January 8, 2003, by voice vote. This resolution was a continuing resolution. It did not include regular 2003 appropriations.
- When H.J.Res. 2 reached Conference, the House position was based on H.R. 5093, as passed by the House in the 107th Congress. References to the House level in this summary are based on H.R. 5093.

Senate Bill – H.J. Res. 2

- The Senate amended H.J. Res. 2 to include the text of the Interior and Related Agencies Appropriations Act and 10 other 2003 appropriations bills. The amended resolution was adopted by the Senate on January 23, 2003 by a vote of 69 to 29.
- A committee print of a proposed Senate Committee report on the Interior and Related Agencies portion of the Senate amendment was included in the Congressional Record on January 15, 2003, at pages S564-S601. The report was not formally filed.

Conference

- The Conference report on H.J.Res. 2, H.Rept. 108-10, was filed early on the morning of February 13, 2003 and was adopted by the House and Senate the same day.