



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

**SUMMARY: HOUSE AND SENATE ACTION ON THE FISCAL YEAR
2003 INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL –
UPDATED FOR HOUSE FLOOR ACTION**

The full House completed work on the Fiscal Year (FY) 2003 Appropriations Bill for Interior and Related Agencies on July 17, 2002. The President's budget request for discretionary appropriations in the Interior bill totaled \$9.45 billion. The House bill provides \$9.95 billion for Interior programs; the Senate bill provides \$9.63 billion.

House Action

The full House took up the Interior bill on July 16 and passed the bill on July 17 by a vote of 377 to 36 with the following changes to the Committee-passed bill:

- A reduction of \$15 million from Departmental Management in order to increase funding for the National Endowment for the Arts and the National Endowment for the Humanities.
- A reduction of \$1.8 million from BLM land acquisition for Grand Staircase-Escalante National Monument in order to fund \$1.8 million for FWS the Bear River NWR education center construction.
- Elimination of two provisions directing the Corps of Engineers to proceed with alternative 6D for the Everglades Modified Water project and to ensure Interior participation in the Everglades RECOVER task force.
- Elimination of language limiting the scope of historical accounting for Individual Indian Money accounts.
- Elimination of a provision establishing a Commission on Native American Policy.
- Addition of a provision prohibiting the Department from approving exploration, development and production plans and applications for permits to drill on the 36 undeveloped California OCS leases.
- Addition of a provision to reinstate bill language prohibiting planning, design or construction of improvements to Pennsylvania Avenue in front of the White House without approval of Committees on Appropriations.

The House bill totals \$20.4 billion including \$9.95 billion for the Department of the Interior (including \$200 million in emergency contingent funding for Wildland Fire). This is \$456.8 million or 4.8 percent above 2002 (including 2002 supplemental appropriations) and \$503.4 million or 5.3 percent above the 2003 President's budget.

Senate Action

The Senate Subcommittee did not take action on the Interior Appropriations Bill. Instead, the full Committee took up the bill on June 27. After adoption of a manager's amendment, the Committee reported out the bill with a vote of 29-0.

The Senate Committee bill totals \$19.3 billion including \$9.63 billion for the Department of the Interior. This is \$129.4 million or 1.4 percent above 2002 and \$176.1 million or 1.9 percent above the 2003 President's budget.

Comparison of House and Senate Action

With few exceptions the House and Senate bills fund most bureaus, offices and programs at or above the levels recommended in the President's budget. For the priorities requested in the President's budget, the House and Senate Committees provided the following:

- **Cooperative Conservation Initiative:** Neither House nor Senate fund the \$100.0 million request. In recognition of the value of cooperative approaches to conservation, the House mark adds \$41 million for existing partnership programs. Both the House and Senate indicated concern about the creation of a new program given other funding needs.
- **Landowner Incentive and Private Stewardship Grants:** The House continues funding for these two programs at 2002 levels of \$40.0 and \$10.0 million, respectively. The Senate provides \$600,000 and \$200,000, respectively, for administration of these two programs based on concerns about the Department's ability to obligate funds in 2002.
- **Trust Programs:** The House mark provides \$42.0 million of the requested \$51.8 million increase for OST. The Senate mark includes the full \$51.8 million increase. For BIA, the House includes \$31.8 million for trust-related increases \$3.0 million less than requested. The Senate mark funds the \$34.8 million budget request.
- **BIA Schools:** The House includes \$292.7 million, the same as the President's budget request for backlog reduction and six replacement schools. The Senate adds \$3 million above the request.
- **NPS Backlog:** The House and Senate support the Administration request of \$663 million. The House mark adds \$12.8 million to the NPS construction account; the Senate adds \$40 million.
- **Natural Resource Challenge:** The House and Senate include the requested increase of \$18 million.
- **National Wildlife Refuge System:** The House fully funds the \$56.5 million increase for the National Wildlife Refuge System and the Senate provides \$2.4 million more than requested for YCC and spartina control.
- **Energy:** For BLM's Energy and Minerals Activity, the House funds \$106.8 million, \$2.0 million above the President's budget. The Senate provides \$106.3 million, an increase of \$1.5 million above the request.
- **Wildland Fire:** The House funds the Wildland Fire program at \$855.3 million, \$201.6 million above the request including \$200 million in emergency contingent funding included in the 2003 appropriation bill as a 2002 supplemental. The Senate funds the program at the request level of \$653.8 million.

Neither House nor Senate adopted 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 by the House and Senate.

More details on funding levels and legislative provisions included in the bill follow. A comparison of funding levels for bureaus is provided as Attachment 1. Attachment 2 provides a comparison of key numbers.

FUNDING LEVELS

Land Management Operations

National Park Service Operations

\$000	<u>02 Enacted</u>	<u>03 Budget</u>	<u>House</u>	<u>Senate</u>	House +/- <u>02 Enacted</u>	House +/- <u>03 Budget</u>	Senate +/- <u>02 Enacted</u>	Senate +/- <u>03 Budget</u>
ONPS	1,487,075	1,584,565	1,605,593	1,585,065	+118,518 +7.9%	+21,028 +1.3%	+97,990 +6.6%	+500 +0.03%

The President's FY 2003 budget request for NPS Operations included an increase of \$107.6 million including the following: \$18.0 million for the Natural Resource Challenge, \$25 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 House mark provides \$21.0 million more than the President's request, including \$20.0 million for park base increases and nationally designated trails. NPS may spend up to \$750,000 of this amount on park business plans. The House mark does not include \$22.0 million requested for the Cooperative Conservation Initiative, but provides an increase of \$7.0 million for the challenge cost share program. The House provides full uncontrollable costs for ONPS. The House funds \$4.0 million for the Critical Ecosystem Studies Initiative within NPS rather than in the USGS as proposed in the President's budget. House levels include the requested deferred maintenance increases.

The Senate level includes a \$500,000 increase to the President's request. This is \$20.5 million less than the House level. The Senate does not fund the Cooperative Conservation Initiative but instead provides increases for existing cooperative programs such as an additional \$2.0 million for the Youth Conservation Corps and \$500,000 for the Volunteer in the Parks program. The Senate funds the Critical Ecosystem Studies Initiative through the U.S. Geological Survey. Senate levels include the requested deferred maintenance increases.

NPS Natural Resource Challenge

\$000	<u>02 Enacted</u>	<u>03 Budget</u>	<u>House</u>	<u>Senate</u>	House +/- <u>02 Enacted</u>	House +/- <u>03 Budget</u>	Senate +/- <u>02 Enacted</u>	Senate +/- <u>03 Budget</u>
Natural Resource Challenge	47,548	67,548	67,548	67,548	+18,000 +3.8%	0	+18,000 +3.8%	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 House 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. The Senate also provides the requested level of funding and does accept the proposed language to earmark the USGS \$9.0 million.

U.S. Park Police

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

The President's budget requested \$78.4 million for the U.S. Park Police, including \$12.6 million for counter-terrorism measures. The President's budget did not continue \$12.7 million in funding provided in the first 2002 supplemental for one-time projects. The House and Senate marks both include \$78.4 million, which is equal to the President's request.

Fish and Wildlife Service Operations

\$000	<u>02 Enacted</u>	<u>03 Budget</u>	<u>House</u>	<u>Senate</u>	House +/- <u>02 Enacted</u>	House +/- <u>03 Budget</u>	Senate +/- <u>02 Enacted</u>	Senate +/- <u>03 Budget</u>
Resource Mgt.	850,597	903,604	918,359	924,620	+67,762 +8.0%	+14,755 +1.6%	+74,023 +8.7%	+21,016 +2.3%

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 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. The budget also included a \$1.0 million program reduction for the National Fish Hatchery System.

Overall, the House provides \$918.4 million for FWS operations, an increase of \$14.8 million above the President's request. The Senate provides \$924.6 million for FWS operations, an increase of \$21.0 million. Both the House and Senate fund uncontrollables at the budget request level of \$10.4 million. The House accepts \$4.9 million of the \$5.7 million reduction proposed in the budget for streamlining; the Senate accepts the full \$5.7 million.

House and Senate changes from the President's budget include:

- Neither the House nor the Senate funds the \$18.0 million FWS Cooperative Conservation Initiative, but the House does provide \$41 million for existing cooperative programs.
- The House and Senate provide an additional \$4.5 million and \$6.6 million, respectively, for Endangered Species Act (ESA) operations, as discussed below.

- For the Partners for Fish and Wildlife Program, the House provides an additional \$7.43 million and the Senate provides an additional \$9.6 million, earmarked as follows (dollars in thousands):

	<u>House</u>	<u>Senate</u>
Nutria eradication at Blackwater NWR, MD	1,000	**
Spartina control at Willapa Bay (CSC)	1,000	**
**Invasive Species in the State of Hawaii and at Blackwater and Willapa NWRs	**	2,700
Columbia River estuary research	500	600
Bull trout conservation in WA State	1,100	0
WA State Ecosystems/Dept F&W	1,400	1,400
Georgia streambank restoration	500	0
Walla Walla Basin HCP	750	0
Invasive Species (CSC)	1,000	0
New Jersey Meadowlands study	180	0
Vermont Natural Heritage – Bald Eagles	0	200
Big Hole Watershed Committee	0	500
Hawaii ESA Community Conservation Plan	0	1,000
NV Biodiversity Research & Conservation	0	1,450
Thunder Basin Grasslands Initiative	0	250
Montana Water Center	0	500
General Program Increase	<u>0</u>	<u>1,000</u>
Total	7,430	9,600

- Under project planning, the Senate provides an additional \$200,000 for the Middle Rio Grande (Bosque) research program.
- The House provides an additional \$1.675 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 \$1.0 million for cost-shared projects, including invasive species control (CSC). The Senate provides an additional \$1.0 million for the Cook Inlet Aquaculture Association.
- The House provides an additional \$500,000 for environmental contaminants. The Senate provides the request level.
- The House provides funding for Refuge Operations and Maintenance at the request level, with the following shifts in funding: refuge operations is increased by \$10.0 million (including \$5.0 million for “minimum staffing;” \$3.0 million for challenge cost share with emphasis on invasive species control; and \$2.0 million for invasive species control using friends groups and volunteers -- \$5.0 million of the increase is designated CSC); CCI is reduced by \$5.0 million; and refuge maintenance is reduced by \$5.0 million. The Senate provides funding for Refuge Operations and Maintenance \$2.4 million above the request level, and directs that the \$5.0 million requested for the Cooperative Conservation Initiative be directed towards the challenge cost share program. The Senate earmarks \$400,000 for spartina eradication at Willapa NWR and \$2.0 million for YCC projects.
- The House provides an increase of \$2.0 million for migratory bird management, including \$1.0 million for Canada geese depredation and \$1.0 million for Joint

Ventures. The Senate provides an increase of \$575,000 to reduce Seabird bycatch in Alaska.

- The House provides an additional \$9.9 million and the Senate provides an additional \$13.0 million for the fisheries program. For hatchery operations, the House provides an additional \$1.0 million to restore the program to its 2002 level. The Senate provides an additional \$6.0 million for hatchery operations (+\$2.0 million) and maintenance (+\$4.0 million). Remaining increases are earmarked as follows (dollars in thousands):

	<u>House</u>	<u>Senate</u>
Washington State Hatchery Improvement Project	4,000	0
Reproductive biology/salmon research at Washington State University	500	0
Great Lakes fish and wildlife restoration	500	500
Fish passage/cooperative projects (CSC)	2,000	0
Sea lamprey program	900	0
Aquatic nuisance species control (CSC)	1,000	0
AK Railroads fish passage projects	0	400
White Sulphur Springs Fish Surveys	0	118
Starksville, MS Wildlife Enhancement	0	850
Montana Wildlife Health Center	0	500
Yukon River Treaty Implementation	0	3,403
AK Marine Mammals	<u>0</u>	<u>1,200</u>
Total	8,900	6,971

- The House provides increases of \$1.75 million under general administration, including: \$1.0 million for a National Academy of Science review of criteria and State plans for the State Wildlife Grants program; and restoration of a \$750,000 general reduction for administrative reforms. The Senate provides an additional \$600,000 for training and maintenance at NCTC.

FWS Endangered Species Program

\$000	<u>02 Enacted</u>	<u>03 Budget</u>	<u>House</u>	<u>Senate</u>	<u>House +/-</u>	<u>House +/-</u>	<u>Senate +/-</u>	<u>Senate +/-</u>
					<u>02 Enacted</u>	<u>03 Budget</u>	<u>02 Enacted</u>	<u>03 Budget</u>
Candidate	7,620	8,682	8,682	9,982	+1,062	0	+2,362	+1,300
Conserv								
Listing	9,000	9,077	9,077	10,000	+77	0	+1,000	+923
Consult/ HCP	45,501	47,770	47,770	47,970	+2,269	0	+2,469	+200
Recovery	<u>63,617</u>	<u>60,215</u>	<u>64,715</u>	<u>64,427</u>	<u>+1,098</u>	<u>+4,500</u>	<u>+810</u>	<u>+4,212</u>
Total	125,738	125,744	130,244	132,379	+4,506	+4,500	+4,791	+6,635
					+3.6%	+3.6%	+3.8%	+5.3%

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. Of the \$3.7 million requested for Columbia River Basin Salmon Recovery, \$1.4 million was allocated to ESA operations.

The House provides funding for candidate conservation, listing, and consultation/HCPs at the President's budget level. The House provides an additional \$4.5 million for the recovery program, including: \$3.0 million for Washington salmon grants to be administered by the National Fish and Wildlife Foundation; \$500,000 for manatee protection to bring total manatee funding to the 2002 enacted level of \$1.0 million; and a \$1.0 million general program increase to address the program backlog.

The Senate provides an increase of \$6.6 million for ESA operations, as follows:

- +\$1.3 million for Candidate Conservation, including \$150,000 for Kootenai River burbot; \$400,000 for Idaho sage grouse; and \$750,000 for Alaska sea otter research. In addition, the Senate earmarks \$50,000 of requested funds for an Idaho State Department of Agriculture study of slickspot peppergrass.
- +\$923,000 for the listing program (a general increase).
- +\$200,000 for Consultation for the Central Valley and Southern California HCP.
- +\$4.2 million for the recovery program, including: \$2.0 million for Atlantic Salmon (NFWF); \$1.0 million to the Alaska Sealife Center for eider recovery; \$600,000 for Lahontan cutthroat trout in Nevada; \$50,000 for mussel recovery at White Sulphur Springs NFH; and a \$562,000 increase for wolf recovery in Idaho.

Bureau of Land Management Operations

\$000	<u>02 Enacted</u>	<u>03 Budget</u>	<u>House</u>	<u>Senate</u>	House +/- <u>02 Enacted</u>	House +/- <u>03 Budget</u>	Senate +/- <u>02 Enacted</u>	Senate +/- <u>03 Budget</u>
MLR	475,632	812,990	826,932	816,062	+51,300	+13,942	+38,430	+3,072
O&C	<u>105,165</u>	<u>105,633</u>	<u>105,633</u>	<u>105,633</u>	+468	0	+486	0
Total	880,797	918,623	932,565	921,695	+51,768 +5.9%	+13,942 +1.5%	+38,898 +4.4%	+3,072 +0.3%

The President's budget provided \$812.9 million for BLM operations, a net \$35.4 million increase over the 2002 level. This included \$14.0 million to accelerate the completion of land use plans; \$10.2 million to expand energy and related activities; and \$2.0 million to manage areas with special designation status.

The House funds BLM operations at \$826.9 million, an increase of \$13.9 million above the budget request and \$51.3 million above the fiscal year 2002 enacted level. The Senate funds BLM operations at \$816.0 million, \$3.1 million above the request.

House and Senate changes from the President's budget include:

- For Land Resources the House recommends \$4.7 million above the budget request. The House supports the request of \$1.0 million for a new science initiative, restores \$1.0 million for the San Pedro Partnership, and provides increases of \$1.5 million for range monitoring and \$600,000 for NLCS. The House recommends that the increase for range monitoring be used for rangeland health monitoring and grazing permitting.

The Senate recommends \$2.3 million above the request including \$300,000 for the Rio Puerco project and pass through funding of \$1.0 million for the National Center for Ecologically-Based Noxious Weed Management at Montana State University and \$1.0 million for the Idaho Department of Agriculture to assist with cost-shared weed control.

- For Wildlife and Fisheries, the House provides \$34.5 million, \$760,000 above the budget request including an increase of \$500,000 for fisheries review of use authorization requests. The Senate funds Wildlife and Fisheries at \$33.8 million, equal to the budget request.
- For Threatened and Endangered Species, the House recommends \$21.8 million, \$472,000 above the budget request. The Senate provides the requested level of \$21.3 million.
- For the Recreation Management activity, the House provides \$59.4 million, \$3.3 million below the request. The reduction primarily reflects an adjustment of \$4.1 million to appropriately account for NLCS costs funded in other budget activities. The Senate recommends \$64.1 million for this activity, \$1.4 million above the request, including \$1.0 million to continue the Undaunted Stewardship program and \$400,000 for operations of the Colorado Canyons National Conservation Area.
- For Energy and Minerals the House provides \$106.8 million, \$2.0 million above the request. The Senate provides \$106.3 million, an increase of \$1.5 million above the request. A comparison of the increases requested in the President’s budget and House and Senate action for Energy and Minerals is shown below:

Summary of Energy/Minerals Increases (\$000)	Request	House	Senate
Energy Policy & Cons. Act assessments	1,000	1,000	1,000
North Slope Development	3,000	4,000	3,000
Oil and gas accounting trust activities	750	750	750
Leasing & Permitting (APDs) in WY, NM, UT, MT, CO	496	1,496	496
Inspections and Enforcement	1,500	1,500	1,500
Geothermal program	350	350	350
Permitting of geothermal /wind energy ROW in NV			1,500
Coal post lease activities	500	500	500
Coal trust activities in AZ, MT, NM	150	150	150
Other mineral resource activities	450	450	450
Total	8,196	10,196	9,696

The House directs that funding for APDs should be used principally in the Powder River Basin in Wyoming and Montana. Within the funds provided for oil and gas, \$500,000 is to be used to finish the Powder River Basin EISs. In mark-up, the full Committee adopted report language that states that “No funds have been included by the Committee in the fiscal year 2003 bill for activity related to potential energy development within the Arctic National Wildlife Refuge.” Earmarks contained in the report provide \$4 million for Alaska North Slope activities, but specify that this funding is for NRP-A and TAPS re-permitting.

- The House funds the Alaska Minerals program at the request level of \$2.2 million reflecting a decrease of \$1.8 million for the integrated mining claim system. The Senate restores the Alaska Minerals program to \$4.0 million. The increase of \$1.8 million is to fund the minerals at risk program.
- For Realty and Ownership Management the House recommends \$85.4 million, slightly over the request. The Senate recommends \$89.1 million, an increase of \$3.9 million above the request, including \$2.0 million for the Alaska Conveyance program and \$1.9 million for the cadastral survey program. The Senate Committee expressed concerns that the Bureau has not been processing applications under the Native Allotment Act in a timely manner.
- For Resource Protection and Maintenance, the House provides \$78.8 million, \$2.6 million above the request. The House adds \$400,000 for California desert rangers, \$250,000 for the West Mojave Plan, \$500,000 for Imperial Sand Dunes law enforcement, and \$1.0 million for mitigation of environmental degradation caused by illegal immigrants in southeastern Arizona.

The House and Senate support the requested increases of \$14 million for Land Use Planning and \$500,000 for enhanced protection of NLCS areas.

- For Transportation and Facilities Maintenance, the House provides \$84.3 million, \$6.3 million above the request including \$4.0 million for fish passage/culverts improvements, \$1.0 million for California desert communications, \$100,000 for the Pacific Crest Trail. The House also restores \$1.0 million for BLM's infrastructure improvement program. The Senate funds this activity at \$79.5 million, \$1.5 million above the request. Increases are provided for the Iditarod National Historic Trail (\$500,000) and capping wells in the National Petroleum Reserve (\$1.0 million).
- The House and Senate agree with the proposed consolidation of challenge cost share funding in a new activity, but did not fund the request of \$10.0 million for the Cooperative Conservation Initiative. The House provided a \$10 million increase for the existing challenge cost share program, more than doubling the amount for challenge grants to \$19.0 million.

Wildland Fire Management

\$000	<u>02 Enacted</u>	<u>03 Budget</u>	<u>House</u>	<u>Senate</u>	House +/- <u>02 Enacted</u>	House +/- <u>03 Budget</u>	Senate +/- <u>02 Enacted</u>	Senate +/- <u>03 Budget</u>
Preparedness	280,807	277,213	278,639	277,213	-2,168	+1,426	-3,594	0
Suppression	127,424	160,351	160,351	160,351	+32,927	0	+32,927	0
Fuels								
Management	186,190	186,190	186,342	186,690	+152	+152	+500	+500
Rehab.	20,000	20,000	20,000	20,000	0	0	0	0
Rural Assist	10,000	10,000	10,000	10,000	0	0	0	0
Contingency	<u>54,000</u>	<u>0</u>	<u>200,000</u>	<u>0</u>	<u>+146,000</u>	<u>+200,000</u>	<u>-54,000</u>	<u>0</u>
Total	678,421	653,754	855,332	654,254	+176,911	+201,578	-24,167	+500
					+26%	+30.8%	-3.5%	+0.08%

The President's budget request for Wildland Fire of \$653.8 million included a net increase of \$29.3 million above the base 2002 appropriation, discontinuing \$54.0 million in emergency contingency funding. The request included an increase of \$34.0 million

for annual base fire suppression operations offset by a reduction of \$5.7 million in deferred maintenance made possible by phasing construction of the Alaska Fire Service barracks.

The House provides funding consistent with the President's budget proposal with two exceptions: the addition of \$152,000 to reimburse Trinity County, California for expenses incurred in the 1999 Lowden Fire; and the addition of \$200.0 million for fire suppression activities. This additional \$200.0 million is treated as 2002 supplemental emergency contingency funding.

The Senate funds Wildland Fire at the requested level with one exception: the addition of \$500,000 for the National Center for Landscape Fire Analysis at the University of Montana.

Native American Programs

Bureau of Indian Affairs

\$000	02 Enacted	03 Budget	House	Senate	House +/- 02 Enacted	House +/- 03 Budget	Senate +/- 02 Enacted	Senate +/- 03 Budget
Op. Of Indian, Programs	1,799,809	1,837,110	1,859,064	1,859,135	+59,255	+21,954	+59,326	+22,025
Construction Land & Water Settlements Guaranteed	357,132	345,252	345,252	348,252	-11,880	--	-8,880	+3,000
Loans	60,949	57,949	60,949	57,949	--	+3000	-3,000	--
BIA Total	4,986	5,493	5,493	5,493	+507	--	+507	--
	2,222,876	2,245,804	2,270,758	2,270,829	+47,882	+24,954	+47,953	+25,025
					+2.2%	+1.1%	+2.2%	+1.1%

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 continues funding for the Education Construction program at \$292.7 million, increases Indian early childhood, elementary and secondary education programs by 18.8 million (including \$12.2 million for a Indian school privatization initiative and \$3 million for early childhood programs), and provides \$34.8 million in increases for Indian trust activities.

Both the House and Senate Committee marks include \$2.3 billion for BIA, an increase of \$47.9 million for the House and \$48.0 million for the Senate, or 2.2%. Both marks provide an increase of \$25.0 million, or 1.1%, above the President's budget request and fully fund the request for uncontrollables.

Both the House and Senate Committees fully fund the President's request for education construction by continuing the construction and repair of Indian schools at the enacted level (\$292.7 million). The Senate also includes an additional \$3.0 million in education construction for the tribal school construction demonstration program.

The House increases funding for elementary and secondary school operations by \$20.8 million, which is \$2.0 million above the request. The Senate provides the requested

increase for early childhood education, but no other program increases for school operations. Neither the House nor the Senate bills support the school privatization initiative. However, the House mark retains and redistributes the requested increases for education. The House adds \$4.0 million above the request for formula funds and \$3.0 million above the request for administrative cost grants. The Senate provides the requested increase for early childhood education, but no other program increase for school operations.

Both the House and the Senate Committees include funding above the President's budget for tribally controlled community colleges (\$2 million in the House and \$4 million in the Senate). An increase of \$4.7 million in the House and \$4.5 million in the Senate is included for three post-secondary education and training programs – Crownpoint Institute of Technology, United Tribes Technical College, and the National Ironworkers Training Program (House only).

The House Committee mark includes a \$5.1 million increase above the request for TPA funding for new tribes (\$1.1 million) and welfare assistance (\$4.0 million) and a \$500,000 increase in central office operations for tribal acknowledgement and research. The Senate Committee mark funds TPA commensurate with the budget request.

The House Committee mark provides an increase of \$31.8 million for trust-related increases, \$3.0 million less than requested. Increases requested for Trust reform oversight and coordination within central office operations are not included in the House Committee mark. The Senate Committee mark for BIA trust related increases is the same as the budget request.

Under Public Safety and Justice, the Senate Committee includes increases above the budget request for detention center services (\$5.0 million) and for law enforcement along the Canadian and Southwest borders (\$3.7 million). The House Committee level is the same as the budget request.

Both the House and Senate Committee include increases above the request for natural resource programs including endangered species, the Washington State timber fish and wildlife program, the Western Washington shellfish management program, Lake Roosevelt management, and Intertribal Bison Management.

The House Committee includes funding for activities not requested in the budget, including Seminole Tribe Everglades water quality (\$300,000). The Senate Committee also provides funding for a number of activities not requested in the budget, including: United Sioux Tribes Development Corporation (\$350,000), Cheiron Foundation's nursing and information technology program (\$1.5 million), Alaska Native Aviation Training program (\$1 million), the Yuut Elitnaviat People's Learning Center (\$1 million contingent upon compliance with reporting requirements), the Rocky Mountain Technology Foundation's distance learning project (\$2.0 million), and an American Indian and Alaska Native child abuse/child welfare study (\$500,000). The Senate directs that the child abuse/child welfare study be accomplished in consultation with Tribes and social service agencies.

The House Committee mark is \$3.0 million above the President’s request of \$57.9 million for Indian Land and Water Claims Settlements. It reflects the shifting of \$3.0 million for the Shivwits Settlement from Departmental Management to BIA’s Land and Water Claims Settlement account. The Senate Committee mark is commensurate with the President’s request, and includes report language outlining the Senate’s expectation that funding for the Santo Domingo Settlement will be completed in the 2004 request. The Senate included \$3.0 million for the Shivwits Settlement in the Indian Land Consolidation Project account.

The House Committee mark includes bill language within BIA’s administrative provisions to enable the San Carlos Irrigation Project to enter into contracts for management, operation, and maintenance services. The Senate does not address this provision. The Senate Committee marks include bill language that extends the school construction cost-share demonstration program through 2003. The House Committee did not address this provision.

The House Committee mark includes report language that commends two innovative programs underway by the Tohono O’odham Nation in Arizona—a higher education services program and a employment assistance and vocational assistance program. House report language also encourages the Bureau to incorporate pulse technology in its vehicle maintenance program and to report on its compliance with this direction in subsequent budget submissions.

The Senate Committee mark includes report language that directs the Secretary not to use any funds appropriated in the Interior bill to implement the Department’s plan to create the Bureau of Indian Trust Asset Management, or for any other use that would remove, reallocate, diminish, or alter BIA’s individual and tribal trust authority in 2003. The Senate Committee also includes report language that directs the BIA to establish a Tribal Service Area for the Samish Indian Nation and to report to the Congress of action taken within 60 days of enactment.

Office of the Special Trustee for American Indians

\$000	<u>02 Enacted</u>	<u>03 Budget</u>	<u>House</u>	<u>Senate</u>	House +/- <u>02 Enacted</u>	House +/- <u>03 Budget</u>	Senate +/- <u>02 Enacted</u>	Senate +/- <u>03 Budget</u>
OST	110,204	159,007	149,257	159,007	+39,053 +35.4%	-9,750 +6.1%	+48,803 +44.3%	0

The FY 2003 budget requested \$159 million for the OST, \$48 million above the requested level for FY 2002, a 44% increase. This amount included \$8 million for the fifth year of the Indian Land Consolidation program. The FY 2003 request also included \$16.5 million for the Office of Historical Trust Accounting, an increase of \$9 million above the 2002 level.

The House provides \$149.2 million for the OST, \$10 million below the request level, but \$39 million above the FY 2002 enacted level. This includes \$2.5 million for executive direction and \$39.5 million for operations. Additionally, the House provides \$90.6 for improvement initiatives, including increases above the 2002 level of \$2.5 million for OST data cleanup, \$2 million for BIA data cleanup, \$7.5 million for historical trust accounting and \$10 million for trust net to address high-priority computer security.

The Senate provides a total of \$159 million for the OST. This includes \$7.9 million for the Indian Land Consolidation program, consistent with the FY 2003 requested level. The portion of the appropriation dedicated to the OST is \$151 million, which is the same as the FY 2003 requested level, and \$51.8 million above the FY 2002 enacted level.

Maintaining America’s Heritage:

Maintenance

\$000	<u>02 Enacted</u>	<u>03 Budget</u>	<u>House</u>	<u>Senate</u>	House +/- <u>02 Enacted</u>	House +/- <u>03 Budget</u>	Senate +/- <u>02 Enacted</u>	Senate +/- <u>03 Budget</u>
BLM	108,560	101,290	107,610	101,790	-950	+6,320	-5,770	+1,500
USGS	36,335	32,358	34,881	33,056	-1,454	+2,523	-3,279	+698
FWS	98,876	124,576	119,576	129,126	+25,700	-5,000	+35,250	+4,550
NPS	<u>481,201</u>	<u>531,428</u>	<u>539,660</u>	<u>537,823</u>	<u>+58,459</u>	<u>+8,232</u>	<u>+56,622</u>	<u>+6,395</u>
Total	719,972	789,652	801,727	802,795	+81,755	+12,075	+82,823	+13,143
					+11.3%	+1.5%	+11.5%	+1.6%

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

The House provides \$801.7 million for maintenance, 11.3 percent higher than FY 2002 and 1.5 percent higher than the request. The Senate provides \$802.8 million for annual, cyclic, and deferred maintenance, 11.5 percent higher than FY 2002 and 1.6 percent higher than the request.

Details on NPS deferred maintenance funding follow the construction discussion.

Construction

\$000	<u>02 Enacted</u>	<u>03 Budget</u>	<u>House</u>	<u>Senate</u>	House +/- <u>02 Enacted</u>	House +/- <u>03 Budget</u>	Senate +/- <u>02 Enacted</u>	Senate +/- <u>03 Budget</u>
BLM	13,076	10,976	10,976	12,976	-2,100	0	-100	+2,000
FWS	55,543	35,402	53,108	42,182	-2,435	+17,706	-13,361	+6,780
NPS	388,668	322,384	325,186	361,915	-63,482	+2,802	-26,753	+39,531
BIA Educ.	292,503	292,717	292,717	295,717	+214	0	+3,214	+3,000
BIA Other	<u>64,629</u>	<u>52,535</u>	<u>52,535</u>	<u>52,535</u>	<u>-12,094</u>	<u>0</u>	<u>-12,094</u>	<u>0</u>
Total	814,419	714,014	734,522	765,325	-79,897	+20,508	-49,094	+51,311
					-9.8%	+2.9%	-6.0%	+7.1%

The Administration requested \$714.0 million for construction in BLM (\$11.0 million), FWS (\$35.4 million), NPS (\$322.4 million), and BIA (\$345.3 million).

The House mark of \$734.5 million omits funding for eight of the 100 projects proposed in the President’s budget but includes \$64.8 million for 43 projects that were not requested in the President’s budget, including \$1.8 million for the Bear River NWR, Utah Education Center. This mark is \$20.5 million or 2.9 percent over the \$714.0 million request, and approximately \$79.9 million under the FY 2002 enacted level.

The Senate mark of \$765.3 million funds 99 of the 109 proposed projects and includes \$80.9 million for 50 congressional add-ons. This mark is \$51.3 million or 7.1 percent over the request, and approximately \$49.1 million under the FY 2002 enacted level.

Specifics for each bureau are as follows:

BLM

- \$11.0 million is provided by the House, the same as the Administration’s request.
- \$13.0 million in the Senate provides funding for all Administration requests and also includes \$2.0 million for one add-on project for the California Trail Interpretative Center in Elko County, Nevada.

FWS

- \$53.1 million in the House funds all Administration requests and includes \$14.6 million for 12 add-on projects.
- \$42.2 million in the Senate includes \$14.1 million for 13 add-on projects. Six requested projects, including security upgrades for both the Clark R. Bavin Forensics Lab and for Service-wide general operations, are not funded for a total of \$7.3 million.

NPS

- \$325.2 million in the House includes \$50.3 million for 31 add-on projects. Ten requested projects, including completing the Schooner C.A. Thayer at San Francisco Maritime NHP and pig-proof fencing for the Channel Islands NP in California, are not funded by the House for a total of \$47.5 million.
- \$361.9 million in the Senate includes \$64.8 million for 36 add-on projects. Four requested projects, including stabilizing Fort Jefferson in the Dry Tortugas in Florida are not funded for a total of \$31.5 million.

BIA

- Both the House and Senate provide the Administration request, with the Senate adding on \$3.0 for the Tribal School Demonstration program.
- Both Committees fund Kayenta Boarding School, Low Mountain Boarding School, and Wide Ruins Boarding School in Arizona, and Santa Fe Indian School in New Mexico, and St. Francis Indian School and Tiospa Zina Tribal School in South Dakota.

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

National Park Service Deferred Maintenance Backlog

\$000			House +/-		House +/-		Senate +/-	
	<u>02 Enacted</u>	<u>03 Budget</u>	<u>House</u>	<u>Senate</u>	<u>02 Enacted</u>	<u>03 Budget</u>	<u>02 Enacted</u>	<u>03 Budget</u>
ONPS/Facility								
Maintenance	294,192	340,665	343,565	344,394	+49,373	+2,900	+50,202	+3,729
Construction	<u>367,044</u>	<u>322,384</u>	<u>325,186</u>	<u>361,915</u>	<u>-41,858</u>	<u>+2,802</u>	<u>-5,129</u>	<u>+39,531</u>
Total	661,236	663,049	668,751	706,309	+7,515	+5,702	+45,073	+43,260
					+1.1%	+6.8%	+6.8%	+6.5%

The President’s budget request included \$663.0 million in appropriated funds for deferred 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 MAXIMO.

The House mark provides \$668.8 million, a \$5.7 million increase above the request. The increase is due to Committee add-ons to line item construction and for additional regional office capacity.

The Senate mark provides \$706.3 million, a \$43.3 million increase above the request. This includes increases for line-item construction projects, housing, equipment replacement, general management plans, and for the Youth Conservation Corps.

Science Programs

U.S. Geological Survey

\$000					House +/-		Senate +/-	
	<u>02 Enacted</u>	<u>03 Budget</u>	<u>House</u>	<u>Senate</u>	<u>02 Enacted</u>	<u>03 Budget</u>	<u>02 Enacted</u>	<u>03 Budget</u>
SIR	914,002	867,338	928,405	926,667	+14,403	+61,067	+12,665	+59,329
					+1.6%	+7.0%	+1.4%	+6.8%

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 Administration priorities.

The House funds USGS programs at \$928.4 million, \$61.1 million over the requested level and \$14.4 million over the 2002 enacted level. Generally, the House funds USGS programs at the 2002 enacted level plus fixed costs and disallowed streamlining savings, but accepted proposed travel reductions.

The Senate provides \$926.7 million, \$59.3 million over the requested level and \$12.7 million over the 2002 enacted level. The Senate disallows streamlining savings in the budget request, but accepts proposed travel reductions.

House and Senate changes from the budget request include:

National Mapping

The House funds the National Mapping Program at \$5.8 million above the President's budget, restoring \$3.0 million for the AmericaView program. The House accepted the proposed request of \$1 million for Alaska mapping activities. Although no increased funding is provided, the House urges that completing and maintaining the National Map be considered a high priority.

The Senate funds the Mapping Program at \$1.8 million above the budget by restoring \$809,000 for Urban Dynamics and the streamlining savings. The Senate also accepted the proposed \$1.0 million for Alaska mapping activities.

Geological Hazards, Resources and Processes

The House funds the Geologic Hazards, Resources and Processes Activity at \$10.0 million above the request level. The House adds \$2.0 million for the coastal program and adds \$500,000 for a scientific study into the impact of global dust events. The House maintains the proposed increase of \$1.2 million in the President's budget for energy

assessments. The House restores \$499,000 to the light distancing and ranging (LIDAR) technology and \$500,000 to the coastal Louisiana regional assessment.

The Senate funds Geologic Hazards, Resources and Processes at almost \$14 million above the request level, agreeing with the budget proposal to fund \$4.0 million for Critical Ecosystems Initiative in the Everglades and \$500,000 for geothermal resource assessments. The Senate denies the request of \$1.2 million for oil and gas assessments.

The Senate restores \$6.0 million for the National Cooperative Geological Mapping program, \$500,000 for the Central Great Lakes Geological Mapping Coalition, \$500,000 for coastal erosion studies in North Carolina, \$500,000 to continue coastal Louisiana land subsidence, \$1.3 million for regional aggregate materials projects, \$1.5 million to complete the Alaska minerals at risk project, \$750,000 for the minerals information team, and \$474,000 for geological surveys of the Yukon Flats. The Senate adds \$2 million to the volcano program in Shemya, Alaska. In addition, the Senate directs that programs are continued within base funds including \$1.25 million for coastal studies, \$3.0 million for operation of the Alaska Volcano Observatory, \$250,000 for the cooperative program at the University of Hawaii-Hilo. Over \$4.0 million of the coastal program funding is dedicated specifically to research efforts in the Gulf of Mexico.

Water Resources

The House increases the Water Resources program by \$24.9 million above the request level and fully restores water resource programs proposed for reduction including: \$5.8 million for the National Water Quality Assessment, \$13.9 million for Toxic Substances Hydrology, \$2.1 million for streamgaging activities, and \$6.0 million for the Water Resources Research Institutes. The House funds an increase of \$400,000 over the 2002 level for the Water Resources Research Institutes. The House also provides funding for the US/Mexican border initiative (\$1.0 million), the Lake Pontchartrain study (\$1.0 million), a Potomac Basin groundwater study (\$500,000), and the long-term estuary assessment (\$580,000).

The Senate increases Water Resources activities by \$25.2 million above the request, restoring many of the same programs as the House including: NAWQA, Toxic Substances Hydrology, streamgaging, and Water Resources Research Institutes. The Senate adds \$500,000 for a new study on Gulf Hypoxia. The Senate also restores funding for Berkley Pit (\$200,000), Lake Champlain Study (\$299,000), Hawaii groundwater (\$450,000), and Noyes Slough (\$195,000). The Senate also accepts the proposed \$1 million increase for an US-Mexico health study.

In addition, the Senate adds \$220,000 for a cladophora bloom algae study in coastal Maui, \$500,000 for the Community rivers Coalition watershed protection project, \$500,000 for the Rathdrum Prairie/Spokane Valley aquifer study. The Senate provides that up to \$1.0 million can be expended for participation in the Long-Term Estuary Assessment Group.

Biological Research

The House adds \$9.9 million to the President's request for Biological Research. This includes \$1 million in amphibian research, \$500,000 for genetic research at Wellsboro laboratory, \$1 million in NBII nodes for New York and Tennessee, and \$400,000 to

establish a new fish and wildlife cooperative research unit at the University of Nebraska. The House provides \$1.6 million for the President's request for accessible data transfer. The House adds \$1.0 million for the cooperative research units program to maintain current staffing levels and \$120,000 for Great Lakes vessel operations, \$180,000 for two researchers at the Great Lakes Science Center, \$300,000 for inventorying and monitoring in the Cherokee National Forest.

The House also realigned the Gap Analysis program by shifting \$3.9 million from the biological research and monitoring subactivity into biological information management and delivery to obtain management efficiencies.

Within the funds provided, the House earmarks \$2.7 million for chronic wasting disease research.

The Senate mark increases funding over the President's budget by \$11.7 million. This includes \$5.5 million in new and expanded studies, with \$3.0 million going to NBII. The Senate does not accept the President's budget request for \$1.6 million for accessible data transfer work. The Senate has also restored the following proposed Budget reductions: \$2.8 million for fire science research, \$500,000 for amphibian research, \$750,000 for a mining study in the Mark Twain National Forest, \$180,000 for Yukon River Chum salmon research, and \$400,000 to continue molecular studies at Leetown Science Center. The Senate provides \$500,000 for a Pallid Sturgeon study, 100,000 for the diamondback terrapin study, \$3.0 million for NBII, \$1.0 million for DNA bear sampling study in Montana, \$300,000 for a water resources study at Leetown Science Center, and \$1.0 million for Lake Tahoe.

The House added \$1.7 million in facilities funding to the President's request while the Senate added \$375,000. Both the House and the Senate include specific earmarks for the facilities funding.

Other Bureaus, Offices, and Programs

NPS National Recreation and Preservation

\$000	<u>02 Enacted</u>	<u>03 Budget</u>	<u>House</u>	<u>Senate</u>	House +/-	House +/-	Senate +/-	Senate +/-
					<u>02 Enacted</u>	<u>03 Budget</u>	<u>02 Enacted</u>	<u>03 Budget</u>
NR&P	66,159	46,824	56,330	62,828	-9,829	+9,506	-3,331	+16,004
					-14.9%	+20.3%	-5.0%	+34.2%

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 House Committee provides \$56.3 million, or \$9.5 million above the requested level. This increase is provided mainly to Heritage Partnership commissions and grants (\$7.2 million), with smaller increases to Statutory Aid (\$0.8 million) and cultural programs (\$1.6 million).

The Senate Committee provides \$62.8 million, or \$16.0 million above the requested level. This increase is provided mainly to Heritage Partnership commissions and grants (\$5.6 million), and Statutory Aid (\$9.9 million)

Minerals Management Service

\$000	02 Enacted	03 Budget	House	Senate	House +/- 02 Enacted	House +/- 03 Budget	Senate +/- 02 Enacted	Senate +/- 03 Budget
Direct								
Appropriation	156,772	170,327	170,826	172,427	+14,054	+499	+15,655	+2,100
Offsetting								
Collections	<u>102,730</u>	<u>100,230</u>	<u>100,230</u>	<u>100,230</u>	<u>-2,500</u>	<u>0</u>	<u>-2,500</u>	<u>0</u>
Total	259,502	270,557	271,056	272,657	+11,554 +4.5%	+499 +0.2%	+13,155 +5.1%	+2,100 +0.8%

The President's budget request included \$270.6 million for the Minerals Management Service in FY 2003; a net increase of \$11.1 million above the 2002 enacted level. Offsetting receipts were estimated to be \$100.2 million, \$2.5 million less than in 2002.

The request for direct appropriations was \$170.3 million, including an increase of \$6.6 million in uncontrollable costs, \$5.0 million for anticipated increases in the Gulf of Mexico workload, and \$8.7 million to begin the first phase of an E-government transformation initiative. The request also included a decrease of \$2.2 million within the Environmental Studies Program.

The House mark provides a total of \$271.1 million for MMS programs, including \$100.2 million in offsetting collections. An increase of \$500,000 over the President's request is included for the Offshore Technology Research Center. Oil spill research is funded at \$6.1 million, the same as the budget request and the FY 2002 enacted level.

The Senate provides \$272.7 million for MMS programs, including \$100.2 million in offsetting collections and \$172.5 million in direct appropriations. For royalty and offshore minerals management, the Senate provides \$2.1 million above the Administration's request and \$1.6 million above the House. The Senate funds the Center for Marine Resources and Environmental Technology (\$800,000) and the Marine Mineral Technology Center in Alaska (\$800,000). Within funds provided for the leasing and environmental program, \$150,000 is provided for the Alaska Eskimo Whaling Commission to ensure that proposed lease sales in Alaska properly consider the impacts of offshore drilling on whale migration patterns and whaling activities. In addition, within the funds provided for the regulatory program, \$1.4 million is to be used for research activities at the Offshore Technology Research Center.

The House and Senate both include bill 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. Both versions of the bill language also continue the offshore oil and gas leasing moratoria.

Office of Surface Mining

\$000					House +/-	House +/-	Senate +/-	Senate +/-
	<u>02 Enacted</u>	<u>03 Budget</u>	<u>House</u>	<u>Senate</u>	<u>02 Enacted</u>	<u>03 Budget</u>	<u>02 Enacted</u>	<u>03 Budget</u>
Reg & Tech	103,075	105,367	105,367	105,367	+2,292	0	+2,292	0
AML	203,455	174,035	184,745	191,745	-18,710	+10,710	-11,710	+17,710
Total	306,530	279,402	290,112	297,112	-16,418	+10,710	-9,418	+17,710
					-5.4%	+3.8%	-3.1%	+6.3%

The President's budget provided \$279.4 million for OSM programs, a decrease of \$27.1 million from the enacted level. The overall decrease in the 2003 request resulted primarily from a \$17 million reduction in reclamation grants to States and tribes, and a \$10.9 million one-time reduction for Federal emergency reclamation projects. The 2003 request did not continue a \$500,000 earmark for Pennsylvania anthracite reclamation. The request provided an increase of \$2.0 million to support the State of West Virginia's surface mining regulatory program while reducing regulatory grants to other States by \$1.0 million.

The House provides \$105.4 million for regulatory grants, the same funding level requested by the President's budget. The Committee, however, directs the Department to distribute the net increase for regulatory grants to all primacy States in the normal fashion. The House mark provides a total of \$184.7 million for the AML fund, \$10.7 million more than the President's request. The Committee rejects the proposals to reduce Federal high priority projects, travel, and fixed cost increases. The Clean Streams Initiative is funded at \$10.0 million.

The Senate provides \$105.4 million for regulatory grants, the same funding level requested by the President's budget. The Senate allocation provides \$191.7 million for the AML Fund, \$17.7 million above the 2003 request. The increase is comprised of \$17.5 million for State grants, and \$210,000 for Federal high-priority reclamation projects.

As in prior years, both the House and the Senate bills include language that limits expenditures in any one State to 25 percent of the total new budget authority appropriated for Federal and State-run emergency programs.

Office of Insular Affairs

\$000					House +/-	House +/-	Senate +/-	Senate +/-
	<u>02 Enacted</u>	<u>03 Budget</u>	<u>House</u>	<u>Senate</u>	<u>02 Enacted</u>	<u>03 Budget</u>	<u>02 Enacted</u>	<u>03 Budget</u>
OIA	102,195	90,962	94,262	96,142	-7,933	+3,300	-6,053	+1,880
					-7.8%	+3.6%	-5.9%	+2.1%

The 2003 President's budget request proposed an increase of \$750,000 for additional staffing to expand OIA's responsibilities in the areas of control and accountability, with the implementation of the renegotiated Compact of Free Association with the Federated States of Micronesia and the Republic of the Marshall Islands. The budget also 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, Labor and Law Enforcement 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 House adds \$3 million to Technical Assistance, providing \$1 million for the court-mandated improvement projects in the Virgin Islands, \$1 million for Compact impact aid to Guam, and \$1 million for prior service benefits. The House also shifted \$1 million from CNMI Construction to cover prior service benefits within the Covenant grants. In addition, the House 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 House provides an increase of \$300,000 for Enewetak support.

The Senate provides an increase of \$5 million to Territorial Assistance for Impact of Compact aid to the State of Hawaii and an increase of \$180,000 for Enewetak support. The additional funds are for repairs to the ship that brings food to Enewetak as part of the Enewetak Food and Agriculture Program. The Senate Report directs the Department to work with the government of the Virgin Islands and other relevant Federal Agencies to develop a Federal-Local plan to accomplish the environmental infrastructure improvements required by Federal law.

Departmental Offices

\$000	<u>02 Enacted</u>	<u>03 Budget</u>	<u>House</u>	<u>Senate</u>	House +/- <u>02 Enacted</u>	House +/- <u>03 Budget</u>	Senate +/- <u>02 Enacted</u>	Senate +/- <u>03 Budget</u>
Dept. Mgmt.	69,946	78,596	57,533	75,695	--12,413	-21,063	+5,749	-2,901
Solicitor	45,000	47,773	47,473	47,773	+2,473	-300	+2,773	0
Office of the Inspector								
General	34,302	36,659	36,239	36,659	+1,937	-420	+2,357	0
NRDA	5,497	5,538	5,538	5,538	+41	0	+41	0
NIGC	<u>0</u>	<u>2,000</u>	<u>2,000</u>	<u>0</u>	<u>+2,000</u>	<u>0</u>	<u>0</u>	<u>-2,000</u>
Total	154,745	170,566	148,783	165,665	-5,962	-21,783	+10,920	-4,901
					-3.8%	-12.8%	+7.1%	-2.9%

For Departmental Management, the President's budget request of \$81.6 million, included increases of \$5.3 million for enhanced law enforcement and security, \$150,000 for strategic planning and management improvements, and \$3.3 million to fund payments to the Department of Labor to administer the Employees Compensation program.

The House adopted an amendment reducing Departmental Management by \$15.0 million in order to increase funding for NEA/NEH. With this reduction, House mark provides \$47.5 million, a decrease of \$21.1 million from the request, including a decrease of \$3.3 million rejecting the Administration's proposal to shift workers compensation administrative costs from the Department of Labor. The House reduces \$2.4 million for Mylar window protection and recommends that this be funded from emergency supplemental funds appropriated to GSA. Additional reductions of \$400,000 are made to staff offices. The Senate provides \$75.7 million, a reduction of \$2.9 million below the budget request.

For the Office of the Solicitor, the President's budget included \$47.8 million. The House provides \$47.5 million, a reduction of \$300,000 from the request level. The Senate

provides the request level and directs that the Solicitor hire an attorney to work with the Indian Arts and Crafts Board.

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

For the Natural Resource Damage Assessment and Restoration Fund, the budget included \$5.5 million. The House and Senate marks fund the program at the request level.

The President’s budget request included \$2.0 million for the National Indian Gaming Commission. The House funds the request while the Senate does not.

Conservation Spending Category

The President’s budget request included \$1.3 billion for the Conservation Spending Category. This includes \$978.8 million for Department of the Interior programs and \$338.9 million for the Forest Service. The House and Senate provide \$1.4 billion for CSC including \$1.1 billion for the Department of the Interior. All or part of the following programs are included in the Conservation Spending Category.

Cooperative Conservation Initiative

\$000					House +/-		Senate +/-	
	<u>02 Enacted</u>	<u>03 Budget</u>	<u>House</u>	<u>Senate</u>	<u>02 Enacted</u>	<u>03 Budget</u>	<u>02 Enacted</u>	<u>03 Budget</u>
BLM		10,000	0	0	--	-10,000	--	-10,000
FWS		18,000	0	0	--	-18,000	--	-18,000
NPS			0	0	--		--	
State Grants		50,000	0	0	--	-50,000	--	-50,000
Operations		<u>22,000</u>	<u>0</u>	<u>0</u>	--	<u>-22,000</u>	--	<u>-22,000</u>
Total	0	100,000	0	0	--	-100,000	--	-100,000
						-100%		-100%

The Administration proposed the \$100.0 million 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 President’s budget request included LWCF State Grants (\$50.0 million) and funds in the operating accounts of BLM (\$10.0 million), FWS (\$18.0 million), NPS (\$22.0 million).

While neither the House nor the Senate approved funding for a new CCI program, the House endorses the concept of cooperative efforts and provides \$41.0 million in increases in existing conservation partnerships including increases of \$10.0 million for BLM’s challenge cost share program, \$24.0 million in several FWS cooperative programs, and \$7.0 million in NPS’ challenge cost share program.

Landowner Incentive Program/Stewardship Grants

\$000					House +/-	House +/-	Senate +/-	Senate +/-
	<u>02 Enacted</u>	<u>03 Budget</u>	<u>House</u>	<u>Senate</u>	<u>02 Enacted</u>	<u>03 Budget</u>	<u>02 Enacted</u>	<u>03 Budget</u>
Landowner Incentive	40,000	50,000	40,000	600	0	-10,000 -25%	-39,400 -98.5%	-49,400 -98.8%
Stewardship Grants	10,000	10,000	10,000	200	0	0	-9,800 -98%	-9,800 -98%

The President's budget increased funding for the Landowner Incentive program by \$10.0 million over 2002, and funded the Private Stewardship Grant program at the 2002 level. The House funds each program at the 2002 level. The Senate provides only nominal funding for each program, due to concern that the Department has not yet obligated funds in 2002.

Federal LWCF Land Acquisition

\$000					House +/-	House +/-	Senate +/-	Senate +/-
	<u>02 Enacted</u>	<u>03 Budget</u>	<u>House</u>	<u>Senate</u>	<u>02 Enacted</u>	<u>03 Budget</u>	<u>02 Enacted</u>	<u>03 Budget</u>
BLM	49,920	44,686	47,486	38,734	-2,434	+2,800	-11,186	-5,952
FWS	99,135	70,384	82,250	89,055	-16,885	+11,866	-10,080	+18,671
NPS	130,117	86,057	99,099	94,205	-31,018	+13,042	-35,912	+8,148
DM-Shivwits	<u>0</u>	<u>3,000</u>	<u>3,000</u>	<u>3,000</u>	<u>3,000</u>	<u>0</u>	<u>3,000</u>	<u>0</u>
DOI Total	279,172	204,127	231,835	224,994	-47,337 -17.0%	+24,708 +12.1%	-54,178 -19.4%	+17,867 +8.8%
Forest Svc	<u>149,742</u>	<u>131,104</u>	<u>146,336</u>	<u>157,679</u>	<u>-3,406</u>	<u>+15,232</u>	<u>+7,937</u>	<u>+26,575</u>
Total	428,914	335,231	378,171	382,673	-50,743 -11.8%	+39,940 +11.9%	-46,241 -10.8%	+44,442 +13.2%

The Administration request contained \$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 House mark for Interior agencies of \$231.8 million omits funding for 32 of the 100 projects proposed in the President's budget but includes \$45.2 million for 23 projects that were not requested in the President's budget. The Senate mark of \$225.0 million funds 61 of the 100 proposed projects and includes \$41.8 million for 25 congressional add-ons. Specifics for each bureau are as follows:

BLM

- \$47.5 million in the House includes \$9.8 million for six add-on projects and a reduction of \$1.8 million to Grand Staircase-Escalante National Monument. Two requested projects, including Kasha-Katuwe Tent Rock National Monument in New Mexico, are not funded by the House for a total of \$5.2 million.
- \$38.7 million in the Senate includes \$8.9 million for four add-on projects. Unfunded requests, including Snake River Birds of Prey National Conservation Area in Idaho and the San Pedro Ecosystem in Arizona, total \$16.9 million.

FWS

- \$82.3 million in the House includes \$19.6 million for nine add-on projects. Twenty-seven requested projects, including Lower Rio Grande NWR in Texas, are not funded by the House for a total \$8.7 million but reductions are partially offset by some increases in projects over the request level.
- \$89.1 million in the Senate includes \$27.4 million for 14 add-on projects. Unfunded requests, including the CALFED San Joaquin NWR in California and Pelican Island NWR in Florida, total \$10.2 million.

NPS

- \$99.1 million in the House includes \$15.8 million for eight add-on projects. Unfunded requests, including Western Arctic National Parklands, total \$15.8 million.
- \$94.2 million in the Senate includes \$5.5 million for seven add-on projects. Nine requested projects, including Saguaro NP in Arizona and the Blue Ridge Parkway in North Carolina and Virginia, are not funded by the Senate.

BIA

- The \$3.0 million request for the Shivwits Band of the Paiute Indian Tribe for Utah Water Rights is funded from LWCF. Instead of appropriating funds as requested in Departmental Management, the House includes funding for this project in BIA's Land and Water Settlement account and the Senate funds it in the Indian Land Consolidation 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>House</u>	<u>Senate</u>	House +/- <u>02 Enacted</u>	House +/- <u>03 Budget</u>	Senate +/- <u>02 Enacted</u>	Senate +/- <u>03 Budget</u>
Stateside Grants/ Traditional	144,000	150,000	154,000	144,000	+10,000	+4,000	0	-6,000
CCI	<u>0</u>	<u>50,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>-50,000</u>	<u>0</u>	<u>-50,000</u>
Total	144,000	200,000	154,000	144,000	+10,000 +6.9%	-46,000 -23%	0	-56,000 -28%

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

The House increases traditional LWCF State grants by \$4.0 million above the budget for administration but did not fund the CCI State grants. The Senate funded traditional State grants at the FY 2002 level of \$144.0 million. The Senate does not fund CCI grants.

Fish and Wildlife Service Grants

\$000					House +/-	House +/-	Senate +/-	Senate +/-
	<u>02 Enacted</u>	<u>03 Budget</u>	<u>House</u>	<u>Senate</u>	<u>02 Enacted</u>	<u>03 Budget</u>	<u>02 Enacted</u>	<u>03 Budget</u>
CESCF	96,235	91,000	121,400	99,400	+25,165	+30,400	+3,165	+8,400
NAWCF	43,500	43,560	43,560	43,560	+60	0	+60	0
Wildlife Grants	85,000	60,000	100,000	60,000	+15,000	+40,000	-25,000	0
<i>Rescission of Wildlife Grants*</i>	-25,000	--			+25,000	0	+25,000	0
Multi-Natl. Species Cons.*	4,000	4,000	4,800	5,500	+800	+800	+1,500	+1,500
Neo Birds*	<u>3,000</u>	<u>1,000</u>	<u>5,000</u>	<u>3,000</u>	<u>+2,000</u>	<u>+4,000</u>	<u>0</u>	<u>+2,000</u>
Total	206,735	199,560	274,760	211,460	+68,025 +32.9%	+75,200 +37.7%	+4,725 +2.3%	+11,900 +6.0%

**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 House provides \$31.4 million over the request for HCP Land Acquisition (\$30.0 million) and administration (\$400,000). The Senate provides \$8.4 million over the request for HCP Land Acquisition (\$8.0 million) and administration (\$400,000).

The President's budget proposed that funding for the Cooperative Endangered Species Conservation fund be derived from LWCF. The House agrees to fund only the HCP land acquisition portion of the program from LWCF (\$86.5 million). The Senate does not fund any of the programs from LWCF.

The President's budget funded the North American Wetlands Conservation Fund at \$43.6 million, a slight increase over 2002. The House and Senate fund NAWCF at the request level. The President's budget had proposed that funding for the North American Wetlands Conservation fund be derived from LWCF. Neither the House nor the Senate agrees to this proposal.

The Senate funds the State and Tribal Wildlife Grants program at the President's budget level of \$60.0 million, the same as 2002. The House funds the program at \$100.0 million, an increase of \$40 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 House and Senate provide funding for the Neotropical Migratory Bird Conservation Fund in a separate account, consistent with 2002. The House provides \$5.0 million and the Senate provides \$3.0 million. The House and Senate increase remaining programs in the MNSCF by \$800,000 and \$1.5 million, respectively.

NPS Historic Preservation Fund

\$000					House +/-	House +/-	Senate +/-	Senate +/-
	<u>02 Enacted</u>	<u>03 Budget</u>	<u>House</u>	<u>Senate</u>	<u>02 Enacted</u>	<u>03 Budget</u>	<u>02 Enacted</u>	<u>03 Budget</u>
Historic Pres.	42,000	37,000	44,000	37,000	+2,000	+7,000	-5,000	0
Save Amer.								
Treasures	30,000	30,000	30,000	30,000	0	0	0	0
Natl Trust	<u>2,500</u>	<u>0</u>	<u>2,500</u>	<u>0</u>	<u>0</u>	<u>+2,500</u>	<u>-2,500</u>	<u>0</u>
Total	74,500	67,000	76,500	67,000	+2,000 +2.7%	+9,500 +14.2%	-7,500 -10%	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; last year Congress added \$2.5 million for this program.

The House provides a total of \$76.5 million, a \$9.5 million or 14.2% percent increase above the President's request. This includes an additional \$7.0 million for grants to States, Territories and Tribes, as well as an increase of \$2.5 million to provide funding for the National Trust.

The Senate provides a total of \$67.0 million, which is equal to the requested level and \$9.5 million less than the House level.

NPS Urban Parks and Recreation Recovery

\$000					House +/-	House +/-	Senate +/-	Senate +/-
	<u>02 Enacted</u>	<u>03 Budget</u>	<u>House</u>	<u>Senate</u>	<u>02 Enacted</u>	<u>03 Budget</u>	<u>02 Enacted</u>	<u>03 Budget</u>
UPARR	30,000	300	30,000	10,000	0	+29,700 +9900%	-20,000 -66.7%	+9,700 +3233.3%

The President's budget did not request funding for UPARR grants, however \$300,000 was requested to administer grants funded through previous appropriations. The House mark provides \$30.0 million; no change from the 2002 enacted level. The Senate provides \$10.0; \$9.7 million above the requested level but \$20.0 million below the 2002 enacted level.

Payments in Lieu of Taxes/Refuge Revenue Sharing

\$000					House +/-	House +/-	Senate +/-	Senate +/-
	<u>02 Enacted</u>	<u>03 Budget</u>	<u>House</u>	<u>Senate</u>	<u>02 Enacted</u>	<u>03 Budget</u>	<u>02 Enacted</u>	<u>03 Budget</u>
PILT (BLM)	210,000	165,000	230,000	220,000	+20,000 +9.5%	+65,000 +39.4%	+10,000 +4.8%	+55,000 +33.3%
Refuge Revenue Sharing (FWS)	14,414	14,414	19,414	14,414	+5,000 +34.6%	+5,000 +34.6%	0	0

The President's budget included \$165.0 million for BLM's Payments in Lieu of Taxes (PILT) program, a reduction of \$45.0 million from 2002. The House funds PILT at \$230.0 million and the Senate funds PILT at \$220.0 million, increases of \$20.0 million and \$10.0 million above 2002, respectively.

The President's budget funded the FWS National Wildlife Refuge Fund at the 2002 level of \$14.4 million. The House provides an increase of \$5.0 for the NWRF. The Senate provides funding at the President's request level.

Crosscutting and Regional Initiatives

Everglades Restoration

\$000					House +/-		Senate +/-	
	<u>02 Enacted</u>	<u>03 Budget</u>	<u>House</u>	<u>Senate</u>	<u>02 Enacted</u>	<u>03 Budget</u>	<u>02 Enacted</u>	<u>03 Budget</u>
Everglades	115,557	96,154	95,954	92,404	-19,603	-200	-23,153	-3,750
					-17.0%	-0.2%	-20%	-3.9%

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 from the NPS appropriation to the USGS appropriation.

The House Committee level includes \$96.0 million for Everglades restoration. This includes \$5.75 million for FWS land acquisition, \$13.3 million for the Modified Water Deliveries Project, and \$8.1 million for USGS activities. The Committee also funds Everglades research at the requested \$4.0 million level; however, funding is provided to the NPS rather than to the USGS as the President's budget had requested. The House also provides \$0.7 million to the BIA for tribal water studies, almost doubling the requested level.

The Senate Committee provides \$92.4 million. This includes \$13.3 million for the Modified Water Deliveries Project, \$2.5 million for FWS land acquisition, and \$12.2 million for USGS activities. Funding for Everglades research is provided in the USGS appropriation. BIA activities are funded at \$0.4 million.

Attachment 5 provides further detail on Everglades funding.

Columbia River Basin Salmon Recovery

\$000					House +/-		Senate +/-	
	<u>02 Enacted</u>	<u>03 Budget</u>	<u>House</u>	<u>Senate</u>	<u>02 Enacted</u>	<u>03 Budget</u>	<u>02 Enacted</u>	<u>03 Budget</u>
Funding for								
Biops								
BOR	11,000	15,000	*	*	*	*	*	*
FWS	<u>6,026</u>	<u>9,746</u>	<u>9,746</u>	<u>9,746</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total	17,026	24,746	*	*	*	*	*	*
Other CRB Salmon Funding								
BIA	400	400	400	400	0	0	0	0
USGS	510	510	510	510	0	0	0	0
BLM	1,500	1,500	1,500	1,500	0	0	0	0
FWS	<u>5,100</u>	<u>0</u>	<u>5,000</u>	<u>600</u>	<u>-100</u>	<u>+5,000</u>	<u>-4,500</u>	<u>+600</u>
Total	7,510	2,410	7,410	3,010	-100	+5,000	-4,500	+600
Grand Total			*	*	*	*	*	*

* At the time of this report, neither House nor Senate mark had been held on the Energy and Water Development bill.

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. Both the House and Senate Interior Bill fully fund the FWS

request. House and Senate action on the Energy and Water Development appropriation is pending.

In addition, the House and the Senate provide additional funding for programs that may assist in Salmon recovery in the Basin, but are not FWS requirements under the biological opinions. The House provides \$4.0 million in funding (under construction) for fish passage improvements in Washington, Oregon, Montana, and Idaho; \$500,000 to complete reproductive biology salmon research at Washington State University; and \$500,000 for the Columbia River estuary research project. The Senate provides \$600,000 for the Columbia River estuary research project.

Also of note, the House provides an additional \$20.0 million for nationwide fish passage projects (BLM - \$4.0 million; FS - \$14.0 million; and FWS \$2.0 million).

MAJOR LEGISLATIVE LANGUAGE ITEMS

Title I Provisions

ESA Listing Language. The President's budget continued bill language that establishes a separate spending "subcap" for critical habitat designation and reduces the subcap from \$6.0 million to \$5.0 million. The House and Senate sustain the language. (Title I, FWS Resource Management)

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

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 §118, Senate §116)

Tribal School Construction Demonstration Program. The President's budget proposed to eliminate language authorizing a demonstration program to provide grants to Indian Tribes for the construction of tribally controlled schools. The House does not include the provision, the Senate does. (Senate §120)

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. Both the House and Senate continue the language. (House §123, Senate §121)

FWS Horse and Burro Management. Consistent with the President's budget, the House and Senate continue language that authorizes the use of helicopters or motor vehicles to capture and transport horses and burros at the Sheldon and Hart NWR. (House §124, Senate §122)

South Fox Island. The President's budget proposed to eliminate a provision that prohibits the use of funds for approval of the transfer of lands on South Fox Island, Michigan until Congress has authorized the transfer. The Senate continues the provision. (Senate §123)

Cadiz Groundwater Storage. The House adds a provision that precludes 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)

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 continues the provision. (House §127)

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 continues the provision. (House §128)

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

Special Master/Court Monitor. The House adds a provision that precludes the Department of the Interior and the Department of Justice from compensating the Special Master and the Court 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 §132)

Special Trustee Advisory Board. The House adds a 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. (House §133)

Special Trustee Advisory Board. The House adds a 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*. (House §134)

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

Hatchery Salmon Marking. The House included language that requires FWS to implement a system of mass marking of salmonid stocks released from Federally operated or Federal financed hatcheries. (House §139)

Clark R. Bavin Forensic Lab, OR. The House included language within the Construction account permitting the full scope of the contract for the Forensic Lab. This project is to be funded in phases, and the language would allow the Service to contract for all phases of the project prior to funding being appropriated for all phases. (FWS Construction)

Kenai NWR, AK. The Senate included language within the Construction account permitting the full scope of the contract for constructing a visitor center on the refuge. (FWS Construction)

Great Salt Pond. The Senate included language under FWS Administrative Provisions authorizing FWS to award a grant of \$500,000 appropriated in FY 2002 for land acquisition to the Narragansett Indian Tribe for acquisition of the Great Salt Pond burial tract. (FWS Administrative Provisions)

NPS Associate Director Position. The House included language prohibiting the use of appropriated funds to pay for a new Associate Director position for Law Enforcement, Protection, and Emergency Services. (NPS ONPS)

NPS Denver Service Center. The House included language that bars the Denver Service Center from using appropriated funds to pay the salaries and expenses of more than 160 full time equivalent personnel. (NPS Construction)

Cape Sable Seaside Sparrow. The House included report language expressing concern about possible alterations to the Interim Operational Plan for the protection of the Cape Sable Seaside Sparrow. (NPS ONPS report language)

Natural Resource Challenge. As proposed in the budget, the Senate includes language that directs that \$9,000,000 from the NPS Natural Resource Challenge is for reimbursement of the United States Geological Survey for conduct of National Park Service natural resource challenge activities. (NPS ONPS)

John Adams Presidential Memorial. The NPS is authorized to obligate \$1.0 million to plan the John Adams Presidential memorial in cooperation with non-Federal partners. (Senate §127)

Royalty in Kind. The House and Senate both include bill 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)

Title III Provisions

Reciprocal Agreements for Firefighting. The House adds a provision that provides protection from tort liability to individuals that are working under the auspices of reciprocal agreements. (House §325)

Mine Patent Moratorium. As requested in the President's budget, the House and Senate continue the mine patent moratorium for an additional year. (House §307, Senate §308)

National Monuments. As requested in the President's budget, the House and Senate continue a prohibition on the use of funds to conduct mineral preleasing, leasing, and related activities within the boundaries of a national monument 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, Senate §322)

Grazing Permits. As requested in the President's budget, the House and Senate continue authorization for automatic extension of grazing permits if not acted on by BLM before permit expiration. (House §324, Senate §326)

Amendments in House Floor Action:

California OCS. The House bill includes a provision prohibiting the Department from approving exploration, development and production plans and applications for permits to drill on the 36 undeveloped California OCS leases. The amendment was adopted by a vote of 252 to 172.

Pennsylvania Avenue. The House agreed to reinstate bill language prohibiting planning, design or construction of improvements to Pennsylvania Avenue in front of the White House without approval of Committees on Appropriations.

Historical Accounting: The House agreed to a Rahall (D-WV) amendment to strike a 2003 limitation on the scope of the historical accounting for IIM accounts by a vote of 281 to 144 (Title I, OST).

Commission on Native American Policy: The House agreed to a Hayworth (R-AZ) amendment to strike a legislative provision added in Full Committee mark establishing a Commission on Native American Policy by a vote of 273 to 151.

Everglades: Provisions to direct the Corps of Engineers to proceed with alternative 6D for the Everglades Mod Water project and to ensure participation by the Secretary of the Interior in the Everglades RECOVER task force were struck as legislation in an appropriations bill on points of order made by Mr. Hansen.

Klamath: The House defeated (201-223) a Blumenauer amendment to prohibit new commercial farming leases in the Lower Klamath and Tule Lake NWRs.

Fire: The House defeated a Shadegg (R-AZ) amendment to reduce BLM land acquisition from \$49 million to \$13 million and increase BLM wildland fire by \$23 million(153-269).

Bear River NWR: The House adopted, by a voice vote, an amendment by Mr. Hansen to transfer \$1.8 million from Grand Staircase land acquisition to construction of the Bear River NWR education center.

Earmarks: Flake (R-AZ). The Chair sustained a point of order against a Flake amendment to prohibit the use of any funding for entities not specifically identified by

name as recipients in this Act. (Would have prohibited use of fund for report language earmarks.)

Technical Notes

All amounts are current dollars.

All years referred to are fiscal years unless otherwise noted.

Comparisons of House and Senate action in this document are to 2002 enacted to date appropriations (including supplemental appropriations) and the 2003 President's budget as scored by Congressional 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

			Committee Action	
	2002 Enacted	03 Budget	House	Senate
OMB Scoring	9,611,953	9,641,218	9,959,640	9,817,331
Committee Scoring	9,496,419*	9,450,753	9,769,175	9,626,866

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

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.