



UNITED STATES
DEPARTMENT OF THE INTERIOR
Director of Budget

**SUMMARY: HOUSE COMMITTEE ACTION ON THE FISCAL YEAR
2005 INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL**

The House Appropriations Committee reported the Fiscal Year 2005 Interior and Related Agencies Appropriations bill on June 9, 2004. House floor action is anticipated on June 16. House Subcommittee action on the bill took place on June 3. The Subcommittee adopted the measure with a voice vote, unanimously agreeing to its passage without amendment. In the June 9 meeting, the full Appropriations Committee considered several funding amendments, adopted two language amendments, and reported out the bill on a voice vote.

Funding Overview

For all programs funded in the bill, the House Committee recommends \$19.76 billion, \$220.4 million or 1.2 percent below the President's budget request of \$20.0 billion.

For Department of the Interior programs, the Committee bill provides \$9.76 billion in regular 2005 appropriations. This is \$213.3 million or 2.1 percent less than the President's budget and \$10.0 million or 0.1 percent above the 2004 enacted level (not including funds provided in 2004 to repay 2003 fire costs).

In addition to regular 2005 appropriations, the Committee bill also provides \$1.0 billion in supplemental appropriations for wildland fire suppression by the Department of the Interior and the U.S. Forest Service for 2004 and 2005. The bill earmarks \$200 million of this supplemental fire funding for Interior agencies.

In general, the House's budget recommendations increase funding for core Interior operating programs while reducing funds for grant programs and new land acquisition projects. With few exceptions the House bill funds most bureaus, offices, and programs below the levels recommended in the President's budget. The House Committee bill reduces funding and caps spending for historical accounting at \$58 million. The Committee bill restores funding for BIA school construction to the 2004 level, adding \$65.5 million.

For the priorities requested in the President's budget, the House Committee provides the following:

Cooperative Conservation Programs: The 2005 President's budget included \$507.3 million for cooperative conservation programs in the Department of the Interior, an increase of \$84.2 million or 20 percent above 2004. The House Committee provides \$389.4 million for these programs, a reduction of \$117.9 million from the request.

In comparison with the \$129.5 million budget request, the House Committee recommendation for the Cooperative Conservation Initiative includes \$90.9 million for the following components:

- The House Committee bill does not fund conservation challenge cost share grants and provides \$18.8 million for traditional challenge cost share grants. The budget request included \$54.0 million for challenge cost share programs, an increase of \$13.3 million above 2004, comprised of \$29.6 million for conservation challenge cost share grants and \$24.4 million for traditional challenge cost share grants.
- The bill funds the FWS Coastal program at the level requested in the budget, \$13.1 million.
- Migratory Bird Joint Ventures are funded at \$10.4 million, as compared to the request of \$11.4 million.
- The FWS Partners for Fish and Wildlife program is funded at \$48.0 million, as compared to the budget request of \$50.0 million.
- Take Pride in America is funded at \$497,000, the same as the 2004 funding level, but below the request of \$1.0 million.

For other cooperative conservation grant programs, the House bill provides \$207.1 million as compared to the President's budget request of \$284.0 million.

- The House bill includes \$15.0 million for Landowner Incentive grants and \$5.0 million for Private Stewardship grants. The budget included \$50.0 million for the Landowner Incentive grant program and \$10.0 million for Private Stewardship grants.
- The bill funds FWS conservation grants at \$197.4 million, the same as 2004 but \$36.1 million below the requested level of \$233.5 million. The bill provides \$81.6 million for Cooperative Endangered Species Conservation Fund grants; \$38.0 million for North American Wetlands Conservation Fund grants; and \$67.5 million for State and Tribal Wildlife grants.

LWCF: The 2005 budget request fully funded LWCF at \$900.2 million including \$660.6 million for Department of the Interior programs. The House Committee bill funds \$261.4 million for Interior programs from LWCF, including \$33.0 million for Federal acquisition, \$91.5 million for LWCF State assistance grants, \$67.5 million for State and Tribal Wildlife grants, \$20.0 million for Landowner Incentive and Private Stewardship grants, and \$49.4 million for a portion of the Cooperative Endangered Species Conservation Fund.

BIA School Construction: The House funds school construction at \$294.6 million, an increase of \$65.5 million above the request, restoring the program to the 2004 level. Of the House increase, \$7.0 million is for facilities improvement and repair and \$58.5 million is to begin replacement of the highest priority schools on the recently published 2004 priority list.

Wildland Fire/Healthy Forests Initiative: The House funds the Wildland Fire Management program at the request level of \$743.1 million. Included in the House mark are requested increases of \$25.0 million for hazardous fuels reduction activities and \$28.6 million for suppression. In addition, in Title IV of the bill, the House provides

a contingent supplemental appropriation of \$1.0 billion, which includes \$100.0 million for the Department in each of 2004 and 2005 for suppression operations.

Preserve America: The House does not provide the Administration's request of \$10.0 million for the new Preserve America initiative. The House restores a total of \$18.9 million in reductions proposed in the budget for heritage areas and statutory and contractual aid.

NPS Natural Resource Challenge: The budget request included increases of \$4.1 million for expanded inventory & monitoring activities and \$528,000 for water quality monitoring. The House bill funds the request, providing a total of \$77.6 million.

Trust Programs: The President's budget (as amended) included a total of \$609.4 million for trust programs in BIA, the Office of the Special Trustee, and Indian Land Consolidation. The House Committee bill provides a total of \$520.1 million. This is a decrease of \$89.3 million below the requested level, but an increase of \$66.7 million above 2004. The House provides all the increases requested except for historical accounting, land consolidation and BIA IT.

The bill caps historical accounting at \$58.0 million, a decrease of \$51.4 million from the request, but an increase of \$13.6 million above 2004. The bill provides \$42.0 million for Indian Land Consolidation, a decrease of \$28.0 million below the request, but an increase of \$20.3 million (almost 100%) above 2004. The bill provides \$57.3 million for BIA IT enhancements, a decrease of \$9.9 million below the request, but an increase of \$19.0 million above 2004.

Abandoned Mine Lands Reclamation: The House funds the Abandoned Mine Lands program at \$173.5 million, the FY 2004 enacted level. This is \$49.8 million less than the President's budget. The Committee bill does not provide \$53.0 million for the Administration's proposed payout for certified States under the AML program. Committee report language states support for the Administration's legislative proposal and urges the authorizing committees to act on the proposal.

Land Management Operating Programs: While funding park operations at the budget request level of \$1.7 billion, the House Committee bill provides an across-the-board increase of \$32.7 million for park base operations above the \$22.0 million increase for park base operations included in the budget request. The increase for park base funding is offset within the park operating account by reductions in programs including repair and rehabilitation, conservation challenge cost share grants, and law enforcement.

The President's budget request included \$951.0 million for the Fish and Wildlife Service's operating account, Resource Management. The House Committee provides \$970.5 million, an increase of \$19.5 million over the request, primarily reflecting the restoration of Congressional earmarks. For refuge operations, the House provides \$389.4 million, an increase of \$1.8 million over the President's request, increasing funding for invasives control, cooperative projects, staffing, and visitor services.

BLM's primary operating accounts are funded at \$952.0 million, a reduction of \$1.6

million below the President's budget request. Within this funding level, the House funded the Wild Horse and Burro increase of \$10.5 million without offsetting reductions to other programs and restored a number of congressional earmarks. The budget request included a proposal to increase monitoring by \$4.0 million comprised of \$2.0 million in new funds and \$2.0 million in redirected base funding. The House bill does not fund the \$2.0 million increase in new funds, but accepts the redirection of \$2.0 million in base funding.

Law Enforcement: The President's budget included \$536.1 million for the Department's law enforcement programs, an increase of \$23.3 million over 2004. Within this amount, the House provides increases above the request of \$2.0 million for BLM for California desert rangers and southwest border activities and \$2.0 million for FWS law enforcement vehicles, law enforcement activities and ports of entry. The House reduces funding by 32.4 million below the request for NPS regional special agents and the law enforcement information system (IMARS) and reduces funding for the Office of Law Enforcement by \$400,000.

Water 2025: The 2005 budget included an increase of \$800,000 for water availability (Water 2025) projects in the Lower Colorado and the Great Lakes, as well as a proposal to absorb \$200,000 in the National Cooperative Geologic Mapping program for Water 2025 efforts. The House provides the \$800,000, but focuses the entire amount to work on the pilot project in the Great Lakes. Report language also directs USGS to seek funding in future budgets to expand the program nationwide.

PILT: The House funds the Payments in Lieu of Taxes program at \$226.0 million, the request level and \$1.3 million over the 2004 enacted level.

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

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. Attachments 3 and 4 provide a summary of land acquisition and construction.

FUNDING LEVELS

Cooperative Conservation Initiative

	<u>04 Enacted</u>	<u>05 Budget</u>	<u>House</u>	<u>House +/- 04 Enacted</u>	<u>House +/- 05 Budget</u>
CCI Conservation Challenge Cost Share Program:					
Bureau of Land Management	7,408	10,000	0	-7,408	-10,000
Fish and Wildlife Service	5,927	7,600	0	-5,927	-7,600
National Park Service	<u>7,871</u>	<u>11,996</u>	<u>0</u>	<u>-7,871</u>	<u>-11,996</u>
Subtotal	21,206	29,596	0	-21,206	-29,596
Traditional Challenge Cost Share Grants:					
Bureau of Land Management	8,769	11,000	7,500	-1,269	-3,500
Fish and Wildlife Service	3,827	4,400	4,400	+573	0
National Park Service				0	0
Traditional	1,950	3,978	1,950	0	-2,028
Lewis & Clark	<u>4,902</u>	<u>4,996</u>	<u>4,902</u>	<u>0</u>	<u>-94</u>
Subtotal	19,448	24,374	18,752	-696	-5,622
Other CCI Programs:					
Fish and Wildlife Service					
Coastal Program	10,186	13,060	13,135	+2,949	+75
Migratory Bird Joint Ventures	10,225	11,449	10,449	+224	-1,000
Partners for Fish & Wildlife	42,401	50,000	48,022	+5,621	-1,978
Departmental Management					
Take Pride in America	493	1,000	497	+4	-503
TOTAL CCI	<u>103,959</u>	<u>129,479</u>	<u>90,855</u>	-13,104	-38,624
				-12.6%	-29.8%

The President's budget included \$129.5 million for the Cooperative Conservation Initiative, reflecting increases of \$25.5 million over 2004 funding levels. The 2005 request included \$54.0 million for conservation and traditional challenge cost share programs. Overall, the House provides \$90.9 million, or 70.2 percent of the request, for CCI.

Challenge Cost Share: The House eliminates conservation challenge cost share grants in their entirety, a reduction of \$29.6 million. The traditional challenge cost share program is reduced by \$5.6 million from the request level of \$24.4 million to \$18.8 million.

Coastal Program. The House funds the Fish and Wildlife Service's Coastal program at \$13.1 million, comparable to the request and \$2.9 million above the 2004 level. The House restores \$675,000 for Congressional earmarks within this level and offsets this increase with reductions in regional and Washington Office support.

Joint Ventures. The House funds the Migratory Bird Joint Ventures program at \$10.4 million, \$1.0 million below the request but \$224,000 above enacted. The Committee

directs the Service to provide a \$201,000 increase for implementing the recommendations of the North America Waterfowl Management Plan.

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

Take Pride in America: The House provides \$497,000 of the \$1.0 million requested for Take Pride in America, a decrease of 50 percent from the request.

Landowner Incentive Program/Private Stewardship Grants

\$000	<u>04 Enacted</u>	<u>05 Budget</u>	<u>House</u>	House +/- <u>04 Enacted</u>	House +/- <u>05 Budget</u>
Landowner Incentive Stewardship Grants	29,630	50,000	15,000	-14,630	-35,000
	7,408	10,000	5,000	-2,408	-5,000
Totals	37,038	60,000	20,000	-17,038 -46.0%	-40,000 -66.7%

The President’s budget included \$50.0 million for the Landowner Incentive program and \$10.0 million for the Private Stewardship Grants program. The House provides \$15.0 million and \$5.0 million, respectively, for these programs. This is a \$40.0 million reduction from the requested level. Report language states that, given the constrained funding for 2005, the Committee focused funding on core, “mission-essential programs” and that these grant programs should only be funded in addition to, and not at the expense of, such programs.

Fish and Wildlife Service Grants

\$000	<u>04 Enacted</u>	<u>05 Budget</u>	<u>House</u>	House +/- <u>04 Enacted</u>	House +/- <u>05 Budget</u>
CESCF	81,596	90,000	81,596	0	-8,404
NAWCF	37,532	54,000	38,000	+468	-16,000
Wildlife Grants	69,137	80,000	67,500	-1,637	-12,500
Multinational Species Conservation	5,531	9,500	5,900	+369	-3,600
Neotropical Birds	3,951	[4,000]	4,400	+449	+4,400
Totals	197,747	233,500	197,396	-351 -0.2%	-36,104 -15.5%

The President's budget requested \$233.5 million for FWS conservation grants. The House reduces funding to \$197.4 million, a \$36.1 million decrease compared to the requested level and virtually the same as the 2004 enacted level.

Cooperative Endangered Species Conservation Fund: The President's budget included \$90.0 million for the Cooperative Endangered Species Conservation Fund, a \$8.4 million increase over 2004. The House funds CESCOF grants at \$81.6 million, or equal to the 2004 enacted level. The bill language provides that only \$49.4 million is to be derived from the Land and Water Conservation Fund. Report language specifies that this portion includes the HCP land acquisition program.

North American Wetlands Conservation Fund: The budget request included \$54.0 million for the North American Wetlands Conservation Fund, a \$16.5 million increase over 2004. The House mark provides \$38.0 million, \$468,000 above the 2004 level and \$16.0 million below the President's request. The report language states the mark is a \$15.4 million decrease to the budget request for wetlands conservation grants and a \$640,000 decrease for program administration.

State and Tribal Wildlife Grants: The budget requested \$80.0 million for State and Tribal Wildlife Grants, an increase of \$10.9 million from 2004. The Committee provides \$67.5 million, a decrease of \$12.5 million compared to the request, and \$1.6 million less than the 2004 enacted level. The Committee earmarks \$6.0 million for the Tribal grant portion of the program.

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

Multinational Species Conservation Fund and Neotropical Birds: The budget request funded the Multinational Species Conservation Fund at \$9.5 million, including \$4.0 million for Neotropical Birds. The House bill funds these activities at \$10.3 million including separate appropriations of \$5.9 million for the Multinational Species Conservation Fund and \$4.4 million for Neotropical Birds.

Stateside LWCF Grants

	<u>04 Enacted</u>	<u>05 Budget</u>	<u>House</u>	House +/- <u>04 Enacted</u>	House +/- <u>05 Budget</u>
Grants	91,360	91,360	90,000	-1,360	-1,360
Administration	<u>2,469</u>	<u>2,469</u>	<u>1,500</u>	<u>-969</u>	<u>-969</u>
Total	93,829	93,829	91,500	-2,329	-2,329
				-2.4%	-2.4%

The President's budget requested \$93.8 million for the LWCF State grants comprised of \$91.3 million for grants and \$2.5 million for administration. The House bill funds a total of \$91.5 million, including \$90.0 million for grants and \$1.5 million for administration. Funding for administration of the grants is 39.2 percent below 2004 and the request.

Federal LWCF Land Acquisition

	<u>04 Enacted</u>	<u>05 Budget</u>	<u>House</u>	House +/- <u>04 Enacted</u>	House +/- <u>05 Budget</u>
BLM	18,371	24,000	4,500	-13,871	-19,500
FWS	38,122	45,041	12,500	-25,622	-32,541
NPS	<u>41,767</u>	<u>84,295</u>	<u>16,000</u>	<u>-25,767</u>	<u>-68,295</u>
Total	98,260	153,336	33,000	-65,260	-120,336
				-66.4%	-78.5%

The President's budget request contained \$153.3 million for Federal land acquisition, including project funding of \$114.0 million. The balance of the budget request, \$39.4 million, was for acquisition management, inholdings, emergency acquisitions, and land exchanges. The House mark for Interior land acquisition eliminates funding for the 41 requested line-item projects and provides a total of \$33.0 million for emergencies and hardships, exchanges, and acquisition management in the bureaus.

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

BLM: The \$4.5 million in BLM provides \$1.0 million, instead of \$1.5 million, for emergencies and hardships, the requested \$3.0 million for acquisition management, and \$500,000 for land exchange equalization payments. Project funding not provided in the Committee bill include \$3.5 million for Chain-of-Lakes Recreation Management Area/Lewis and Clark National Historic Trail in Montana and \$2.7 million for the Rio Grande National Wild and Scenic River in New Mexico.

FWS: The \$12.5 million for FWS includes decreases from the request of \$1.5 million for inholdings, \$1.0 million for emergencies and hardships, \$500,000 for exchanges, and \$365,000 for acquisition management. Among the projects not funded are \$2.6 million for Baca NWR in Colorado and \$4.6 million for Upper Klamath Lake NWR in Oregon. The \$10.0 million requested in FWS land acquisition for the Quinault Indian Reservation in Washington is provided instead under the Indian Land and Water Settlements account in BIA.

NPS: The \$16.0 million for NPS includes decreases of \$1.0 million for emergencies and hardships, \$1.0 million for inholdings, and \$511,000 for acquisition management. Among the projects not funded are the \$40.0 million for Big Cypress (Collier) minerals buy-out in Florida, \$2.2 million for Flight 93 National Memorial in Pennsylvania, and \$5.0 million for Civil War battlefields.

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

Land Management Operations

National Park Service Operations

\$000				House +/-	House +/-
	<u>04 Enacted</u>	<u>05 Budget</u>	<u>House</u>	<u>04 Enacted</u>	<u>05 Budget</u>
ONPS	1,609,561	1,686,067	1,686,067	+76,506 +4.8%	0 ---

The President's FY 2005 budget request provided an increase of \$76.5 million for the National Park Service's operating account. The request included an increase of \$13.2 million for the repair and rehabilitation program, consisting of \$8.2 million for projects targeted to improve the conditions of priority buildings, \$3.0 million for the removal of hazardous structures, and \$2.0 million in funding for condition assessments. An additional \$1.8 million was requested for general facility maintenance. In support of the Secretary's law enforcement reforms, the budget included \$1.2 million for regional special agents, \$300,000 for headquarters staff, and \$2.2 million to maintain a service-wide incident management, analysis, and reporting system (IMARS). The budget request included \$992.4 million for park base operations, a \$22.0 million increase above the 2004 enacted level.

The House funds the operating account at the request level, but realigns funding within this amount. An across-the-board increase of \$32.7 million is provided for park base operations, an increase above the \$22.0 million increase request. This increase is offset by the following reductions to the President's budget: -\$1.2 million for regional special agents and -\$2.2 million for IMARS; -\$8.2 million for priority repair and rehabilitation projects, -\$3.0 million for the demolition and removal of hazardous structures, and -\$1.8 million for general facility maintenance; -\$12.0 million for conservation challenge cost share grants; -\$2.0 million for traditional challenge cost share grants; -\$94,000 for Lewis & Clark challenge cost share grants; -\$850,000 for the Volunteers-in-Parks program and coordination; -\$500,000 for Management Accountability Review; and -\$871,000 for E Government Projects.

The House Committee report language directs the NPS to implement GAO recommendations concerning the National Park Foundation. Report language also directs NPS to contract with the National Academy of Public Administration for a comprehensive review of its priority setting and strategic planning processes. House bill language is included in the Construction account prohibiting the Park Service from entering into partnership projects in excess of \$5 million without Committee approval.

NPS Natural Resource Challenge

\$000				House +/-	House +/-
	<u>04 Enacted</u>	<u>05 Budget</u>	<u>House</u>	<u>04 Enacted</u>	<u>05 Budget</u>
Natural Resource Challenge	73,186	77,602	77,602	+4,416 +6.0%	0 ---

The 2005 budget request included a total of \$77.6 million for the Natural Resource Challenge, an increase of \$4.4 million from the 2004 enacted level and a cumulative increases in the Natural Resource Challenge program of \$149.6 million over four years (2002-2005) when compared to 2001 funding. The House bill funds the Administration's request.

Everglades Restoration

\$000	<u>04 Enacted</u>	<u>05 Budget</u>	<u>House</u>	House +/-	House +/-
				<u>04 Enacted</u>	<u>05 Budget</u>
Everglades	69,057	105,905	TBD	TBD	TBD
				TBD	TBD

The 2005 budget included \$105.9 million for Everglades restoration, an increase of \$36.8 million over the 2004 enacted level. This increase is mainly attributable to a request of \$40.0 million to acquire Collier family mineral rights in Big Cypress National Preserve. The President's budget also includes \$3.9 million for Everglades research within the NPS appropriation. The House bill eliminates funding to acquire mineral rights from the Collier family, a reduction of \$40.0 million.

House report language reminds the Department to ensure that the scientific research needs of the land management agencies involved in the Everglades restoration effort are met. Accordingly, the Committee directs the Department to submit a report by November 15, 2004 describing the scientific research projects planned for 2005.

U.S. Park Police

\$000	<u>04 Enacted</u>	<u>05 Budget</u>	<u>House</u>	House +/-	House +/-
				<u>04 Enacted</u>	<u>05 Budget</u>
Park Police	77,887	81,204	81,204	+3,317	0
				+4.3%	---

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

House report language urges the NPS and the Department to deal with fiscal and management problems of the Park Police before December, 2004.

Fish and Wildlife Service

\$000	<u>04 Enacted</u>	<u>05 Budget</u>	<u>House</u>	House +/-	House +/-
				<u>04 Enacted</u>	<u>05 Budget</u>
Resource Management	956,482	950,987	970,494	+14,012	+19,507
				+1.5%	+2.1%

The President's budget funded FWS operations at \$951.0 million, a \$5.5 million decrease from the 2004 enacted level (reflecting the reduction for a one-time transfer of funding from the Park Service for water quality monitoring at Loxahatchee NWR). Within this funding level the budget proposed key program increases including: \$5.1 million for

listing activities; \$4.6 million for migratory bird management programs; \$7.6 million for the Partners for Fish and Wildlife program; and \$2.9 million for the Coastal program.

For FWS operations, the House provides \$970.5 million, \$19.5 million more than the request and \$14.0 million above the 2004 level, including the following:

Ecological Services:

- The House provides an increase of \$1.6 million over the 2004 enacted level for the Endangered Species program. This is \$9.15 million more than the President's request. Details are provided below in the Endangered Species section of this document.
- The House funds an increase of \$5.6 million over the 2004 enacted level for the Partners program, a \$2.0 million decrease from the 2005 request. The house bill does not fund requested increases for Tamarisk (\$1.1 million requested), and only provides \$1.0 million for the High Plains Partnership (\$5.0 million requested), and \$1.0 million for Klamath Basin restoration activities (\$6.2 million requested). Earmarks include:
 - +\$2.0 million for competitive, non-specific invasive species control projects;
 - +\$1.4 million for Washington regional fisheries enhancement groups;
 - +\$750,000 for the Walla Walla Basin HCP;
 - +\$500,000 for Walla Walla basin fish passage improvements;
 - +\$180,000 for New Jersey meadowlands technical assistance;
 - +\$800,000 for restoration in the Tunkhannock and Bowman's Creek watersheds in Pennsylvania;
 - +\$1.0 million for fish passage improvements on the west branch of the Susquehanna River;
 - +\$1.0 million for Georgia streambank restoration; and
 - +\$700,000 for spartina grass control at Willapa Bay.
- The House provides an increase of \$570,000 over the President's request for the Project Planning program. Changes compared to the request include:
 - +\$300,000 for Portland Metro Greenspaces;
 - +\$170,000 to restore the base program; and
 - +\$100,000 to continue operations at the Cedar City, UT ecological services office.
- The House provides a net increase of +\$75,000 compared to the President's request for the Coastal program. Changes to the request include:
 - +\$175,000 for the Hood Canal Salmon Enhancement Group;
 - +\$200,000 for Long Live the Kings;
 - +\$300,000 to restore funding for the Tampa and Florida panhandle field offices;
 - -\$400,000 to decrease regional offices support; and
 - -\$200,000 to decrease Washington office support.

Refuges and Wildlife

- The House provides a net increase of \$1.8 million over the President's request for Refuge Operations and Maintenance, for a total of \$389.4 million. Changes to the request include:

- +\$700,000 to restore funding for Spartina grass control at Willapa Bay NWR;
 - +\$2.0 million for cooperative projects with friends groups on invasive species control;
 - +\$1.0 million for invasive species projects at Loxahatchee NWR;
 - +\$670,000 to restore the base operations programs that support habitat improvement;
 - +\$2.0 million to continue minimum staffing implementation;
 - +\$100,000 for Caribbean national wildlife refuges;
 - +\$2.0 million for the visitor facilities enhancement program;
 - +\$1.9 million to restore base operations programs that support visitor services;
 - -\$1.0 million for invasive species strike teams; and
 - -\$7.6 million the CCI conservation challenge cost share program.
- The House provides a total of \$35.7 million for migratory bird management activities. This is a reduction of \$1.0 million from the President's request and is directed to the Joint ventures program. Report language stipulates that the Committee provides a \$201,000 increase above the 2004 level for implementing the recommendations of the North American Waterfowl Management Plan.
 - The House provides \$53.4 million for Law Enforcement program activities. This is a \$2.0 million increase over the requested level. Changes to the President's request include:
 - +\$250,000 for operations at the Atlanta port of entry;
 - +\$450,000 for operations at the Louisville, KY port of entry;
 - +\$450,000 for a general increase in law enforcement operations; and
 - +\$900,000 to partially restore the requested reduction for vehicle replacement.

Fisheries:

- The House provides \$59.5 million for Hatchery Operations and Maintenance, a \$2.5 million increase over the President's request. This increase is earmarked for hatchery maintenance in the Washington hatchery improvement program. Report language also states that the proposed transfer of \$160,000 in hatchery operations base funding to the Bureau of Reclamation has been restored in the fish and wildlife management subactivity for general program activities and is to be used for habitat restoration.
- For Fish and Wildlife Management, the House provides \$54.4 million, a \$7.6 million increase over the President's request. Changes from the request include:
 - +\$100,000 to restore anadromous fish management general program activities;
 - +\$200,000 to partially restore fish and wildlife assistance general program activities'
 - +\$160,000 for habitat restoration'
 - +\$2.5 million to restore the fish passage program'
 - +\$180,000 to restore the aquatic nuisance control program'
 - +\$2.1 million for Washington State salmon mass marking of hatchery fish;
 - +\$1.0 million to partially restore the whirling disease research program;

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

General Administration:

- The House mark of \$133.2 million for General Administration is a net decrease of \$1.3 million from the President’s request. Changes from the request include:
 - -\$2.0 million for the science excellence initiative;
 - +\$330,000 for the National Fish and Wildlife Foundation; and
 - +\$400,000 for the Wildlife Without Borders program within International Affairs.
- House report language also notes that the Service should continue to modify its Cost Allocation Methodology. It also states that the Service should continue and intensify its efforts to collect reimbursements for fisheries mitigation efforts and use those funds to address habitat restoration and conservation. Funds should not be deducted from the Service’s budget on the hope of getting reimbursement from others.

FWS Endangered Species Program

\$000	<u>04 Enacted</u>	<u>05 Budget</u>	<u>House</u>	<u>House +/- 04 Enacted</u>	<u>House +/- 05 Budget</u>
Candidate Conservation	9,808	8,610	10,110	+302	+1,500
Listing	12,135	17,226	16,226	+4,091	-1,000
Consult/ HCP	47,146	45,450	47,200	+54	+1,750
Recovery	67,905	58,154	65,054	-2,851	+6,900
Totals	136,994	129,440	138,590	+1,596 +1.2%	+9,150 +7.1%

The President’s budget included a total of \$129.4 million for the endangered species program, a \$7.6 million reduction from the 2004 level. This request included \$17.2 million for the listing program, an increase of almost \$5.1 million. The House provides a total of \$138.6 million for the endangered species program, a \$9.1 million increase compared to the request.

- In the Candidate Conservation program, the House provides a \$1.5 million increase over the requested level. Changes to the President’s request include:
 - +\$300,000 for Idaho sage grouse;
 - +\$750,000 for Alaska sea otter;
 - +\$50,000 for slickspot peppergrass;
 - +\$100,000 for Tahoe yellow cress; and
 - +\$300,000 for the Fisher (*Martes pennanti*).
- In the Listing program, the House provides \$16.2 million, of which \$12.7 million is for critical habitat designations. This is a decrease of \$1.0 million compared to the requested level for critical habitat designations.

- In the Consultation program, the House provides \$47.2 million, an increase of \$1.7 million compared to the requested level. This increase is for the Natural Communities Conservation Planning program.
- In the Recovery program, the House provides \$65.1 million, an increase of \$6.9 million compared to the President’s request. Changes to the request include:
 - +\$1.5 million for base programs;
 - +\$1.0 million for the Platte River recovery program;
 - +\$1.5 million for wolf monitoring;
 - +\$2.0 million for Pacific Salmon grants through the National Fish and Wildlife Foundation;
 - +\$700,000 for the Upper Colorado River recovery program; and
 - +\$200,000 for Florida manatee rescue and carcass salvage.

Bureau of Land Management Operations

\$000				House +/-	House +/-
	<u>04 Enacted</u>	<u>05 Budget</u>	<u>House</u>	<u>04 Enacted</u>	<u>05 Budget</u>
MLR	839,848	837,462	840,401	+553	+2,939
O&C	<u>105,357</u>	<u>116,058</u>	<u>111,557</u>	<u>+6,200</u>	<u>-4,501</u>
Total	945,205	953,520	951,958	+6,753	-1,562
				+0.7%	-0.2%

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

The House bill supports the \$10.5 million increase for the Wild Horse and Burro program to implement a long-term plan for achieving and maintaining appropriate management levels for wild horse and burro populations. However, the Appropriations Committee did not support the offsetting reductions included in the BLM budget to make the WH&B proposal budget neutral. The other major change from the budget request is a \$13.5 million reduction for the challenge cost share program, funding the program at only \$7.5 million. This represents a \$8.7 million reduction from the 2004 enacted level.

Other changes from the President’s Budget include the following:

- In Land Resources, the Committee restores \$1.0 million for the San Pedro (watershed) Partnership and \$1.0 million of the \$1.2 million reduction proposed for rangeland health monitoring.
- In Wildlife and Fisheries, the Committee mark provides \$2.7 million of the \$3.2 million increase requested for the sage grouse habitat conservation strategy and \$600,000 of the \$1.0 million increase requested for Columbia River salmon recovery efforts. The Committee also provides a \$500,000 increase for the National Fish and

Wildlife Foundation.

- In Recreation Management, the Committee provides a general increase of \$1.6 million for nationwide recreation management support.
- In Energy and Minerals, the Committee expresses concern that the \$4.0 million in cost recoveries assumed in the budget will not be realized, and therefore restored \$2.5 million of the proposed \$4.0 million reduction in appropriations to avoid any negative impact on program performance.
- In Resource Protection and Maintenance, the House mark provides a \$600,000 general increase for law enforcement officers; the requested increase of \$600,000 was for IMARS (\$508,000) and for border security (\$92,000). The Committee rejects the proposed decrease of \$790,000 for the mitigation of resource degradation along the southwest border, and instead provides a \$1.0 million increase over the enacted level for this purpose. Similarly, the Committee rejects the proposed \$395,000 reduction for California desert rangers and instead provides a \$1.0 million increase over the enacted level for this purpose. The Committee accepts the proposed \$494,000 reduction for Imperial Sand Dunes law enforcement.
- The BLM budget request proposed a \$4.0 million increase in the Resource Management Planning subactivity for resource monitoring. The \$4.0 million increase was comprised of \$2.0 million in new funds and \$2.0 million in redirected base funding. The Committee does not fund the \$2.0 million increase in new funds, but accepts the redirection of \$2.0 million in base funding.
- In Transportation and Facilities Maintenance, the Committee restores \$1.0 million of a proposed \$2.0 million reduction for removing fish passage barriers.
- The Committee does not support the requested increases of \$583,000 for Quicksilver/E-Gov, \$570,000 for competitive sourcing studies, or \$208,000 for Quickhire.

In the Oregon and California Grant Lands appropriation, the Committee provides \$4.0 million of the \$7.0 million increase requested to support the revision of six resource management plans in western Oregon. The revision of these RMPs is part of the Federal Government's settlement of a lawsuit brought by the American Forest Resource Council. The Committee appears to support the requested increase of \$788,000 in new funds, and the refocusing of \$3.7 million in Jobs-in-the-Woods funds to accelerate forest-thinning treatments to help achieve old growth characteristics in Late Successional Reserves. This will also meet the terms of the settlement agreement with AFRC. It appears that the Committee only provides approximately \$1.0 million of the \$2.5 million requested to begin repaying the \$12.3 million owed to the Department of the Treasury Judgment Fund for Northwest Forest Plan-related court judgments.

Wildland Fire Management

\$000				House +/-	House +/-
	<u>04 Enacted</u>	<u>05 Budget</u>	<u>House</u>	<u>04 Enacted</u>	<u>05 Budget</u>
Preparedness	274,303	283,018	262,644	-11,659	-20,374
Suppression	192,903	221,523	221,523	+28,620	0
Repay	98,416	0	0	-98,416	0
Subtotal - Suppression	291,319	221,523	221,523	-69,796	-20,374
Other Ops					
WUI Fuels	109,884	135,116	135,116	+25,232	0
non-WUI	74,012	74,166	74,166	+154	0
Rehab	24,198	24,276	24,276	+78	0
RFA	9,877	5,000	5,000	-4,877	0
Facilities	[12,222]	[12,374]	12,374	+152	+12,374
Fire Science	[7,901]	[8,000]	8,000	+99	+8,000
04 Cont. Supp			[100,000]	--	--
05 Cont. Supp			[100,000]	--	--
Total	783,593	743,099	743,099	-40,494	0
				-5.2%	

The House shifts funding for facilities and fire science from the Preparedness Activity to the Other Operations Activity.

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

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

The House mark funds the Wildland Fire Management program at the request level, and shifts funds for facilities and fire science from the Preparedness activity to the Other Operations Activity. In addition, in Title IV of the bill, the Committee provides a contingent supplemental appropriation of \$100.0 million in each of 2004 and 2005 for suppression operations, provided that cost containment measures are implemented for FY 2004 and the Secretary submits a report on these cost containment measures by December 31.

Unified Trust Budget

\$000				House +/-	House +/-
	<u>04 Enacted</u>	<u>05 Budget*</u>	<u>House</u>	<u>04 Enacted</u>	<u>05 Budget</u>
Unified Trust *	453,369	609,439	520,116	+66,747 +14.7%	-89,323 -14.7%

Note: All amounts included in BIA or OST, as described in the following sections.

* Reflects FY 2005 Budget Amendment which reduced ILCA amount by \$5 million.

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

An additional \$48.3 million for Indian land consolidation was requested to provide for significant expansion of efforts to reduce the fractionation of individual land ownership interests under a nationwide program. This multi-year effort, together with proposed new legislative initiatives on probate and fractionated lands would be a proactive step towards bringing these lands to more economically productive status for tribes. (The budget's original increase request for ILCA of \$53.3 million was reduced by \$5 million in a budget amendment.)

Other trust program increases included an additional \$29.1 million to continue efforts to meet OMB circular A-130 IT security requirements and rebuild the Bureau of Indian Affairs' information technology infrastructure to support trust, as well as non-trust, programs. The budget also proposed to continue efforts to provide an organization that meets fiduciary standards, is accountable at every level, and is staffed with people trained in the principles of trust management and requests \$7.2 million for additional trust staff positions in BIA and Office of the Special Trustee for American Indians. An additional \$4.0 million would provide for additional staff to reduce the time frame to resolve current probate cases.

The House provides a total of \$520.1 million for Unified Trust (BIA, Indian Land Consolidation and OST), a decrease of \$89.3 million below the requested level, but an increase of \$66.7 million above 2004. The House provides all the increases requested except for historical accounting, land consolidation and BIA IT. The House provides \$58.0 million for historical accounting, a decrease of \$51.4 million from the request, but an increase of \$13.6 million above 2004. The House provides \$42.0 million for Indian Land Consolidation, a decrease of \$28.0 million below the request, and an increase of \$20.3 million (almost 100%) above 2004. The House provides \$57.3 million for BIA IT enhancements, a decrease of \$9.9 million below the request, and an increase of \$19.0 million above 2004.

House bill language limits spending on historical accounting to \$58 million. Bill language addresses the funding for and scope of historical accounting activities to be conducted in FY 2005.

See the OST discussion below for additional information on OST report and bill language concerning historical accounting.

Office of the Special Trustee

\$000			House +/-		House +/-	
	<u>04 Enacted</u>	<u>05 Budget*</u>	<u>House</u>	<u>04 Enacted</u>	<u>05 Budget</u>	
OST	187,304	247,666	196,267	+8,963	-51,399	
ILCA	<u>21,709</u>	<u>70,000</u>	<u>42,000</u>	<u>+20,291</u>	<u>-28,000</u>	
Total	209,013	317,666	238,267	29,254	-79,399	
				+14.0%	-25.0%	

* Reflects FY 2005 Budget Amendment which reduced ILCA amount by \$5 million.

The amended FY 2005 budget for OST accounts totaled \$317.7 million, including \$247.7 million for Federal Trust Programs and \$70 million for Indian Land Consolidation. The budget for the OST accounts reflects a net \$108.6 million or 52 percent increase in funds above the FY 2004 enacted level, including a 222 percent increase in Indian Land Consolidation. This increase would provide additional funding for trust operations, reform activities, and significant increases for historical accounting and land consolidation. The FY 2005 request for the Office of Historical Trust Accounting was \$109.4 million, an increase of \$65.0 million over the FY 2004 level. The budget also included increases of \$1.7 million in funding to provide additional support staff to the new Trust Officers in field locations, \$1.6 million for the expansion of third party audit coverage of fiduciary trust asset management activities, \$250,000 for additional review of self-governance trust asset management activities, \$1.3 million for additional litigation support and \$250,000 for establishment of a trust records training program with Haskell Indian Nations University.

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

The House provides \$196.3 million (excluding Indian Land Consolidation), a decrease of \$51.4 million below the request level, and an increase of \$9.0 million above the 2004 level. Except for the increase requested for historical accounting, the House provides for all the increases requested, and agrees to the reductions proposed. The House provides \$58.0 million for historical accounting, a decrease of \$51.4 million from the request, and an increase of \$13.6 million above 2004. The House provides \$42.0 million for Indian Land Consolidation, a decrease of \$28.0 million below the request, and an increase of \$20.3 million (almost 100%) above 2004.

House Bill language limits spending on historical accounting to \$58 million. Bill language addresses the funding for and scope of historical accounting activities to be conducted in FY 2005. Language states:

“Not to exceed \$58.0 million shall be available for records collection and indexing, imaging and coding, accounting for per capita and judgment accounts, accounting for tribal accounts, reviewing and distributing funds from special deposit accounts, and program management of the Office of Historical Trust Accounting, including litigation support.”

Report language stresses continued concerns about the scope and costs of an historical accounting, the potential for such an accounting to divert funds away from other high-priority Indian programs, and the need for Congress to act to develop a comprehensive legislative solution.

The House Bill continues bill language to:

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

Bureau of Indian Affairs

\$000	04 Enacted*	05 Budget	House	House +/- 04 Enacted	House +/- 05 Budget
Op. of Indian Programs	1,892,705	1,929,477	1,935,033	+42,328	+5,556
Construction	346,827	283,126	348,626	+1,799	+65,500
Land & Water Settlements*	59,865	34,771	44,771	-15,094	+10,000
Guaranteed Loan Program	6,417	6,421	6,421	+4	0
BIA Total	2,305,814	2,253,795	2,334,851	+29,037 +1.3%	+81,056 +3.6%

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

The BIA budget request was \$2.3 billion, a net decrease of \$52.0 million below the 2004 enacted level. The 2005 budget request included a program increase of \$42.0 million for trust programs and \$7.8 million to operate new detention centers. Other increases included funding for border security on the Tohono O’odham Nation in Arizona,

removal of Chiloquin dam on the Klamath River, economic development, increased education scholarships, expansion of the FOCUS program, and funding for new Tribes. The budget proposed a one-time reduction of \$5.4 million in the operations account due to the availability of carryover balances.

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

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

The House Committee bill provides \$2.3 billion for BIA, an increase of \$29.0 million or one percent over the 2004 enacted level and \$81.1 million or 3.6 percent over the 2005 President's request. Within this amount details of House action include:

Trust Programs:

- The House provides all increases for trust related programs as requested except for information technology. The House includes \$7.2 million to support the new trust-related positions at the local level and \$4.0 million to quicken the pace at which probate cases are resolved. The House provides an increase of \$19.1 million, \$9.9 million below the request for information technology. Report language commends BIA for the significant progress it has made in improving information technology.

Other Operational Programs:

- The House provides the requested increases for law enforcement including a \$7.8 million increase to operate new detention centers and a \$1.4 million increase for border security on the Tohono O'odham Nation in Arizona. The House also provides the \$560,000 increase request to provide base funding for new Tribes, \$1.0 million for new or expanded contracts in the Indian self-determination fund, and \$1.0 million for grants to develop tribal ordinances and commercial business codes.
- The House increases funding for elementary and secondary school operations by \$4.9 million above the request. The House adds \$1.9 million for student transportation, and \$3.0 million for the administrative costs grants fund to encourage Tribes to take over BIA run schools. The House also fully funds the \$500,000 increase in the request to expand the successful FOCUS program.
- The House funds tribal college operating grants at the requested level including a \$500,000 increase for two tribal colleges newly qualified for BIA funding. The House also provides the \$250,000 increase request for higher education scholarships.
- The House accepts the reduction of \$5.4 million in the operations account due to the availability of carry over balances that will sustain the current level of program delivery in 2005.
- The House provides funding for a number of resource management programs not requested in the budget including funding for the Seminole Tribe for Everglades restoration (\$150,000), the Washington State Timber-Fish-Wildlife Project (\$4.0 million), the Upper Columbia United Tribes (\$320,000), Lake Roosevelt management (\$630,000), the Circle of Flight program (\$600,000), and Intertribal Bison Management (\$1,000,000). House report language stipulates that funds within the

base for the Chippewa/Ottawa Resource Authority (CORA) be allocated based on the allocation in House Report 108-10.

- The House also provides funding for a number of community development activities not requested in the budget, including the National Ironworkers Training Program (\$515,000), United Tribes Technical College (\$3.0 million) and Crownpoint Institute (\$1.3 million).
- The House mark reflects the internal transfers made in Central Office Operations and Regional Office Operations in 2004 to align the budget with the changes made in the reorganization. These changes were not reflected in the 2005 request. The House does not fund the requested increases for E-gov programs (\$409,000) and the Enterprise Services Network (\$500,000).

Education Construction:

- The House funds school construction at \$294.6 million, an increase of \$65.5 million above the request and \$371,000 below the 2004 enacted level. \$7.0 million of the increase is for facilities improvement and repair. The remaining increase of \$58.5 million is to begin replacement of the highest priority schools on the 2004 priority list. The House allows the requested \$21.0 million increase for annual maintenance. The House did not include proposed language to allow BIA to reassume control of a project if construction does not begin within 18 months.
- The House bill includes language stating that \$4.5 million of the tribal school demonstration funding is for the Eastern Band of Cherokee education campus at Ravensford tract.

Other Construction:

- The House allows the \$2.15 million funding request for the removal of Chiloquin dam on the Klamath River.

Indian Land and Water Claims:

- The House provides \$10.0 million above the request for Indian Land and Water Claims Settlements to fund the Quinault Indian Nation North Boundary settlement. This settlement was funded in BIA in 2004 by a transfer of \$5 million from the Fish and Wildlife Service, but the 2005 budget proposed funding it in FWS.
- The House provides requested funding for the Zuni Pueblo water claims settlement in New Mexico and the Cuba Lake land settlement with the Seneca Nation in New York.

Maintaining America's Heritage

Maintenance

	<u>04 Enacted</u>	<u>05 Budget</u>	<u>House</u>	House +/- <u>04 Enacted</u>	House +/- <u>05 Budget</u>
BLM	104,531	99,624	102,859	-1,672	+3,235
USGS	34,051	33,352	33,352	-699	0
FWS	119,029	117,502	118,402	-627	+900
NPS	559,211	586,093	573,178	+13,967	-12,915
BIA	<u>76,934</u>	<u>74,551</u>	<u>74,551</u>	<u>-2,383</u>	<u>0</u>
Total	893,756	911,122	902,342	+8,586	-8,780
				+1.0%	-1.0%

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

The House mark provides \$902.3 million, an \$8.8 million decrease from the 2005 request, but \$8.6 million above 2004. Both USGS and BIA receive their requested amounts, while BLM and FWS receive increases of \$3.2 million and \$900,000 respectively.

The House Committee report indicates that the \$12.9 million decrease in NPS is to provide additional operating funds for the parks and because NPS has had difficulty in obligating the funds. The House specifies that the decrease includes reductions of \$8.2 million for repair and rehabilitation, \$3.0 million for removal of hazardous structures, and \$1.7 million for general maintenance.

Construction

	<u>04 Enacted</u>	<u>05 Budget</u>	<u>House</u>	House +/- <u>04 Enacted</u>	House +/- <u>05 Budget</u>
BLM	13,804	6,476	15,000	+1,196	+8,524
FWS	59,808	22,111	48,400	-11,408	+26,289
NPS	329,880	329,880	297,628	-32,252	-32,252
BIA	<u>346,827</u>	<u>283,126</u>	<u>348,626</u>	<u>+1,799</u>	<u>+65,500</u>
Total	750,319	641,593	709,654	-40,665	+68,061
				-5.4%	+10.6%

The President's budget included \$641.6 million for construction, comprised of \$6.5 million for BLM, \$22.1 million for FWS, \$329.9 million for NPS, and \$283.1 million for BIA.

The House mark provides \$709.7 million, an increase of \$68.1 million over the request and a decrease of \$40.7 million from 2004. The House omits funding for 18 of the 82 requested line-item projects and includes \$61.3 million for 28 add-on projects. Specifics for each bureau follow:

BLM: The House provides a total of \$15.0 million including \$6.5 million for all the projects requested in the budget and an additional \$8.5 million contingent on BLM's

supplying a list of projects to the Committee by December 31, 2004. Report language also expresses concern with BLM's relative low level of construction funding and suggests that the Department and Administration should place more emphasis on funding large deferred maintenance projects on public lands managed by BLM.

FWS: The \$48.4 million provided in the House mark is \$26.3 million higher than the 2005 request and \$11.4 million below 2004. All requested projects are funded and an additional \$26.3 million is provided for 13 add-on projects. Among the add-ons are initial funding for three visitor centers in Alaska, Massachusetts and Oregon that are directed to use standard designs, \$3.2 million for Midway Atoll NWR for infrastructure improvements, \$6.7 million for construction at the Clark R. Bavin Forensics Laboratory in Oregon, and \$5.0 million for Servicewide visitor contact facilities.

NPS: The House provides \$297.6 million, a decrease of \$32.3 million from the FY 2004 and FY 2005 levels of \$329.9 million. NPS does not receive funding for 18 of the 56 requested projects totaling \$58.7 million, but does receive \$26.5 million for 15 add-on projects.

Included among the projects proposed in the budget that are not funded are the \$2.0 million Independence National Historical Park security fence in Pennsylvania, the \$4.1 million Wolf Trap Farm main gate facility in Virginia, and the \$2.7 million Yellowstone National Park Courthouse in Wyoming.

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

A bill language moratorium is placed on all NPS partnership construction projects in excess of \$5.0 million, excluding the Flight 93 Memorial in Pennsylvania, without written approval from the House and Senate Committees on Appropriations. This restriction applies to both new projects and those already under consideration. Partners cannot fund planning and design of a project that has not been approved by the Committees.

BIA: The House provides \$348.6 million for BIA construction, \$65.5 million above the request and \$1.8 million above the 2004 enacted level. All of the increase is in Education construction with an additional \$58.5 million provided for replacement school construction and \$7.0 million for facilities improvement and repair. Bill language provides that \$4.5 million from the Tribal Demonstration Program funds is to be allocated to the Eastern band of Cherokee education facility at the Ravensford tract.

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

National Park Service Deferred Maintenance Backlog

\$000				House +/-	House +/-
	<u>04 Enacted</u>	<u>05 Budget</u>	<u>House</u>	<u>04 Enacted</u>	<u>05 Budget</u>
ONPS/Facility Maintenance	370,112	394,843	381,928	+11,816	-12,915
Construction	<u>329,880</u>	<u>329,880</u>	<u>297,628</u>	<u>-32,252</u>	<u>-32,252</u>
Total	699,992	724,723	679,556	-20,436	-45,167
				-2.9%	-6.2%

The 2005 budget included \$724.7 million to support the President's commitment to manage the NPS deferred maintenance backlog, an increase of \$24.7 million over the 2004 enacted level. Within this increase, an additional \$13.2 million was requested for Repair and Rehabilitation, including \$8.2 million for projects targeted to improve the condition of priority buildings, \$3.0 million for the demolition and removal of hazardous structures in park units, \$2.0 million to continue performing comprehensive condition assessments, and \$1.8 million for general facility maintenance. Finally, a \$11.1 park base increase at specific parks is included to address facility maintenance needs.

The House mark is \$45.2 million below the budget request for the NPS maintenance backlog. The House provides \$381.9 million for the Facility Maintenance component of the ONPS account, a reduction of \$12.9 million below the President's request. This includes reductions of \$8.2 million for priority Repair and Rehabilitation projects, \$3.0 million for the demolition and removal of hazardous structures, and \$1.8 million for general facility maintenance. The House provides \$297.6 million for the Construction account, which is a \$32.3 million reduction below the Administration's request. The entire reduction to the Construction account is taken from funding for line-item construction projects.

Science Programs

USGS

\$000				House +/-	House +/-
	<u>04 Enacted</u>	<u>05 Budget</u>	<u>House</u>	<u>04 Enacted</u>	<u>05 Budget</u>
<u>SIR</u>					
Mapping	129,759	118,941	122,779	-6,980	+3,838
Geology	234,183	220,754	230,894	-3,289	+10,140
Water	215,714	202,682	211,249	-4,465	+8,567
Biology	174,529	167,604	171,976	-2,553	+4,372
Enterprise In	0	45,147	44,148	+44,148	-999
Science Supp	90,811	68,716	67,508	-23,303	-1,208
Facilities	<u>92,989</u>	<u>95,944</u>	<u>95,944</u>	<u>+2,955</u>	<u>0</u>
Total	937,985	919,788	944,498	+6,513	+24,710
				+0.7%	+2.7%

The 2005 President's budget requested \$919.8 million for the Surveys, Investigations and Research account of the USGS. The House mark of \$944.5 million is \$24.7 million above the budget request. This is a \$6.5 million increase over 2004.

For initiatives that cut across USGS programs, the House restores the proposed streamlining reduction totaling \$3.0 million and does not fund the requested increase of \$1.2 million for Science on the DOI Landscape initiatives in the Geology, Water Resources or Biological Research disciplines. The House does not fund the requested increase for the USGS to expand its Klamath River Basin studies.

Mapping:

The House funds the National Mapping Program at \$122.8 million, \$3.8 million above the budget request, but \$7.0 million below the 2004 enacted level. The House restores the requested streamlining reduction of \$483,000 and provides an additional \$2.4 million for National Map activities and \$1.0 million for North Carolina flood mapping.

The Committee report language states that the Committee will no longer increase or reprogram funding to keep the Landsat 7 program operating. The Committee recommends that the Survey operate the Landsat 7 program from within base funding and collect and archive data only. The House also directs that any additional funding needed for the program be collected through data sales and reimbursable agreements with other Federal agencies. The Committee also urges the Administration to continue working to place the Landsat 7 follow-on in orbit as soon as possible. Additionally, the House provides report language supporting the Survey's efforts to more efficiently manage data at the Eros Data Center and provides bill language specifying \$7.9 million for satellite operations.

Geologic Hazards, Resources and Processes is funded at \$230.9 million in the House bill, \$10.1 million above the President's request, but \$3.3 million below the 2004 enacted level. The House restores the streamlining reductions of \$840,000 proposed in the request and provides increases above the request of \$1.3 million for the Advanced National Seismic System, \$750,000 for the landslide hazards program, \$6.5 million for the minerals resources assessment program, and \$1.9 million to further current studies on global dust and on Tampa Bay. The House does not accept the requested increases of \$400,000 for earth observation and monitoring and \$500,000 for the DOI on the Landscape initiative. The House also provides report language expressing the importance of the Mineral Resources program.

The House provides \$211.2 million for Water Resources Investigations, \$8.6 million above the budget request, but \$4.5 million below the enacted level. The House recommends increases to the request of \$742,000 to restore streamlining reductions, \$800,000 for water availability in the Great Lakes, \$6.5 million for the Water Resource Research Institutes, and \$1.4 million for specific water earmarks. The House does not accept the proposed increases of \$200,000 for SPARROW, \$375,000 for the DOI Science on the Landscape Initiative, and \$500,000 for the Klamath Basin initiative. The Committee directs the USGS to allocate \$2.0 million in base funds to the Lake Pontchartrain restoration project. The Committee also provides report language urging the expansion of the water availability program nationwide.

The House recommends \$172.0 million for biological research, \$4.4 million above the President's request, but \$2.6 million below the enacted level. Changes to the President's request include the restoration of \$602,000 for the streamlining reductions, \$2.8 million

for the fire science program, \$500,000 for manatee research, \$250,000 for the Anadromous Fish Research Lab, \$250,000 for the Great Lakes Deepwater large vessel program, and \$900,000 for the cooperative research program. The Committee does not include \$350,000 for the Science on the DOI landscape initiative and \$500,000 for the Klamath Basin initiative. The Committee directs the Survey, from within base funds, to provide \$75,000 for the Southeastern Cooperative Wildlife Disease Study for chronic wasting disease and \$250,000 for the Delaware River Basin Ecologically Sustainable Water Management Project. The Committee report expresses the Committee's concern over the growth of the National Biological Information Infrastructure and directs the Survey to locate all new thematic nodes in the same physical location as existing regional nodes, and to reduce the number of planned NBII regions and to realign NBII regions in concert with the USGS existing regional structure. The House also directs the Survey to develop a long-term plan addressing the number and location of new Cooperative Fish and Wildlife Research Units.

The House approves the creation of the new Enterprise Information activity and funds it at \$44.1 million, nearly \$1.0 million below the President's request. This funding level includes reductions to the request of \$250,000 for the Enterprise Services Network (providing an increase of \$950,000), \$5,000 for E-Records Management, \$64,000 for SAFECOM, and \$680,000 for Disaster.gov.

The House funds Science Support at \$67.5 million, \$1.2 million below the request and \$23.3 million below the enacted level. Proposed streamlining reductions of \$311,000 are restored and the requested increases of \$414,000 for e-government initiatives and \$405,000 for competitive sourcing are disapproved. The House provides \$2.0 million for financial management improvement, \$700,000 below the request.

The Facilities program is funded at the request level of \$95.9 million. The House provides bill language designating \$1.6 million of deferred maintenance funding as no-year. Bill language also allows the USGS to consider students and recent graduates providing temporary or intermittent services to the Survey as government employees to allow for the compensation of travel expenses, work injury and to allow them to drive government vehicles.

Other Bureaus, Offices, and Programs

National Recreation & Preservation

\$000	<u>04 Enacted</u>	<u>05 Budget</u>	<u>House</u>	<u>House +/-</u>	<u>House +/-</u>
				<u>04 Enacted</u>	<u>05 Budget</u>
NR&P	61,773	37,736	53,877	-7,896	+16,141
				-12.8%	+42.8%

The President's budget request included \$37.7 million for National Recreation and Preservation programs, a decrease of \$24.0 million below the 2004 enacted level. The request proposed \$2.5 million for national heritage areas, a decrease of \$11.8 million from 2004. The budget request also eliminated funding for statutory and contractual aid grants. Finally, the request included \$301,000 for the administration of previously awarded UPARR grants.

The House provides \$53.9 million for NR&P programs, an increase of \$16.1 million above the President's request. The House provides a total of \$15.1 million for National Heritage Areas, an increase of \$12.6 million above the Administration's request of \$2.5 million. The House provides \$3.8 million for statutory and contractual aid, a decrease of \$9.0 million below the 2004 enacted level. The House also provides \$301,000 for administration of previously awarded UPARR grants.

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

NPS Historic Preservation Fund

\$000	<u>04 Enacted</u>	<u>05 Budget</u>	<u>House</u>	<u>House +/- 04 Enacted</u>	<u>House +/- 05 Budget</u>
Historic Pres.	37,533	37,533	37,533	0	0
Save Amer. Treasures	32,592	30,000	30,000	-2,592	0
Preserve America	0	10,000	0	0	-10,000
Natl Trust	494	0	0	-494	0
HBCUs	<u>2,963</u>	<u>0</u>	<u>4,000</u>	<u>+1,037</u>	<u>+4,000</u>
Total	73,582	77,533	71,533	-2,049	-6,000
				-2.8%	-7.7%

The President's budget requested a total of \$77.5 million for the NPS Historic Preservation Fund, a \$4.0 million increase from the 2004 enacted level. This included \$37.5 million in grants to States, Territories and Tribes; \$30.0 million for the Save America's Treasure program; and \$10.0 million for the Preserve America initiative.

The House provides a total of \$71.5 million for the Historic Preservation Fund, a decrease of \$6.0 million below the President's request. The House fully funds the Administration's request of \$37.5 million for grants to States, Territories and Tribes, and provides \$30.0 million for the Save America's Treasures program, which is a \$2.6 million reduction below 2004.

The House does not provide \$10.0 million requested for the new Preserve America initiative; eliminates funding for the National Trust consistent with the President's budget; and adds \$4.0 million for grants to HBCUs, an increase of \$4.0 million above the budget request and \$1.0 million above the 2004 funding level.

Minerals Management Service

\$000				House +/-	House +/-
	<u>04 Enacted</u>	<u>05 Budget</u>	<u>House</u>	<u>04 Enacted</u>	<u>05 Budget</u>
ROMM	163,280	171,575	171,575	+8,295	0
Oil Spill	7,017	7,105	7,105	+88	0
Offsetting Collections	<u>100,230</u>	<u>103,730</u>	<u>103,730</u>	<u>+3,500</u>	<u>0</u>
Total	270,527	282,410	282,410	+11,883	0
				+4.4%	+0.0%

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

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

The House mark provides the same amount as the President's budget for MMS, but recommends bill language prohibiting the use of funds for certain Quicksilver E-Gov initiatives, and redirects MMS to reprogram \$40,000 to partially restore funding to the Environmental Studies Program. The Committee includes new bill language giving MMS authority to pay any late disbursement interest caused by delays in processing royalty payments for States and Tribes out of the Federal royalty share rather than the agency's appropriated funds.

Office of Surface Mining

\$000				House +/-	House +/-
	<u>04 Enacted</u>	<u>05 Budget</u>	<u>House</u>	<u>04 Enacted</u>	<u>05 Budget</u>
Reg & Tech	105,384	108,905	108,905	+3,521	0
AML	<u>190,591</u>	<u>243,863</u>	<u>194,106</u>	<u>+3,515</u>	<u>-49,757</u>
Total	295,975	352,768	303,011	+7,036	-49,757
				+2.4%	-14.1%

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

The House mark provides a total of \$303.0 million for OSM programs. An increase of

\$3.2 million is included for AML grants to States and Tribes, funding AML grants at the FY 2004 enacted level. The Committee does not provide \$53.0 million for the proposed payout for certified States under the AML program. The Committee indicates its support for the Administration’s legislative proposal and urges the authorizing committees to act on the proposal.

The Committee includes bill language prohibiting the use of funds for certain Quicksilver E-Gov initiatives, and directs OSM to reprogram funds to cover fixed costs. The Committee also retains language limiting funding for minimum program States to \$1.5 million and provides Maryland special flexibility. The Committee continues funding the Appalachian Clean Streams Initiative at an amount not to exceed \$10.0 million.

Office of Insular Affairs

\$000	<u>04 Enacted</u>	<u>05 Budget</u>	<u>House</u>	House +/- <u>04 Enacted</u>	House +/- <u>05 Budget</u>
Assistance to Territories	75,744	72,935	74,935	-809	+2,000
Compact of Free Assoc	<u>6,379</u>	<u>5,941</u>	<u>5,499</u>	<u>-880</u>	<u>-442</u>
Total	82,123	78,876	80,434	-1,689	+1,558
				-2.1%	+2.0%

The 2005 President’s budget included \$78.9 million in current funding for the Office of Insular Affairs, comprised of \$72.9 million for Assistance to Territories and \$5.5 million for Compact of Free Association. The House bill includes \$80.4 million including \$74.9 million for Assistance to Territories, \$2.0 million above the request level, but \$809,000 below the enacted level. The House provides \$5.5 million for Compact of Free Association, \$442,000 below the request level and \$880,000 below the enacted level.

Within the House amount for Assistance to Territories, Territorial Assistance is funded at \$24.1 million, \$2.0 million above the request for water system rehabilitation in the CNMI (+\$1.0 million) and payments to replace the Prior Service Trust Fund (+\$1.0 million). The House funds American Samoa grants and Northern Mariana Island/Covenant grants at the request levels of \$23.1 million and \$27.7 million, respectively. The House report directs the Department to work with the governments of the CNMI, Guam, Palau, and representatives of the Prior Service Benefits Board of Directors to establish an appropriate funding mechanism to replace the Prior Service Trust Fund. The House bill includes language directing OIA to provide “sufficient” funding for grants to the Pacific Basin Development Council and the Close Up Foundation.

Within the \$5.5 million the House recommends for Compact of Free Association, Federal Services are reduced by \$942,000 for funds going to the U.S. Postal Service. The Committee indicates that it believes the estimates are inflated. The House also recommends an additional \$500,000 for Enewetak support.

Departmental Offices

\$000				House +/-	House +/-
	<u>04 Enacted</u>	<u>05 Budget</u>	<u>House</u>	<u>04 Enacted</u>	<u>05 Budget</u>
Dept. Mgmt.	81,595	99,103	93,051	+11,456	-6,052
HAZMAT **	0	0	[13,500]	[13,500]	[13,500]
PILT	224,697	226,000	226,000	+1,303	0
Solicitor	49,753	53,453	51,356	+1,603	-2,097
Office of Inspect. Gen.	38,272	39,400	37,655	-617	-1,745
NRDA	<u>5,564</u>	<u>5,818</u>	<u>5,818</u>	<u>+254</u>	<u>0</u>
Total	399,881	423,774	413,880	+13,999 +3.5%	-9,894 -2.3%

** The House funded FBMS by a transfer of unobligated balances from BLM's Central Hazardous Hazardous Materials Fund

Overall, the 2005 President's budget for Departmental Offices provided \$423.8 million, This included \$80.5 million for Departmental Offices and centralized services supporting management of the Department, a decrease of \$2.5 million from the 2004 funding level. The 2005 budget also included \$18.6 million for the Financial and Business Management System, an increase of \$7.0 million over the 2004 funding level and \$226.0 million for PILT, an increase of \$1.3 million over the 2004 level.

Departmental Management:

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

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

The House Committee provides \$93.1 million, a decrease of \$6.0 million from the request but \$11.5 million more than the 2004 enacted level. The House funds requested increases for the financial statement audit costs, Indirect Cost Negotiation Team, and fixed costs. The House bill does not provide the increases requested for the Take Pride in America program, embassy construction, or the e-government initiatives. The House Committee provides \$150,000 for one new law enforcement position, reducing the law enforcement request by \$400,000.

The House Committee mark funds the Financial and Business Management System at \$13.5 million, a decrease of \$5.1 million from the request. A proposed transfer of funds from the Central Hazardous Material Fund offsets this increase.

Payments in Lieu of Taxes:

For the Payments in Lieu of Taxes program, the budget included \$226.0 million, an increase of \$1.3 million over the 2004 enacted level. The House Committee funds the program at the requested level.

Office of the Solicitor

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

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

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

Office of the Inspector General

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

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

The House mark provides \$37.7 million, a decrease of \$1.7 million from the request, and \$616,000 below 2004. The House mark reduces fixed costs by \$507,000, and reduces \$450,000 for staff with non-traditional auditor backgrounds, \$150,000 for a contract specialist, \$150,000 for the On TARGET initiative, \$78,000 for equipment replacement, \$300,000 for information management staff, \$100,000 for information technology standardization, and \$10,000 for e-government initiatives. The House funds increases for some equipment replacement, additional staffing, and professional development and training.

Natural Resource Damage Assessment and Restoration Program:

For the Natural Resource Damage Assessment and Restoration program, the budget included \$5.8 million. The House Committee mark funds the program at the requested level.

MAJOR LEGISLATIVE LANGUAGE ITEMS

Title I – General Provisions, Department of the Interior

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

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

Outer Continental Shelf Moratoria. As requested in the President's budget, the House continues the moratoria on OCS oil and gas activities. (House §§107-190)

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

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

A related item (House §129) 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 dealt with the authority of the Secretary of the Interior to determine whether tribal land is "Indian land" for purposes of the Indian Gaming Regulatory Act. This section was retained in the President's budget.

Twin Cities. The House continues language proposed in the budget to allow conveyance of properties at the Twin Cities Research Center and retention of receipts related to use of these properties. (House §117)

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

Sheldon and Hart NWR. The House includes language requested in the budget to allow FWS to use helicopters and motor vehicles for management of wild horses and burros at the refuge. (House §120)

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

Carlsbad Caverns. The House continues the limitation on the use of funds to enter into a concessions contract permitting or requiring the removal of the underground

lunchroom at Carlsbad Caverns NP. The budget proposed to eliminate this provision. (House §122)

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 §123)

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

Special Master/Court Monitor. The House continues a provision that precludes the Departments of Interior, Treasury, and Justice from compensating the Special Master and the Special Master-Monitor appointed by the United States District Court for the District of Columbia in the *Cobell v. Norton* litigation at an annual rate that exceeds 200 percent of the higher SES rate of pay for the Washington-Baltimore locality pay area. (House §125)

Employee Attorney Fees. The House continues a provision that allows the Secretary to use discretionary funds to pay private attorney fees and costs for employees and former employees of the Department of the Interior reasonably incurred in connection with *Cobell v. Norton*. (House §126)

Mass Marking. The House includes a provision requiring FWS to implement a system of mass marking of salmon intended for harvest that are released from Federally operated or funded hatcheries with a mark that can be readily identified by commercial and recreational fishers. (House §127)

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

Lake Powell. The House includes a provision precluding the Department from studying or implementing a plan to drain Lake Powell or reduce the level of the lake below the range of water levels required for operation of the Glen Canyon dam. (House §130)

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

Tribal Trust Demonstration Project. The House continues a 2004 provision that allows the Department to provide funds to certain, specified Tribes for a trust demonstration project. (House §132)

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

Title III – General Provisions (Bill-wide)

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

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

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

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

Answering Machines. The House continues a provision included in the 2003 appropriations act that precludes the use of funds to operate telephone answering machines during core business hours unless an option is provided that enables callers to promptly reach an individual on-duty. (House §316)

National Monuments. The House continues a prohibition on the use of funds to conduct mineral preleasing, leasing, and related activities within the boundaries of a national monument that were established pursuant to the Antiquities Act, as such boundaries existed on January 20, 2001, except where such activities are allowed under the Presidential proclamation establishing the monument. (House §320)

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

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

Declarations of Taking. The House continues a provision limiting the use of funds for the filing of declarations of taking or complaints in condemnation without approval of the Committees on Appropriations. The provision does not apply to Everglades acquisitions. (House §329).

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

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

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

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

Technical Notes

All amounts are current dollars.

All years referred to are fiscal years unless otherwise noted.

Comparisons of House action in this document are to 2004 enacted to date appropriations (including supplemental appropriations) and the 2005 President's budget as scored by Congressional Appropriations Committees, as amended. The Committees' scoring of 2004 and the President's budget differs somewhat, with the result that comparisons in this document to the President's budget do not in all instances match comparisons in the budget.

OMB Budget Totals Compared with Appropriations Committee Totals

	2004 Enacted	2005 Budget	2004 House
OMB Scoring	\$9,695,763	\$9,919,174	\$9,705,826
Committee Scoring	\$9,747,964	\$9,971,299	\$9,757,951

The Committees' scoring differs from OMB scoring by a net \$52.1 million. The Committee includes 4 current mandatory accounts that OMB does not include in its discretionary totals - BLM's Range Improvements (\$10m), BLM's Miscellaneous Trust (\$12.4m), OIA's Assistance to Territories (\$27.7m) and Compact Assistance (\$2m). Additionally, the Committee's scoring of the 2004 enacted differs from OMB scoring by an additional \$0.1m due to rounding of the across-the-board reductions.

Legislative History

House Bill – H.R. unnumbered/Report 108-unnumbered

House Subcommittee

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

House Committee

The House Committee reported the bill on June 9, with 3 amendments, by voice vote.

Amendments were offered in Committee action on the following:

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