

FUNDING LEVELS

LWCF State Grant Program

\$000		<u>01 Enacted</u>	<u>02 Budget</u>	<u>House</u>	<u>Senate</u>	<u>Conf.</u>	<u>Conf.+/-01</u>	<u>Conf.+/-02</u>
LWCF	State							
Grants		90,301	450,000	154,000	164,000	144,000	+53,699	-306,000

The 2002 President's budget request for NPS State conservation grants was \$450.0 million, an increase of 400% over 2001. The Administration proposed to revitalize the grants program by giving States greater flexibility in using the funds to include wildlife and habitat purposes.

Conferees fund grants to States at \$144.0 million and do not provide the added flexibility that was proposed in the President's budget. The funding is a decrease of \$306.0 million from the President's budget request.

The conference bill retains the current allocation formula for stateside grants that is largely based on population. The bill does not include Senate language providing limited authority for States to transfer funds between State allocations for this program and the State wildlife grant program.

The conference restores funding to a number of grant accounts whose purposes are addressed by the Administration's broadened LWCF State grants proposal. See discussions of the State Wildlife grants, Cooperative Endangered Species Conservation Fund, the North American Wetlands Conservation Fund, and UPARR in this document.

Landowner Incentive Program/Stewardship Grants

\$000		<u>01 Enacted</u>	<u>02 Budget</u>	<u>House</u>	<u>Senate</u>	<u>Conf.</u>	<u>Conf.+/-01</u>	<u>Conf.+/-02</u>
Landowner								
Incentive		--	50,000	50,000	50,000	40,000	+40,000	-10,000
Program							+100%	-20%
Stewardship								
Grants		--	10,000	10,000	10,000	10,000	+10,000	0
							+100%	

The President's budget proposed two new grant programs including \$50.0 million for the Landowner Incentive program and \$10.0 million for Stewardship Grants. The conferees provide \$40.0 million for the Landowner Incentive program (\$10.0 million below the House and Senate marks) and \$10.0 million for the Private Stewardship grants program. The programs are appropriated in separate FWS accounts funded from the Land and Water Conservation Fund, rather than as part of the Federal land acquisition program as proposed in the President's budget.

Federal LWCF Land Acquisition

\$000	01 Enacted	02 Budget	House	Senate	Conf.	Conf.+/-01	Conf.+/-02
BLM	56,545	47,686	47,686	45,686	49,920	-6,625	+2,234
FWS			Funded in	Funded in	Funded in		
Landowner			Separate	Separate	Separate		
Incentive Prog.			Account	Account	Account		
Stewardship			Funded in	Funded in	Funded in		
Grants	--	50,000	Separate	Separate	Separate	--	--
Federal	--	10,000	Account	Account	Account	--	--
Lands Subtotal	<u>121,188</u>	<u>104,401</u>	<u>104,401</u>	<u>108,401</u>	<u>99,135</u>	<u>-22,053</u>	<u>-5,266</u>
FWS	121,188	164,401	104,401	108,401	99,135	-22,053	-5,266
NPS	<u>124,840</u>	<u>107,036</u>	<u>107,036</u>	<u>123,036</u>	<u>130,117</u>	<u>+5,277</u>	<u>+23,081</u>
DOI Total	302,573	319,123	259,123	277,123	279,172	-23,401	+20,049
						-7.7%	+7.7%
Forest Service	<u>150,872</u>	<u>130,877</u>	<u>130,877</u>	<u>128,877</u>	<u>149,742</u>	<u>-1,130</u>	<u>+18,865</u>
Total	453,445	450,000	390,000	406,000	428,914	-24,531	+38,914
						-5.4%	-9.9%

Note: Comparisons on this chart exclude \$60.0 million in Stewardship grants.

The conference bill provides \$428.9 million for Federal land acquisition, including the Forest Service. The Interior portion is \$279.2 million, a decrease of \$23.4 million from 2001 and an increase of \$20.0 million over the 2002 budget request, excluding the \$60.0 million for the FWS Landowner Incentive program and Stewardship grants that are funded elsewhere in the FWS budget.

The conference bill funds (in whole or part) 68 projects requested by the President. It omits funding for 41 projects proposed in the budget and includes \$67.2 million for 43 projects that were not requested in the budget.

Specifics for each bureau are as follows:

- \$49.9 million for BLM acquisition including funds for 19 and the 28 projects requested by the President and \$11.2 million for seven projects that were not requested in the President's budget. The add-on projects include Catellus and Cosumnes River Preserve in California, and Douglas Point in Maryland. Nine projects proposed in the President's budget are not funded, including California Wilderness, Cerbat Foothills in Arizona, Grand Canyon-Parashant NM in Arizona, and Grand Staircase Escalante NM in Utah.
- \$99.1 million for FWS acquisition, including funds for 21 of the 40 projects requested in the budget and funding for 22 projects that were in the budget. The conference managers provide extensive direction concerning the management and allocation of costs in the LWCF program, including limitations on charging projects for staff costs, streamlining staff in 2002, and making greater use of contract resources for appraisals, cartography, and surveying.
- \$130.1 for NPS acquisition, including funds for 28 of the 41 projects requested in the budget. Among the 13 Administration proposals not funded are Voyageurs National Park in Minnesota, War in the Pacific National Historical Park in Guam, Pinnacles National Monument in California, Cape Cod National Seashore in Massachusetts, North Cascades National Park in Washington, and Palo Alto

Battlefield NHS in Texas. The conference mark contains \$25.4 million for 14 projects that were not requested in the President's budget, including \$11.0 million for Civil War battlefield preservation, \$3.0 million for the Ice Age National Scenic Trail in Wisconsin, and \$1.0 million for Moccasin Bend NHS in Tennessee.

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

Fish and Wildlife Service Grants

\$000	<u>01 Enacted</u>	<u>02 Budget</u>	<u>House</u>	<u>Senate</u>	<u>Conf.</u>	<u>Conf+/-01</u>	<u>Conf+/-02</u>
CESCF	104,694	54,694	107,000	91,000	96,235	-8,459	+41,541
NAWCF	39,912	14,912	45,000	42,000	43,500	+3,588	+28,588
Wildlife Grants*	99,780	--	100,000	100,000	85,000	-14,780	+85,000
Rescission of Wildlife Grants	[49,890]	--	--	-49,890	-25,000	-25,000	-25,000
Tribal Wildlife Grants	--	--	5,000	0	0	0	0
Multi-Natl. Species Cons.	3,243	3,243	4,000	4,000	4,000	+757	+757
Neo Birds	--	--	5,000	0	3,000	+3,000	+3,000
Wildlife Appreciation	<u>795</u>	--	--	--	--	<u>-795</u>	--
Total	248,424	72,849	266,000	187,110	206,735	-41,689	+133,886
						-16.8%	+184.8%

*Note: In FY 2001, \$50 million provided in the Interior Appropriations Act for State Wildlife grants; \$50 million provided in the Commerce, Justice, State Appropriations Act for Wildlife Conservation and Restoration grants.

The President's budget funded the Cooperative Endangered Species Conservation Fund at \$54.7 million, \$50 million below 2001, but \$31.7 million above 2000. The conferees provide an additional \$41.5 million above the President's request, but \$8.5 million below the 2001 enacted amount for the CESCF.

The President's budget funded the North American Wetlands program at \$14.9 million, a reduction of \$25.0 million from 2001, but the same as 2000. The conferees provide an additional \$28.6 million above the President's request, and \$3.6 million above 2001 for the NAWCF.

The President's budget provided no funding for two State Wildlife grants programs that were funded in 2001 – a competitive program that was funded in the Interior bill and a formula-based program that was funded in the Commerce, Justice, State bill. The conferees provide \$85.0 million in State Wildlife Grants, of which \$5.0 million is earmarked for Tribal Wildlife Grants. The conferees direct that FWS use a formula for State Wildlife grants that is one-third based on land and two-thirds based on population, with a cap of five percent and a floor of one percent. The conferees also rescind \$25.0 million of the \$49.9 million appropriated in the 2001 Interior bill for State Wildlife grants.

The President's budget funded the Multinational Species Conservation Fund at the 2001 level of \$3.2 million. The conferees provide an additional \$0.8 million above the President's request for the MNSCF.

The conferees provide \$3.0 million to establish an account for the recently enacted Neotropical Migratory Bird Conservation Act. No funding was requested for this new program in the President's budget.

NPS Historic Preservation Fund

\$000	<u>01 Enacted</u>	<u>02 Budget</u>	<u>House</u>	<u>Senate</u>	<u>Conf.</u>	<u>Conf+/-01</u>	<u>Conf+/-02</u>
Historic Pres.	59,316	37,055	42,000	42,000	42,000	-17,316	+4,945
Save America's Treasures	34,923	30,000	30,000	30,000	30,000	-4,923	0
National Trust	--	--	5,000	2,000	2,500	+2,500	+2,500
Total	94,239	67,055	77,000	74,000	74,500	-19,739	+7,445
						-20.9%	+11.1%

NOTE: A budget amendment requested \$30 million for the Save America's Treasures program in FY 2002.

The conference bill funds the Historic Preservation Fund at \$7.4 million over the President's budget, this is a decrease of \$19.7 million from the 2001 enacted level. The conference bill provides an additional \$4.9 million for Historic Preservation grants and an additional \$2.5 million for a grant to the National Trust for Historic Preservation for a historic sites program.

Included in the total is \$30.0 million to continue the Save America's Treasures program, of which \$15.0 million is reserved for earmarked projects and \$15.0 million is available for competitive grants. The conferees reiterate that Save America's Treasures funds are subject to a fifty-percent cost share, and no single project may receive more than one grant from the program.

NPS Urban Parks and Recreation Recovery

\$000	<u>01 Enacted</u>	<u>02 Budget</u>	<u>House</u>	<u>Senate</u>	<u>Conf.</u>	<u>Conf+/-01</u>	<u>Conf+/-02</u>
UPARR	29,934	---	30,000	20,000	30,000	+66	+30,000
						+0.2%	N/A

The conference bill provides \$30.0 million for the Urban Parks and Recreation Recovery as proposed by the House instead of the \$20.0 million proposed by the Senate. The President's budget did not request funding for UPARR.

Payments in Lieu of Taxes/Refuge Revenue Sharing

\$000	<u>01 Enacted</u>	<u>02 Budget</u>	<u>House</u>	<u>Senate</u>	<u>Conf.</u>	<u>Conf.+/-01</u>	<u>Conf.+/-02</u>
PILT (BLM)	199,560	150,000	200,000	220,000	210,000	10,440 +5.2%	60,000 +40%
Refuge Revenue Sharing (FWS)	11,414	11,414	16,414	14,414	14,414	+3,000 +26.3%	+3,000 +23.6%

The President's budget included \$150.0 million for BLM's Payments in Lieu of Taxes (PILT) program. The conferees fund PILT at \$210.0 million, an increase of \$60.0 million above the President's budget and \$10.4 million over 2001 enacted. This level is \$10.0 million above the House mark of \$200.0 million and \$10.0 million less than the Senate mark of \$220.0 million.

The President's budget funds FWS' National Wildlife Refuge Fund at the 2001 level of \$11.4 million. The conferees provide an increase of \$3.0 for the NWRFF, the same as the Senate mark, and \$2.0 million below the House mark.

Land Management Operations

National Park Service Operations

\$000	<u>01 Enacted</u>	<u>02 Budget</u>	<u>House</u>	<u>Senate</u>	<u>Conf.</u>	<u>Conf.+/-01</u>	<u>Conf.+/-02</u>
ONPS	1,386,190	1,470,499	1,480,336	1,473,128	1,476,977	+90,787 +6.6%	+6,478 +0.4%

The President's 2002 budget request for NPS Operations included an increase of \$79.3 million including the following: \$20.0 million for the Natural Resource Challenge; \$18.7 million for the transfer of the U.S. Park Police pension fund into this account; \$16.9 million for the Repair and Rehabilitation program (including the facilities maintenance management system and condition assessments); \$3.0 million for implementation of the Comprehensive Everglades Restoration Plan (CERP); \$1.2 million for bison management, and \$1.1 million for structural fire safety.

The conferees provide \$1.48 billion for NPS Operations, an increase of \$6.5 million above the President's request.

Conference changes include:

- The conference bill provides \$28.0 million for park base increases. No funding was requested for this in the President's budget. The House had provided \$28.0 million; the Senate allowance for park base increases was \$9.0 million.
- The conference bill funds the Repair and Rehabilitation program at \$72.6 million, providing \$2.7 million less than the request. Funding for the condition assessment and maintenance management system is included at the requested level.
- The conferees provide \$32.4 million for fixed costs, as requested.
- The conferees fund the requested increases of \$20.0 million for the Natural Resource Challenge, \$1.2 million for bison management, and \$1.1 million for structural fire safety.

- The conferees provide \$9.5 million for Everglades science and CERP implementation as requested in the President's budget.
- The conferees add \$500,000 to continue the business plan initiative.
- Conferees provide an additional \$500,000 for Vanishing Treasures and an additional \$500,000 for cultural resources management.
- The conferees add \$2.0 million for challenge cost-share activities associated with the bicentennial of the Lewis and Clark expedition.

The conference agreement rejects the proposed transfer of park police pension costs to NPS operations, instead funding these costs in a new permanent, indefinite account.

In bill and report language:

- NPS is prohibited from establishing a new Associate Director for Partnerships position.
- NPS is required to provide by February 1, 2002 a new national policy regarding General Management Plans that addresses the issue of oversized structures, establishes appropriate scope for new proposed facilities, and establishes cost and planning parameters.
- NPS and the Department are encouraged to agree on a common priority system for line item construction that strongly addresses backlog issues but does not discount visitor facility needs.

U.S. Park Police

\$000	<u>01 Enacted</u>	<u>02 Budget</u>	<u>House</u>	<u>Senate</u>	<u>Conf.</u>	<u>Conf+/-01</u>	<u>Conf+/-02</u>
Park Police	77,876 *	65,260	65,260	66,106	65,260	-12,616 -16.2%	0 0.0%

- Excludes \$1.7 million in emergency supplemental funding enacted in 2001.

The conference agreement provides \$65.3 million for the U.S. Park Police, the same as the President's budget.

The conference agreement creates a new, permanent indefinite account to pay Park Police pension costs, anticipated to cost \$22.0 million in 2002. This is similar to the way the U.S. Secret Service pension costs are funded. Conference bill language also allows the U.S. Park Police to be reimbursed by park units for limited law enforcement assistance during special events.

Fish and Wildlife Service Operations

S000							
	<u>01 Enacted</u>	<u>02 Budget</u>	<u>House</u>	<u>Senate</u>	<u>Conf.</u>	<u>Conf+/-01</u>	<u>Conf+/-02</u>
Resource Mgt.	806,816	806,752	839,852	845,814	850,597	+43,781 +5.4%	43,845 +5.4%

The President's budget funded FWS operations at approximately the same level as 2001. The budget proposed \$31.4 million in reductions in unrequested congressional earmarks and one-time changes. The budget proposed key program increases including: \$2.0 million for the ESA listing program; \$10.0 million for National Wildlife Refuge System maintenance; \$1.2 million for the Great Lakes consent decree on fishery resources; \$2.0 million for Trinity River restoration; \$1.0 million for CALFED; \$3.5 million for Columbia River Basin Salmon Recovery; and \$2.7 million for Comprehensive Everglades Restoration.

Overall, the conferees provide \$850.6 million for FWS operations, an increase of \$43.8 million, or 5.4 percent, above the President's request. The conferees fund uncontrollables at the budget request level of \$17.5 million, and accept \$2.75 million of the \$3.5 million proposed in the budget for streamlining reductions. Changes from the President's budget include:

- The conference bill funds a net increase of \$4.3 million for refuge operations and maintenance composed of an increase of \$10.0 million for refuge operations and a reduction of \$5.7 million for refuge maintenance. The conferees do not fund the \$1.0 million natural resource challenge program proposed by the House.
- The conferees provide an additional \$13.9 million for Endangered Species Act (ESA) operations, discussed below.
- For the Partners for Fish and Wildlife Program, the conferees provide an additional \$5.65 million, earmarked as follows: \$550,000 for nutria eradication at Blackwater NWR, MD; \$500,000 for Columbia River estuary research; \$1.1 million for bull trout conservation in Washington State; \$1.0 million for Washington State Ecosystems; \$750,000 million for Hawaii ESA Community Conservation Plan; \$1.25 million for the Reno Biodiversity project; \$400,000 for the Montana Water Center; and \$100,000 for private conservation efforts near Fairfield Marsh WPA in Wisconsin.
- Under Project Planning, the conferees provide \$500,000 of the \$1.0 million increase requested for CALFED, and provide an earmarked increase of \$250,000 for the Middle Rio Grande (Bosque) program.
- The conferees provide an additional \$1.8 million for coastal programs, including: \$1.0 million for the Cook Inlet Aquaculture Association; \$200,000 for king salmon restoration; \$200,000 for Tampa Bay and Florida Panhandle offices; and \$400,000 for general activities.
- The conferees provide an increase of \$1.4 million for migratory bird joint ventures. Migratory bird conservation and monitoring is increased by \$2.0 million, including \$575,000 to reduce Seabird bycatch in Alaska; \$1.0 million for Canada geese depredation; \$250,000 for establishing alternative habitat and food sources for Idaho terns; and \$200,000 for cormorant research in Arkansas.
- The conferees fund law enforcement at the request level of \$50.4 million, and do not provide an additional \$1.0 million proposed by the Senate.

- The conferees provide an additional \$10.9 million for the fisheries program, including \$4.0 million for the Washington State Hatchery Improvement Project; \$500,000 for general hatchery operations; \$500,000 for reproductive biology/salmon research at Washington State University; \$500,000 for Great Lakes fish and wildlife restoration; \$1.5 million for Leadville NFH; \$850,000 for the Wildlife Enhancement and Economic Development Program in Mississippi; \$1.5 million for Yukon River salmon; \$100,000 for University of Idaho salmon/trout recovery; \$1.3 million for marine mammal protection in Alaska; and \$250,000 for whirling disease and fish health issues.
- The conferees provide an additional \$1.0 million for the National Fish and Wildlife Foundation.
- The conferees provide an increase of \$3.0 million for administrative costs to eliminate charging of programs and projects through the cost allocation methodology.

FWS Endangered Species Program

\$000	<u>01 Enacted</u>	<u>02 Budget</u>	<u>House</u>	<u>Senate</u>	<u>Conf.</u>	<u>Conf+/-01</u>	<u>Conf+/-02</u>
Candidate Conservation	7,052	7,220	7,220	7,720	7,620	+568	+400
Listing Consultation/ HCP	6,341	8,476	8,476	9,000	9,000	+2,659	+524
Recovery Landowner Incentive	42,750	41,901	46,751	43,401	45,501	+2,751	+3,600
	59,835	54,217	60,717	58,517	63,617	+3,782	+9,400
	<u>4,969</u>	--	--	--	--	<u>-4,969</u>	--
Total	120,947	111,814	123,164	118,638	125,738	+4,791 4.0%	+13,924 12.5%

The President's budget for the Candidate Conservation program included an increase of \$168,000 for fixed costs. The conferees provide \$400,000 above the request, all earmarked as pass-through funding to the State of Idaho to prevent the listing of sage grouse.

The President's budget for the Listing program included a program increase of \$1.96 million and an increase of \$173,000 for fixed costs. The conferees provide funding at the Senate level, \$524,000 above the request. The conferees do not adopt the President's budget proposal for listing bill language, but do adopt modified House language that continues the listing cap (at \$9.0 million) and establish a new "subcap" of \$6.0 million for critical habitat designations for already-listed species. The conferees modified the House language to clarify that litigation support is funded outside the critical habitat subcap.

The President's budget for the Consultation program included a program decrease of \$849,000 overall. The request of \$41.9 million included +\$1.2 million for fixed costs; +\$520,000 for implementation of the Comprehensive Everglades Restoration Plan; and -\$2.5 million for unrequested congressional earmarks. The conferees provide \$3.6 million above the President's budget, restoring earmarked funding for the Sonoran Desert Conservation Plan (+\$850,000); providing a general increase of \$2.5 million; and providing a \$250,000 increase for the Central Valley and Southern California Habitat Conservation Plan.

The President's budget for the Recovery Program included a program decrease of \$5.6 million overall, including: +\$1.0 million for fixed costs; +\$625,000 for Columbia River Salmon Recovery; +\$390,000 for implementation of the Comprehensive Everglades Restoration Plan; and -\$7.6 million for unrequested congressional earmarks. The conferees provide \$9.4 million above the President's budget, including a general increase of \$2.0 million and \$7.4 million in earmarks for the following recovery efforts: \$3.0 million for Washington salmon grants and \$1.1 million for Atlantic salmon grants, both to be administered by the National Fish and Wildlife Foundation; \$500,000 for manatees to bring total manatee funding to the 2001 enacted level of \$1.0 million; \$800,000 in pass-through funding to the Alaska Sealife Center for eider recover; \$200,000 for Nez Perce wolf monitoring activities; \$500,000 for Preble's Meadow jumping mouse in Colorado; \$700,000 for Upper Colorado endangered fish recovery; and \$600,000 for Lahontan cutthroat trout in Nevada.

The President's budget discontinued funding for the Federally operated landowner incentive program (-\$5.0 million) and replaced it with a new State landowner incentive program of \$50.0 million. The conferees agree to this reduction and fund the landowner incentive program at \$40.0 million, \$10.0 million below the request (see discussion entitled Landowner Incentive Programs above).

Bureau of Land Management Operations

Bureau of Land Management Operations							
S000							
	<u>01 Enacted</u>	<u>02 Budget</u>	<u>House</u>	<u>Senate</u>	<u>Conf.</u>	<u>Conf+/-01</u>	<u>Conf+/-02</u>
BLM	857,288	865,477	873,876	882,023	880,797	23,509	15,320
Operations						+2.7%	+1.8%

**Note: Includes Management of Lands and Resources and California O&C lands. 2001 enacted includes \$3.0 million of supplemental funding for energy and does not include \$2.495 million for Ft. Irwin.*

The President's budget provided \$865.5 million for BLM operations, a net \$8.7 million increase over the 2001 level. Within this amount the budget included increases of \$16.1 million for uncontrollables, \$7.1 million for land use planning, and \$15.0 million to expand energy and mineral activities. These increases were offset by reductions in unrequested congressional earmarks and one-time changes.

The conferees provide \$880.8 million for BLM operations, an increase of \$15.3 million or 2 percent above the request. This level is \$1.2 million below the Senate mark but \$6.9 million above the House mark. The conference mark fully funds the \$16.1 million requested for uncontrollables.

For energy programs in BLM, the 2002 budget request provided an increase of \$15.0 million, including \$2.0 million for environmental and resource studies in support of a lease sale in the 1002 area of ANWR in 2004. The conferees provide an increase of \$19.0 million, \$4.0 million more than the President's budget level. To fund processing of coalbed methane APDs, the conference bill provides \$4.0 million over the \$2.0 million request, for a total increase of \$6.0 million over the 2001 level. The conferees add \$2.0 million above the \$3.0 million requested for leasing activities in NPR-A, but decline to provide the requested \$2.0 million to support energy development in ANWR. The conference managers also declined to retain Senate funding of \$700,000 specifically for Utah oil and gas APD processing but noted that the significant increase (+\$6.0 million) for oil and gas permitting activities will ensure funding to address the Utah backlog. Attachment 6 provides further detail on energy funding.

Other conference action includes:

- The conference managers include report language directing BLM to focus on completing the necessary environmental reviews in order to proceed with further oil and gas leasing, and they recommend that the Department place a top priority on the identification and evaluation of oil and gas resources in NPR-A.
- The conference mark provides an increase of \$1.8 million for the Alaska minerals program.
- The conferees fund the requested \$7.1 million increase for updating Land Use Planning and urge the Department and the BLM to place the highest priority on completion of the Imperial Sand Dunes recreation management plan.
- The conference bill does not fund the \$1.0 million included by the House for a new Natural Resource program modeled on the NPS initiative. The conferees provide \$400,000 for California desert rangers.
- Additional increases include: \$1.5 million for invasive species, \$400,000 for the Headwaters Forest Reserve, \$1.0 million for the San Pedro Partnership, \$1.0 million for the Undaunted Stewardship program, \$300,000 for a Utah wilderness study, \$2.2 million for mapping activities, and \$250,000 for the Iditarod National Historic trail. No additional funding is included for the Southwest Strategy as proposed by the Senate.
- The conference bill includes an additional \$3.0 million for deferred maintenance infrastructure improvements and clarifies that conservation spending category funds in the MLR account can be used for infrastructure improvements on all public lands, including O&C lands.
- The conference mark includes \$700,000 for riparian management projects in the Rio Puerco watershed, New Mexico.
- The conferees reauthorize the hard rock mining holding fee for two years instead of the five-year extension proposed in the President's Budget (BLM General Provisions).

Wildland Fire Management

\$000	<u>01 Enacted</u>	<u>02 Budget</u>	<u>House</u>	<u>Senate**</u>	<u>Conf.***</u>	<u>Conf.+/-01</u>	<u>Conf.+/-02</u>
Preparedness	314,712	280,807	280,807	281,807	280,807	-33,905	--
<u>Operations:</u>							
Suppression	153,109	161,424	161,424	161,424	161,424	8,315	--

Urban Interface*	120,036	111,255	111,255	111,255	111,255	-8,781	--
Fuels Manage.	74,935	74,935	74,935	74,935	74,935	--	--
Rehab. Burn	104,769	20,000	62,385	20,000	40,000	-64,769	+20,000
Contingency	<u>199,560</u>	--	--	--	--	<u>-199,560</u>	--
Subtotal, Operations	652,409	367,614	409,999	367,614	387,614	-264,795	+20,000
Rural Assist.	<u>9,978</u>	<u>10,000</u>	<u>10,000</u>	<u>10,000</u>	<u>10,000</u>	--	--
Total	977,099	658,421	700,806	659,421	678,421	-298,678	+20,000
						-30.5%	+3.0%

The 2001 wildland-urban interface figure includes \$8.8 million for the Ecological Restoration Institute.

** \$50 million of suppression funding and \$20 million of burned area rehabilitation is emergency funding.

** \$34 million of suppression funding and \$20 million of burned area rehabilitation is emergency funding.

The President's budget funded the Wildland Fire Management program at \$658.4 million, a decrease of \$318.7 million from the 2001 level, which was due in large part to a reduction of \$199.6 million in contingent emergency funding for fire suppression. The budget funded fire preparedness at \$280.8 million, suppression at \$161.4 million, and the fuels program at \$186.2 million (including \$111.3 million for the wildland-urban interface fuels program).

The conferees fund the fire program at \$678.4 million, increasing funding for burned area rehabilitation by \$20.0 million over the President's request. The conferees designate \$54.0 million as emergency, contingent upon request by the President, including \$34.0 million in suppression and \$20.0 million in burned area rehabilitation.

The conferees include an earmark of \$1.0 million within fire preparedness for the purchase of a hyperspectral and digital camera remote sensing system. Additionally, the conferees suggest that the Department may allocate up to an additional \$2.9 million for wildfire research at Northern Arizona University.

To emphasize the critical importance of fuels reduction work in the wildland urban interface, the conferees direct that Interior allocate \$111.3 million for wildland urban interface fuels reduction projects and to notify the Committees if the fire program is unable to expend the funds for this purpose.

Additional direction includes:

- The conferees direct that the full, integrated National Fire Plan effort be sustained in future years to reduce the risks of catastrophic fire and direct the Secretaries of Agriculture and Interior to provide to the Committees by March 15, 2002, an updated ten-year plan with detailed schedules of activities and funding requirements.
- The conferees direct the two Departments to continue to work together to formulate complementary budget requests and submit a budget request to the Committees. The Departments are directed to consult with the State and local and tribal governments in setting priorities for fuels treatment, burned area rehabilitation projects, and public outreach and education.

- The conference managers direct the two Departments to develop and implement a coordinated, common system for calculating wildland fire readiness resources, including provisions for coordinating with State and local fire fighting resources and considering resource values on Federal and non-Federal lands.
- The conferees direct the Departments to contract for an independent review of wildfire suppression costs and strategies and issue a preliminary report to the Committees by May 31, 2002, with a final report due by September 30, 2002.

Native American Programs

Bureau of Indian Affairs

\$000			<u>01 Enacted</u>	<u>02 Budget</u>	<u>House</u>	<u>Senate</u>	<u>Conf.</u>	<u>Conf.+/-01</u>	<u>Conf.+/-02</u>
Op. of Ind.	1,738,579	1,780,486	1,790,781	1,804,322	1,799,809	+61,230	+19,323		
Progs.						+3.5%	+1.1%		
Construction	356,618	357,132	357,132	360,132	357,132	+514	--		
						+0.1%	--		
L&W Settlements	37,443	60,949	60,949	60,949	60,949	+23,506	--		
						+62.8%	--		
Guaranteed Loan	<u>4,977</u>	<u>4,986</u>	<u>4,986</u>	<u>4,986</u>	<u>4,986</u>	<u>+9</u>	--		
						+85,259	+19,323		
BIA Total	2,137,617*	2,203,553	2,213,848	2,230,389	2,222,876	+4.0%	+0.9%		

* Excludes FY 2001 supplemental appropriation of \$50.0 million

The conference mark for BIA is \$2.2 billion, an increase of \$85.3 million, or 4.0 percent, above the enacted level and an increase of \$19.3 million, or 0.9 percent, above the President's budget request. The conferees fully fund the President's request for education by continuing the construction and repair of Indian schools at the enacted level (\$292.5 million), increasing funding for elementary and secondary school operations by \$15.6 million, and adding \$2.0 million above the requested \$1.0 million increase for tribally controlled community colleges.

The conference mark is at the President's request level for all accounts except the Operation of Indian Programs. The conference mark includes the President's request of \$60.9 million for Indian Land and Water Claims Settlements, an increase of \$23.5 million above the 2001 level for recently authorized settlements. The conference mark also funds requested increases for continued improvement in activities related to trust management (+\$12.0 million), and for public safety (+\$5.0 million) to assist Tribes in staffing new detention centers. The conference mark fully funds the request for uncontrollables.

Other features of the conference agreement include:

- The conference mark preserves House increases within Operation of Indian Programs, including \$285,000 for the Great Lakes Fisheries Commission, \$75,000 for a ferry assessment with the State of Washington, and \$521,000 for the ironworkers training program.

- The conference mark preserves but reduces the House increases in OIP, including \$1.7 million for Tribal Government within Tribal Priority Allocations,
- The conference mark preserves Senate increases in Operation of Indian Programs including \$2.0 million for tribally controlled community colleges, \$1.0 million for a vocational training center in Alaska, \$146,000 for Alaska legal services, and \$326,000 for Cheyenne River Sioux prairie management.
- The conference mark somewhat reduces Senate increases in OIP by providing \$1.7 million for distance learning, \$500,000 for physician assistant training, \$1.2 million for Crownpoint Institute of Technology, \$350,000 for Uintah and Ouray oil and gas leasing, \$500,000 for Washington shellfish, and by providing \$1.0 million for aviation training in Alaska with report language directing BIA to report on program measures.
- Senate increases that are not agreed to in conference include \$4.0 million for trust services (real estate services and probate backlog), \$1.0 million for facilities management, \$500,000 for the timber-fish-wildlife program, and \$3.0 million for the cost-share demonstration program within education construction.
- The conference report contains an earmark of \$5.0 million for competitive tribal wildlife grants within the state wildlife grant program funded under the Fish and Wildlife Service appropriation.

The conferees agree to include House bill language allowing settlement funds from cost overruns on school construction contracts to be used for other school construction. The conferees re-state House report language directing BIA to open a part-time land office in Canoncito, NM. The conference report is silent on all other report language, leaving the House and Senate report language unchanged, including:

- The House Committee report language encouraging BIA to work with the NM Pueblos in improving water quality in the Rio Grande, to support Tohono O'odham higher education and employment assistance programs, and to include phase II of replacement of the Santa Fe Indian School in the 2003 submission for education construction.
- Senate Report language directing the Bureau to continue funding the Inchelem Public Ferry in Washington and directed the Bureau to proceed with replacement of the K-12 Ojibwa School without making the Ojibwa education master plan a prerequisite for planning and construction.
- The Senate language directing the Secretary to work with the Timbisha Shoshone Tribe to acquire specific lands in trust in Nevada and to report survey results related to this acquisition to the Committee.

The conference mark strikes Senate bill language that would place land into trust for the Pechanga Band of Luiseno Mission Indians of California. The conference mark modifies Senate bill language clarifying that land taken into trust for the Lytton Rancheria section 819 of the Omnibus Indian Advancement Act of 2000 are still subject to all relevant Class III gaming provisions and procedures. A new general provision is added clarifying that the Secretary, not the Indian Gaming Commission, determines whether Indian lands constitute a reservation.

Office of the Special Trustee for American Indians

\$000

	<u>01 Enacted</u>	<u>02 Budget</u>	<u>House</u>	<u>Senate</u>	<u>Conf.</u>	<u>Conf.+/-01</u>	<u>Conf.+/-02</u>
OST	118,965	110,204	110,204	110,204	110,204	-8,761 -7.4%	--

The 2002 budget requested \$110.2 million for OST, \$8.8 million less than 2001. This amount included \$73.0 million for trust improvements to fund requirements identified in the HLIP and associated breeches, including \$7.5 million to continue the IIM accounting effort initiated in 2001. The conferees provide the request level of \$110.2 million, funding the request of \$594,000 for uncontrollable costs.

The conferees provide \$11.0 million, the amount requested in the President's budget, for the fourth year of Indian land consolidation program to address fractionation of Indian lands. This is an increase of \$2.0 million over the 2001 level.

The conference managers clarify House report language on historical accounting noting that both the House and Senate include funds requested in the President's budget for an historical accounting but that managers remain concerned about the costs of such an accounting. The managers direct that these funds may not be allocated until a report is received by the Committees detailing the methods and costs associated with an historical accounting. The managers reiterate the position that they will not appropriate funding for an historical accounting for a protracted reconciliation process whose outcome is unlikely to be successful, and may have to consider a legislative remedy for this and other litigation issues if the Department, working with the plaintiffs and the Court, cannot find a cost effective method for an historical accounting.

Maintaining America's Heritage:

Maintenance

\$000	<u>01 Enacted</u>	<u>02 Budget</u>	<u>House</u>	<u>Senate</u>	<u>Conf</u>	<u>Conf+/-01</u>	<u>Conf+/-02</u>
BLM	114,676	105,310	108,310	109,291	108,560	-6,116	+3,250
USGS	33,283	31,365	32,385	33,586	36,335	+3,052	+4,970
FWS	91,515	99,577	94,577	93,838	93,876	+2,361	-5,701
NPS	<u>458,311</u>	<u>477,197</u>	<u>485,197</u>	<u>480,701</u>	<u>483,088</u>	<u>+24,777</u>	<u>+5,891</u>
Total	697,785	713,449	720,469	717,416	721,859	+24,074 +3.3%	+8,410 +1.1%

The conference bill provides \$721.9 million for annual, cyclic, and deferred maintenance needs for the land management bureaus and USGS. Overall, the funding levels are 3.3 percent higher than 2001 and 1.1 percent higher than the request.

Details on NPS deferred maintenance funding are provided after the construction discussion.

Construction

\$000	<u>01 Enacted</u>	<u>02 Budget</u>	<u>House</u>	<u>Senate</u>	<u>Conf.</u>	<u>Conf+/-01</u>	<u>Conf+/-02</u>
BLM	16,823	10,976	11,076	12,976	13,076	-3,747	+2,100
FWS	71,358	35,849	48,849	55,526	55,543	-15,815	+19,694
NPS	315,301	339,802	349,249	338,585	366,044	+50,743	+26,242
BIA	292,341	292,503	292,503	295,503	292,503	+162	0
(Education)							
BIA (Other)	64,277	64,629	64,629	64,629	64,629	+352	0
Total	760,100	743,759	766,306	767,219	791,795	+31,695	+48,036
						+4.0%	+6.0%

The conference bill provides \$791.8 million for construction programs in the land management bureaus and BIA. This mark is \$48.0 million or six percent over the request, and approximately \$25.0 million over the levels funded by the House and Senate.

Specifics for each bureau are as follows:

- \$13.1 million for BLM construction. All of the construction projects that were requested in the President's budget are funded at the full amount except for Pompey's Pillar in Montana, which is reduced from \$5.4 million to \$2.9 million. In the conference bill, \$4.6 million is added for three unrequested projects.
- \$55.5 million for FWS construction. All of the construction projects that were requested in the President's budget are funded at the full amount except for the Pelican Island Visitor Center project in Florida. The conference amount is 35.4 percent higher than the request reflecting the addition of \$24.1 million for 24 projects that were not requested in the President's budget. The add-on projects include \$4.0 million for fish screens and related devices at the Northwest Power Planning Area in Washington and Oregon.
- The conference managers provide extensive direction to FWS concerning the need to revise the priority setting process for construction of headquarters, maintenance, visitor, and education facilities and to increase construction budgets in future years since only health and safety projects currently are being requested. Conference managers direct FWS not to build visitor centers costing more than \$3.0 million without extenuating circumstances, such as higher costs for materials and labor in locations like Alaska.
- \$366.4 million for NPS construction. All but eight of the construction projects that were requested in the President's budget are funded by the conferees. The conference bill includes a 7.1 percent increase over the 2002 President's budget reflecting increased funding for projects that were not requested. A total of \$64.1 million in funding for 32 unrequested projects was added including: \$8.0 million for the Lincoln Library in Illinois, \$1.0 million for Fisher Peak in Virginia, and \$5.0 million for Palace of the Governors in New Mexico.
- \$357.1 million for BIA construction. The conference bill provides BIA with funding for six replacement school projects. Although funds are not included for the tribal school demonstration program, as proposed by the Senate, the conferees include bill language to continue the program in 2003.

A list of construction projects for each of the bureaus is included as Attachment 5.

National Park Service Deferred Maintenance Backlog

\$000	<u>01 Enacted</u>	<u>02 Budget</u>	<u>House</u>	<u>Senate</u>	<u>Conf.</u>	<u>Conf+/-01</u>	<u>Conf+/-02</u>
Repair/Rehab. *	55,459	75,349	75,349	72,640	72,640	+17,181	-2,709
Line Item	216,674	246,597	246,044	250,143	268,081	+51,407	+21,484
Housing Repair	4,989	15,000	15,000	10,000	12,500	+7,511	-2,500
Dam Safety	1,437	2,700	2,700	2,700	2,700	+1,263	0
Subtotal	278,559	339,646	339,093	335,483	355,921	+77,362	+16,275
						+27.8%	+4.8%
Fees**	60,000	100,000	96,000	100,000	100,000	+40,000	0
Total	338,559	439,646	435,093	435,483	455,921	+117,362	+16,275
						34.7%	+3.7%

*Repair/Rehab includes funding for the facility maintenance management system and condition assessments

The President's budget requested an increase of \$61.1 million in appropriated funds for deferred maintenance needs in parks. This level provided increases in repair and rehabilitation, condition assessments, the maintenance management system, and construction programs.

The conference provides an increase of \$77.4 million for deferred maintenance, \$16.3 million higher than the President's Budget. The conference level reduces the repair/rehabilitation program by \$2.7 million below the request but fully funds the request for condition assessments and the maintenance management system. The Line Item construction program is increased by \$21.5 million.

Science Programs

U.S. Geological Survey

\$000	<u>01 Enacted</u>	<u>02 Budget</u>	<u>House</u>	<u>Senate</u>	<u>Conf</u>	<u>Conf +/-01</u>	<u>Conf +/-02</u>
USGS	882,800	813,376	900,489	892,474	914,002	+31,202	+100,626
						+3.5%	12.4%

The 2002 President's budget proposed to focus USGS resources on core programs and on science support for Interior resource management bureaus, and proposed approximately \$93 million in reductions to one-time increases, Congressional add-ons, and lower-priority programs. The budget also proposed to seek reimbursement and cost sharing for water programs that primarily benefit customers external to the Department of the Interior.

The conference bill restores most of the reductions proposed in the President's budget, funding USGS science programs at \$100.6 million over the requested level and \$31.2 million over the 2001 enacted level. The measure provides funding for a number of new projects as well.

Specific changes from the President's budget and 2001 enacted level include:

- In the National Mapping Program, the conference bill fully restores funding for the global change data archive (+\$2.0 million) and restores \$1.0 million of the \$2.0 million reduction for improved internet access. It restores \$800,000 of the \$1.1 million reduction proposed for urban dynamic studies and fully restores funding for high performance computing and communications, also known as “Ohio View” (+\$3.0 million). The conferees add \$3.0 million for Landsat-5 operations, and also include an unrequested decrease of \$200,000 for the Civil Applications Program.
- In the Geology Program the conference bill fully restores funding for the minerals information team (+\$2.0 million), global change related research (+\$3.0 million), and the National Cooperative Geologic Mapping program (+\$6.0 million). In addition to these program restorations, the conference bill restores funding for every individual project decrease proposed in the President’s budget. In the case of the coastal pilot project in the Gulf of Mexico, the conferees restore the proposed decrease of \$1.0 million and also add \$1.0 to begin expanding this pilot into a comprehensive, national initiative. In addition to restorations, the conference bill provides several increases above the 2001 enacted level as well. These include \$300,000 for the advanced national seismic system, \$1.0 million for volcano monitoring in Shemya, Alaska, and \$500,000 each for coastal erosion studies in North Carolina and land subsidence studies in Louisiana.
- In the Water Resources Program, the conference bill fully restores the proposed decreases to the Toxic Substances Hydrology program (+\$10.0 million), Groundwater Resources program (+\$2.0 million), and the streamgaging activity (+\$5.0 million), and restores all but \$600,000 of the \$20.0 million decrease proposed for the National Water Quality-Assessment program. The conference bill increases funding for Water Resources Research Institutes by \$540,000 over the 2001 enacted level; the President’s Budget had proposed to discontinue USGS funding for this program. The conferees restore \$2.7 million of the \$3.0 million reduction proposed for water information management and delivery. In addition to restoring funding for a number of individual projects, the conference bill adds \$200,000 to initiate new study of extremophilic life in Berkeley Pit Lake in Montana.
- In the Biological Research Program, the conference bill fully restores proposed decreases for the GAP program (+\$3.5 million), biological information management and delivery (+\$2.5 million) fire science (+\$2.8 million), and the National Biological Information Infrastructure (+\$4.0 million). Beyond the NBII restoration, the conferees add an additional \$1.0 million above the 2001 enacted level for USGS to establish a two new nodes in Tennessee and Hawaii. In addition to fully restoring funding for these programs, the conference mark restores funding for individual projects slated for elimination in the President's budget, including a mining study in Mark Twain National Forest, a Yukon River chum salmon research study, and a ballast water research project. The mark also includes increases above the 2001 level for USGS to initiate new studies such as Diamondback Terrapins in the Chesapeake Bay (\$250,000), or expand ongoing efforts, such as amphibian research and monitoring (+\$500,000).
- In Science Support, the conference fully restores funding for Accessible Data Transfer (+\$5.0 million) to continue upgrading of USGS’s information infrastructure.
- In the facilities activity, the conference bill adds \$2.0 million for USGS to initiate phase one of the expansion of the National Fish Health Laboratory at the Leetown Center, located in West Virginia, and \$2.25 million for construction of the Center for Coastal Geology in St. Petersburg, Florida. The conference bill also restores a

\$500,000 decrease proposed for maintenance activities at the Wellsboro lab in Pennsylvania.

- The conference bill provides \$22.8 million of the \$23.7 million requested in the President's budget for uncontrollable cost increases.

Other Bureaus, Offices, and Programs

Minerals Management Service

\$000	<u>01Enacted</u>	<u>02Budget</u>	<u>House</u>	<u>Senate</u>	<u>Conf.</u>	<u>Conf+/-01</u>	<u>Conf+/-02</u>
Direct	139,221	155,473	155,972	158,051	156,772	+17,551	+1,299
Approp.							
Offsetting	<u>107,410</u>	<u>102,730</u>	<u>102,730</u>	<u>102,730</u>	<u>102,730</u>	<u>-4,680</u>	<u>--</u>
Collections							
Total MMS	246,631	258,203	258,702	260,781	259,502	+12,871 +5.2%	+1,299 +0.5%

The conference bill provides \$259.5 million for MMS programs, including \$102.7 million in offsetting collections and \$156.8 million in direct appropriations.

Royalty and Offshore Minerals Management is funded at \$150.7 million, \$1.3 million above the President's request of \$149.4 million. While the President's request proposed to eliminate funding for the Center for Marine Resources and Environmental Technology, the conferees provided \$800,000.

The conferees provide an additional \$800,000 in support of the Marine Mineral Technology Center in Alaska and an additional \$500,000 for the Offshore Technology Research Center (OTRC); MMS is further directed to provide a total of \$1.4 million for OTRC.

Uncontrollable costs are funded at the President's budget request level of \$8.96 million.

Oil spill research is funded at \$6.1 million, the same as the President's budget request.

The conference bill does not include House language prohibiting the use of funds to execute a final lease agreement for lease sale 181.

In addition, the managers agreed to maintain the language from the 2001 appropriations bill for the royalty-in-kind program.

Office of Surface Mining

\$000	<u>01 Enacted</u>	<u>02 Budget</u>	<u>House</u>	<u>Senate</u>	<u>Conf.</u>	<u>Conf+/-01</u>	<u>Conf+/-02</u>
Reg. and Tech.	100,854	102,175	103,175	102,419	103,075	+2,221	+900
AML	<u>201,992</u>	<u>166,783</u>	<u>203,554</u>	<u>203,171</u>	<u>203,455</u>	<u>+1,463</u>	<u>+36,672</u>
Total	302,846*	268,958	306,729	305,590	306,530	+3,684	+37,572
						+1.2%	+14.0%

* Does not include \$12.573 million one-time earmark to the State of Pennsylvania anthracite region or the transfer of \$96.787 million to the United Mine Workers Combined Benefit Fund.

The conference bill provides \$306.5 million for OSM programs, an increase of \$37.6 million above the President's budget request. An additional \$36.3 million above the President's budget for State reclamation grants and Federal high-priority projects is provided, restoring these programs to last year's level. Also included is an additional \$500,000 to the State of Pennsylvania to continue an acid mine drainage remediation project.

The conferees provide an additional \$1.0 million for Regulation and Technology programs to assist the States with fixed cost increases. Clean Streams grants are continued at the 2001 level of \$10.0 million.

The conferees include bill language that reestablishes the minimum program State funding level for AML at \$1.5 million, reducing the current minimum program level from \$1.6 million.

NPS National Recreation and Preservation

\$000	<u>01 Enacted</u>	<u>02 Budget</u>	<u>House</u>	<u>Senate</u>	<u>Conf.</u>	<u>Conf+/-01</u>	<u>Conf+/-02</u>
NR&P	59,827	48,039	51,804	66,287	66,159	+6,332	+18,120
						+10.6%	+37.7%

The conference bill provides \$66.2 million, a \$18.1 million increase over the President's request for National Recreation and Preservation.

The conference bill includes \$10.9 million for natural programs, the same as the President's budget, with \$250,000 of the amount provided for the Rivers and Trails Conservation Assistance program earmarked to establish a 740-mile Northern Forest Canoe Trail through Vermont, New York, Maine, and New Hampshire.

For cultural programs, the conference bill includes \$20.8 million. This includes an additional \$750,000 over the President's budget for the Heritage Education Model, and the Underground Railroad grant program. Within the appropriated amount, \$300,000 is earmarked for Heritage Preservation, Inc.

The conference agreement provides \$13.2 million for Heritage Partnership Programs, an increase of \$4.5 million over the request. The total includes \$13.1 million for individual heritage areas and \$100,000 for administrative support. The conference managers reiterate that previously appropriated technical assistance money for heritage areas is to be used to assist local governments and partner organizations implement locally supported projects.

The conference agreement includes \$17.0 million for Statutory or Contractual Aid, \$12.9 million above the President's budget. Included in the \$12.9 million increase, the conferees added funding to complete the Federal commitment to the following projects: \$750,000 for the Denver Natural History and Science Museum, \$500,000 for the St. Charles Interpretive Center, and \$750,000 for Mandan-on-a-Slant Village. The additional funds also include \$2.5 million for an Anchorage Museum, \$1.5 million for the Independence Mine in Alaska, \$1.0 million for the Penn Center National Landmark in South Carolina, and \$2.0 million for Vulcan State Park.

Office of Insular Affairs

\$000							
	<u>01 Enacted</u>	<u>02 Budget</u>	<u>House</u>	<u>Senate</u>	<u>Conf.</u>	<u>Conf +/-01</u>	<u>Conf +/-02</u>
OIA	96,092	92,695	95,534	99,695	102,195	+6,103 +6.4%	+9,500 +10.3%

In discretionary funding, the conference bill provides a total of \$7.3 million for impact of Compact assistance to Guam (\$1.8 million), the Commonwealth of the Northern Mariana Islands (\$1.5 million), and the State of Hawaii (\$4.0 million). This marks the first time the State of Hawaii will receive impact of Compact assistance to help mitigate the costs of immigration associated with the Compacts of Free Association.

The President's budget request proposed the elimination of discretionary increases provided in 2001 for impact of Compact assistance to Guam (-\$5.0 million) and the CNMI (-\$1.0 million). In addition to the discretionary impact of Compact assistance, Guam will continue to be allocated \$4.6 million in mandatory Covenant grant funds for this purpose. As proposed in the President's budget, the CNMI will also receive \$500,000 of mandatory Covenant grant funds for impact of Compact assistance. The budget offset the mandatory increase for the CNMI by a reduction in funding for the CNMI Immigration initiative.

The conferees provide an unrequested increase of \$2.0 million for the Department to transfer to FEMA to retire an emergency loan debt of the Virgin Islands and add \$200,000 for a USVI utility privatization study.

The conference bill lets stand House report language that directs the Department to withhold \$1.0 million in first quarter funding from the American Samoa Government operations grant, and withhold additional amounts each quarter, until a satisfactory

plan and MOU have been approved by the Department and transmitted to the Committee with the MOU specifying benchmarks and schedules.

Departmental Offices

\$000	<u>01Enacted</u>	<u>02Budget</u>	<u>House</u>	<u>Senate</u>	<u>Conf.</u>	<u>Conf+/-01</u>	<u>Conf+/-02</u>
Dept. Mgt	64,177	64,177	55,177	67,541	67,741	+3,564 +5.6%	+3,564 +5.6%
SOL	40,108	42,207	45,000	44,074	45,000	+4,892 +12.2%	+2,793 +6.6%
IG	27,785	30,490	30,490	34,302	34,302	+6,517 +23.5%	+3,812 +12.5%
NRDA	<u>5,391</u>	<u>5,497</u>	<u>5,497</u>	<u>5,872</u>	<u>5,497</u>	+106 +2.0%	0 0%
Total	137,461	142,371	136,164	151,789	152,540	+15,079 +11.0%	+10,169 +7.1%

For Departmental Management, the conference bill provides \$67.7 million, which is \$12.6 million above the House level and \$200,000 above the Senate level. This includes an increase of \$3.4 million over the President's budget to fund uncontrollable costs for all Departmental Offices.

For the Office of the Solicitor, in addition to uncontrollable costs, the conference mark allows an additional \$694,000 to address a shortfall in funding for uncontrollables in previous years and a dramatic increase in agency legal work.

For the Office of Inspector General, in addition to uncontrollable costs, the conference mark provides \$835,000 for audits related to "Top Management Challenges" and new legislative requirements. The conference funds partial costs for bureau audits including \$3.8 million for the IG to contract financial audits; the budget sought funding for audits in bureau accounts.

The conference mark for the Natural Resource Damage Assessment and Restoration Fund, \$5.5 million, is the same as the President's request and House level.

In report language the managers express concern about information security weaknesses in the Department and the number of requests they have received to purchase updated wireless communication infrastructure in light of the FCC's ongoing review of spectrum allocations. Report language also directs the Department to study the integration of budget and performance using financial information technology and to report to the Subcommittees by March 1, 2002.

Crosscutting and Regional Initiatives

Everglades Restoration

\$000	<u>01 Enacted</u>	<u>02 Budget</u>	<u>House</u>	<u>Senate</u>	<u>Conf.</u>	<u>Conf+/-01</u>	<u>Conf+/-02</u>
Everglades	83,995	122,766	125,319	116,131	115,420	+31,425 +37.4%	-7,346 -6.0%

The conference bill provides \$115.4 million for Everglades Restoration, an increase of \$31.4 million over the 2001 enacted level and \$7.3 million below the request. The conference agreement includes \$11.4 million for Comprehensive Everglades Restoration Plan (CERP) implementation, \$35.2 million for the Modified Water Deliveries project, \$8.5 million for FWS land acquisition, and \$15.0 million for land acquisition grants to the State of Florida.

The conference changes to the request are as follows:

- Funding for FWS land acquisition is reduced by \$3.9 million including elimination of \$2.5 million for the Florida Keys Refuge Complex, and a reduction to acquisition at Pelican Island NWR from \$6.4 million to \$5.0 million.
- Funding for the Modified Water Deliveries Project is reduced from \$39.2 million to \$35.2 million.
- Funding for USGS Surveys, Investigations, and Research is increased from \$8.0 million to \$8.6 million.

Attachment 7 provides further detail on Everglades funding.

Columbia River Basin Salmon Recovery

\$000	<u>01 Enacted</u>	<u>02 Budget</u>	<u>House</u>	<u>Senate</u>	<u>Conf.</u>	<u>Conf+/-01</u>	<u>Conf+/-02</u>
BIA	--	400	400	400	400	+400	--
USGS	400	400	400	400	400	--	--
BOR	5,610	11,000	11,000	11,000	*	--	--
FWS	<u>2,500</u>	<u>6,000</u>	<u>6,000</u>	<u>6,000</u>	<u>6,000</u>	<u>+3,500</u>	--
Total	8,510	17,800	17,800	17,800	*	*	*

* At the time of this report, conference had not been held on the Energy and Water Development bill.

The President's budget included program increases of \$9.3 million for BOR, BIA and FWS for Columbia Basin salmon recovery efforts. The Interior bill conference agreement fully fund the President's request. Conference action on the Energy and Water Development bill is pending.

The conferees provide \$4.0 million in funding (under construction) to FWS for fish passage improvements in Washington, Oregon, Montana, and Idaho. These funds could contribute to Columbia Basin Salmon recovery, however, because they are not limited to CRB or meeting the Department's responsibilities for CRB salmon recovery, they are not included in the table above.

MAJOR LEGISLATIVE LANGUAGE ITEMS

ESA Listing Language. The President's budget proposed bill language that would have allowed FWS to spend its listing appropriation in accordance with biological priorities, after meeting existing court orders. This language continued a provision, the listing "cap," enacted in fiscal years 1998 through 2001, and included new language clarifying that FWS could expend its listing resources only to comply with existing court orders or according to a biologically based priority system.

The conferees continue the listing cap (at \$9.0 million) and establish a new "subcap" of \$6.0 million for critical habitat designations for already-listed species. The conferees modified House "subcap" language to clarify that litigation support is funded outside the critical habitat subcap.

Recreation Fee Demonstration Program. The conference managers agreed to a two year extension of the recreation fee demonstration program through 2004 rather than the four year extension recommended by the House. The statement of managers indicates that the extension is to allow the authorizing committees with jurisdiction to continue their assessment of this program and to provide for a permanent solution to this issue. The managers strongly encourage the authorizing committees to address this matter soon so short-term extensions via the appropriations process are no longer needed. The managers state their expectations that agencies implementing this program will focus on public service, work closely with local communities and the recreational industry, and use the receipts to enhance visitor services and reduce the backlog in deferred maintenance. The managers require House and Senate approval prior to initiation of planning, design, or construction of structures with costs exceeding \$500,000. (Conference §312)

Mine Claim Holding Fee. The President's budget proposed to extend the BLM mine claim holding fee for five years. The conference bill provides authorization for a two-year extension. (BLM Administrative Provisions)

Outer Continental Shelf Moratoria. As requested in the President's budget, the conferees agreed to continue the moratoria on OCS oil and gas activities. The conferees also agreed to the addition of "preleasing" in the list of restricted activities. (Conference §107-110)

Oil and Gas Sale Area 181. The conference managers delete House language that would have prohibited the use of funds to execute a final lease agreement for oil and gas from lease sale area 181 prior to April 1, 2002 (House §334).

Royalty in Kind. The conferees continue language for the royalty-in-kind program as it appeared in the 2001 appropriation bill instead of using the House language requiring that revenues be equal to or greater than royalty-in-value as determined by the regulations of March 15, 2000. (MMS/Royalty and Offshore Minerals Management)

Mine Patent Moratorium. As requested in the President's budget, the conference mark continues the mine patent moratorium for an additional year. (Conference §309)

National Monuments. The conferees include 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 (Conference §331).

Hardrock Mining/3809 Regulations. The conference managers delete House language prohibiting the use of funds to revise BLM's 3809 mining regulations (House §335).

Grazing Permits. The conference mark continues authorization for automatic extension of grazing permits if not acted on by BLM before permit expiration. The conference mark also modified language proposed by the House and Senate by extending traditional grazing use on Federal lands managed by the National Park Service at Lake Roosevelt National Recreation Area in eastern Washington. (Conference §114)

Prohibition on Establishing Kankakee NWR (IL). The conferees continue last year's provision limiting establishment of the Kankakee refuge in Indiana that is inconsistent with the Corps of Engineer's efforts to control flooding and siltation in that area. (House §117)

Huron Cemetery (KS). The conferees include a provision contained in last year's bill 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. (Conference §119).

Indian Gaming. The conferees include a provision clarifying the Secretary's authority under the Indian Gaming Act to determine whether Indian lands constitute a reservation. The provision includes the proviso stating in it does permit gaming on lands described in §123 of P.L. 106-291 (the Huron Cemetery provision in the 2001 appropriations bill) or any lands contiguous to such lands that have not been taken into trust by the Secretary. (Conference §134)

Tribal School Construction. The conferees agreed to include authorization to continue a cost-shared tribal school construction program. (Conference §125).

White River Oil Shale Mine, Utah. The conference managers include language permitting the sale of improvements and equipment at the White River Oil Shale Mine in Utah and the retention and use of these funds by BLM and GSA. (Conference §126).

Black Rock Desert-High Rock Canyon Emigrant Trails NCA. The conferees include a provision that amends the Black Rock Desert-High Rock Canyon Emigrant Trails National Conservation Act of 2000 in order to allow the use of gravel pits for road maintenance, clarifies the jurisdiction of the State of Nevada in the regulation of hunting and fishing, allows wildfire management, and releases area previously studied for wilderness. (Conference §135)

FWS Horse and Burro Management. The conferees agreed to include language that authorizes the use of helicopters or motor vehicles to capture and transport horses and burros at the Sheldon and Hart NWR. (Senate §127).

LWCF State Grants/Wildlife Grants. The conference agreement does not include language proposed by the Senate permitting the transfer of funds between State grant programs managed by FWS and NPS. (Senate §125).

Lytton Tribe. The conferees modify the text of Senate section 126 to clarify that lands taken into trust for the Lytton Rancheria of California, pursuant to P.L. 106-568, are subject to the provisions of P.L. 100-497 and in particular the compact provisions of section 2701(d) or any relevant Class III gaming procedures. The Senate bill would have repealed the Lytton provisions of P.L. 106-568. (Conference §128).

Cape Romain NWR, NC. The conferees rename Moore's Landing at the Cape Romain NWR, North Carolina as "Garris Landing." (Conference §129).

Buy America. The conferees drop House proposed language that prohibits funding for anyone convicted of violating the Buy American Act (House §332).

Glacier Bay. The conference managers modify language proposed by the Senate regarding cruise ship entries at Glacier Bay National Park and Preserve. The provision provides that NPS shall issue an EIS no later than January 1, 2004 to identify and analyze the possible effects of 1996 increases in the number of vessel entries issued for Glacier Bay, that the EIS will be used to set the minimum level of vessel entries, and that until the Secretary sets the level of vessel entries based on the new EIS the number of entries shall be the same as that in effect during the 2000 calendar year. (Conference §130)

South Fox Island. The conferees agreed to retain the provision that prohibits the use of funds for approval of the transfer of lands on South Fox Island, Michigan until Congress has authorized the transfer. The managers indicate that the Department may continue working on processes pursuant to NEPA, including preparation of an EIS on the proposed land exchange, analysis of the State's proposal and a range of alternatives, and considerations of public input. The managers also state that absent a showing that the agencies have not complied with NEPA, the conference managers do not intend to include this or similar restrictions next year. (Conference §131)

Pechanga Indian Reservation. The conference agreement does not include language proposed by the Senate dealing with the Pechanga Band of Indians. (Senate §132)

Coastal Impact Assistance. The conference agreement does not include language that would have adopted a sense of the Congress amendment concerning the importance of coastal impact assistance. (Senate §133)

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 2001 enacted appropriations and the 2002 President's budget as scored by OMB and the Department. House scoring of 2001 and the President's budget differs somewhat, with the result that comparisons in this document and the House report do not, in all instances, match. The following note explains the differences in scoring.

OMB Budget Totals Compared with Appropriations Committee Totals

\$000	01 Enacted	02 Budget
OMB Scoring	9,486,831	9,168,013
Appropriations Scoring	9,314,582	9,167,124

The Interior scoring table for the 2002 appropriations bill begins with an amount for 2001 for Title I that is \$172.25 million lower than the President's Budget. Most of the difference is caused by not including the OSM AMLF "transfer" to the UMWA Combined Benefit fund, which the President's Budget scores at \$96.8 million. Congressional scorekeepers did include a lower amount for this item apart from Title I (\$57.9 million). The President's Budget also includes funds for the American Tobacco Loan subsidy of \$3.1 million not found in congressional scoring. The congressional scorekeepers for the Interior bill generally do not include appropriations that the Department received from other 2001 Appropriations Acts. The largest of these was \$49.9 million Wildlife Conservation and Restoration grants funded in the Commerce, Justice, State Appropriations Act. Others funds in this class were for Ft. Irwin planning, the National Constitution Center, Minuteman Silo park unit planning, and Ft. Baker maintenance. Finally, a very minor part of the difference is caused by the Congressional scorekeepers following their own computation of the 2001 across-the-board reduction rather than the Executive Branch's.

Legislative History

House Bill – H.R. 2217 (H. Report No. 107-103)

- The House Subcommittee reported the bill on June 7, 2001.
- The House Committee reported the bill on June 13, 2001 and passed the measure with amendments by voice vote.
- The House took up the bill on June 21, 2001. Floor debate continued throughout the day until early evening. The bill was passed by a vote of 376 to 32.

Senate Bill – H.R. 2217 (S. Report No. 107-36)

- The Senate Subcommittee reported the bill on June 28, 2001.
- The Senate Committee reported the bill on June 28, 2001 and passed the measure with a set of managers' amendments by roll call vote.
- The Senate took up the bill on July 11, 2001. Floor debate continued until early evening and resumed on July 12, 2001. The bill was adopted by voice vote on July 12, 2001.

Conference (H. Report No. 107-234)

- The Conference Committee reported the bill on October 10, 2001 and agreed to file the bill.