



UNITED STATES
DEPARTMENT OF THE INTERIOR

Director of Budget

Memorandum

To: Chief of Staff
Deputy Chief of Staff
Inspector General
Solicitor
Special Trustee
Assistant Secretaries
Heads of Bureaus
Counselors to the Secretary
Director, Office of Congressional and Legislative Affairs
Director, Office of Communications
Director, External and Intergovernmental Affairs
Science Advisor
Special Advisor for Alaskan Affairs
Special Assistant to the Secretary for Alaska

Subject: House Committee Action on the 2007 Interior, Environment, and Related Agencies Appropriations Bill

The House Appropriations Committee completed action on the 2007 Interior, Environment and Related Agencies Appropriations bill on May 10, 2006. The attached summary provides information on the results of Committee markup.

House floor action on the bill is expected to take place on May 17, 2007. Senate action is expected to begin in June.

Attachment

Copy:
Bureau Budget Officers
Assistant Secretary Budget Contacts
POB analysts
PMB Deputy Assistant Secretaries
Director, PPP



UNITED STATES
DEPARTMENT OF THE INTERIOR

Director of Budget

**SUMMARY: HOUSE COMMITTEE ACTION ON THE FISCAL YEAR 2007
DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED
AGENCIES APPROPRIATIONS BILL**

The House Appropriations Committee reported the fiscal year 2007 Department of the Interior, Environment, and Related Agencies Appropriations bill on May 10, 2006. House floor action is expected to take place on May 18, 2006.

Funding Overview

For all programs funded in the bill, the House Committee recommends \$25.9 billion, \$412.0 million or 1.5 percent above the President's budget request of \$25.5 billion.

For Department of the Interior programs, the Committee bill provides \$9.664 billion in regular 2007 appropriations. This is \$61.6 million, less than one percent, above the President's budget. It is \$129.3 million or 1.3 percent below the 2006 enacted level, excluding emergency fire and disaster supplementals.

Highlights of Committee action include the following:

Energy. The President's budget proposed a \$43.2 million initiative to implement the National Policy Act of 2005 and continue progress on the President's National Energy Policy. The House provides \$37.3 million, \$5.9 million below the request.

Cooperative Conservation Programs: The 2007 President's budget included \$322.3 million for cooperative conservation programs in the Department of the Interior, an increase of \$9.7 million above the 2006. The House bill provides \$281.5 million for these programs, \$31.2 million below 2006, and \$40.8 million below the request.

- The House bill includes \$15.0 million for Landowner Incentive grants and \$7.0 million for Private Stewardship grants. The budget request included \$24.4 million for Landowner Incentive grants and \$9.4 Private Stewardship grants.

- The bill provides \$36.6 million for the North American Wetlands Conservation Fund grants, \$5.0 below the request; \$80.5 million for Cooperative Endangered Species Conservation Fund grants, \$500,000 above the request; and \$50.0 million for State and Tribal Wildlife Grants, a reduction of \$17.5 million from the request.
- The House provides \$16.5 million for Challenge Cost Share programs in the land management agencies. This is \$3.8 million below the request.

Land Management Operations. The House provides a total of \$3.8 billion for the operating programs of the National Park Service, Fish and Wildlife Service and Bureau of Land Management. This is \$36.6 million above the budget and \$78.2 million above 2006. Increases above the budget include \$20 million for park base operations.

Trust Programs. The President's budget included a total of \$536.0 million for Indian trust programs. The House provides a total of \$472.5 million. This is a decrease of \$63.5 million below the requested level, and a net decrease of \$33.6 million below the 2006 enacted level. The House reduces the request for the OST Federal Programs account, which includes historical accounting, by \$35 million. The requested increase of \$25.4 million for Indian Land Consolidation is not provided.

Bureau of Indian Affairs. The House provides \$1.97 billion for operation of Indian programs, an increase of \$6.8 million over the budget. The House approves the requested \$19.0 million increase for BIA to fully fund indirect costs for contracting Tribes, but only partially funds increases for law enforcement and education operations. The proposed termination of the Johnson-O'Malley assistance grants program is not accepted.

American Heritage and Preservation Program. Within the Historic Preservation Fund appropriation, the House provides \$15.0 million for Save America's Treasures, \$200,000 above the President's request. The House mark also provides \$3.0 million for Preserve America grants, \$7.0 million below the request level. Funding for Heritage Partnership Programs is \$13.9 million, which is \$6.5 million above the request level, and is provided in the National Recreation and Preservation appropriation account, rather than the Historic Preservation Fund as proposed in the budget.

USGS. The House funds USGS at \$991.4 million. This is \$26.1 million above 2006 and \$46.7 million above the budget. The House restores most reductions proposed in the budget. The House mark funds the \$16.0 million request to continue development of the complex ground data-processing system and the flight operations system for the Landsat 8. The House also funds the \$2.2 million request for the Integrated Multi-Hazards Demonstration Project.

LWCF. The 2007 request included \$66.0 million for Federal land acquisition and consolidated appraisal services. The House provides funding for land acquisition

at \$58.6 million, a decrease of \$7.4 million from the request and a reduction of \$2.7 million from the 2006 enacted level.

Payments in Lieu of Taxes. For the Payments in Lieu of Taxes program, the budget included \$198.0 million, a decrease of \$34.5 million below the 2006 enacted level. The House funds the program at \$228.0 million, an increase of \$30.0 million above the request and \$4.5 million below 2006.

Fixed Costs. The President's budget included fixed costs increases of \$125.9 million. The House provides fixed costs of \$127.8 million. This funds fixed costs at the request level for all bureaus and offices except MMS. The House provides MMS with \$1.8 million above the request.

More details on funding levels and legislative provisions in the bill follow. A comparison of funding levels for bureaus and offices 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 Details by Major Activity

Energy

\$000	<u>06 Enacted</u>	<u>07 Budget</u>	<u>House</u>	<u>House +/- 06 enacted</u>	<u>House +/- 07 Budget</u>
Bureau of Land Management	110,375	136,923	135,223	+24,848	-1,700
Minerals Management Service	274,121	285,381	286,226	+12,105	+845
Fish and Wildlife Service	7,387	7,857	7,857	+470	0
U.S. Geological Survey	23,760	26,130	26,130	+2,370	0
Bureau of Indian Affairs	9,381	11,464	9,464	+83	-2,000
Office of Hearings and Appeals	<u>0</u>	<u>400</u>	<u>0</u>	<u>0</u>	<u>-400</u>
Total	425,024	468,155	464,900	39,876	-3,255

The President's budget proposed a \$43.2 million initiative to implement the National Energy Policy Act of 2005 and continue progress on the President's National Energy Policy. In total, the budget included \$467.5 million for the Department's energy programs. This amount included funding for nondiscretionary fixed cost increases and was a net increase of \$43.5 million overall.

The House provides \$37.3 million of the energy initiative funding, \$5.9 million below the request.

BLM. The BLM budget request included a \$25.4 million increase to the Oil and Gas Management program.

An increase of \$9.2 million was requested for BLM's "non-pilot" offices, which do not receive any of the new mandatory funding provided under Section 365 of the Energy Policy Act, to keep pace with the growing demand for APDs and keep up with the increasing follow-on work related to inspections and monitoring. In addition to this requested increase in discretionary funding, the President's budget assumes the continuation for 2007 of the enhanced mandatory funding for pilot offices from oil and gas rental receipts provided by Section 365. The budget estimates BLM will receive \$20.7 million from these receipts in 2007. The budget proposes enactment of authorizing legislation allowing BLM to transition from this funding source to funding from APD processing fees, effective September 30, 2007. The BLM would promulgate a new rulemaking to phase in full cost recovery for APDs, beginning with a fee amount that will generate a level of cost recoveries in 2008 to fully replace the amount provided by the Energy Policy Act.

The budget also included an increase of \$12.4 million for Alaska North Slope energy activities that would allow BLM to implement a plan to remediate legacy wells, enable BLM to effectively manage energy development activities in the NPR-A that are anticipated to increase, and support the preparation and implementation of an ANWR leasing program, if authorized by Congress.

To address longer-term energy supply needs, the request included an increase of \$3.3 million to accelerate implementation of an oil shale development program and an increase of \$425,000 for BLM to expand the collaborative gas hydrates research effort with MMS and USGS in hydrate-bearing areas in Alaska and the Gulf of Mexico.

The House Committee provides \$22.9 million of the \$25.4 million request, reducing funding for North Slope legacy well remediation by \$2.5 million.

MMS. The request included increases of \$6.5 million for Minerals Management Service to establish a comprehensive program to manage alternate energy projects on the OCS; \$1.0 million for gas hydrates research; \$1.5 million for 2007 OCS lease sale preparation; \$2.1 million to facilitate OCS development by funding increased costs of offshore inspections; and, \$750,000 for systems modifications in support of the Energy Policy Act.

The 2007 request also proposed a reduction of \$3.1 million related to the indirect costs of administering the Royalty-in-Kind program through RIK receipts.

The House funds MMS energy programs at the request level, with the exception that funding for alternative energy projects is reduced by \$1.0 million. The House accepts the reduction related to RIK receipts.

USGS. The request included an increase of \$500,000 for the USGS to begin a national assessment of the oil shale resources of the United States, as required in the Energy Policy Act legislation; an increase of \$500,000 for gas hydrates research; and an additional \$1.0 million to address the data preservation and rescue needs identified in the survey of Interior agencies and State geological surveys conducted during 2006. The House fully funds the request.

FWS. The House funds the 2007 request for an additional \$471,000 for endangered species consultations related to energy development on public lands.

BIA. The 2007 request included an increase of \$2.0 million for tribal energy resource development. The House does not provide this funding.

DM. The House does not fund \$400,000 requested for the Office of Hearings and Appeals for hydropower relicensing appeals required by the Energy Policy Act.

Cooperative Conservation

\$000					
Program	2006 Enacted	2007 Budget	House Mark	House +/- 2006 Enacted	House +/- Budget
Challenge Cost Share					
Bureau of Land Management	9,357	9,357	9,857	+500	+500
Fish and Wildlife Service	4,281	8,559	4,281	0	-4,278
National Park Service					
Traditional	2,400	2,380	2,380	-20	0
Lewis and Clark	2,463	0	0	-2,463	0
Subtotal	18,501	20,296	16,518	-1,983	-3,778
Fish and Wildlife Service					
Coastal Program	12,954	12,984	13,784	+830	+800
Neotropical Migratory Birds	3,941	3,960	4,000	+59	+40
Migratory Bird Joint. Venture	10,800	11,835	10,880	+80	-955
Partners for Fish & Wildlife	50,151	42,660	46,695	-3,456	+4,035
Departmental Management					
Take Pride in America	490	499	499	0	0
Conservation Grant programs					
Fish and Wildlife Service					
Landowner Incentive Program	21,667	24,400	15,000	-6,667	-9,400
Private Stewardship Grants	7,277	9,400	7,000	-277	-2,400
N. Am. Wetlands Conservation Fund	39,412	41,646	36,646	-2,766	-5,000
Coop. Endang. Species Conserv. Fund	80,001	80,001	80,507	+506	+506
State and Tribal Wildlife Grants	67,492	74,666	50,000	-17,492	-24,666
Subtotal, FWS Grant Programs	215,849	230,113	189,153	-26,696	-40,960
TOTAL	312,686	322,347	281,529	-31,166	-40,818
				-10%	-13%

The 2007 President's budget included \$322.3 million for Cooperative Conservation Programs. The House provides \$281.5 million, a reduction of \$40.8 million below the President's request and \$31.2 million below the 2006 enacted level.

Landowner Incentive Program/Private Stewardship Grants. The budget request included \$24.4 million for Landowner Incentive grants and \$9.4 for Private Stewardship grants. The House bill includes \$15.0 million and \$7.0 million, respectively, for these programs. This is \$11.8 million less than the requested level.

North American Wetlands Conservation Fund. The budget requested \$41.6 million for the North American program. The House funds the program at \$36.6 million, \$5.0 million below the request and \$2.8 million below 2006.

Cooperative Endangered Species Conservation Fund. The President's budget included \$80.0 million for the Cooperative Endangered Species Conservation fund, equal to the 2006 enacted level. Included within this level was \$5.0 million for the Nez Perce Indian Water Rights Settlement. The House funds CESCO grants at \$80.5 million, an increase of \$500,000 above the request. However, funding for the Nez Perce Settlement is included in the BIA Indian Land and Water Rights Settlement account.

State and Tribal Wildlife Grants. The President's budget included \$74.7 million for State and Tribal Wildlife grants. The House provides \$50.0 million, a reduction of \$24.7 million from the request, and \$17.52 million below 2006. Bill language is included earmarking \$5.0 million for competitively awarded grants to Indian Tribes, but not for a competitive grants program for the States as requested in the President's budget.

Partners for Fish and Wildlife. The House bill includes \$46.7 million for Partners for Fish and Wildlife, an increase of \$4.0 million above the President's request, but \$3.5 million below the 2006 enacted level. Requested increases for grizzly bear conservation and wolf monitoring are not funded in the Partners program, but are funded as earmarks in the endangered species recovery program.

Challenge Cost Share. The House provides \$16.5 million for Challenge Cost Share programs, reducing the request by \$3.8 million. The House funds BLM at \$500,000 above the request and NPS at the requested level. The House funds FWS at the 2006 enacted level, \$4.3 million below the request.

Coastal Program. The House provides \$13.8 million for the Coastal Program, an increase of \$800,000 above the President's request and \$800,000 above 2006. This includes an increase of \$500,000 for map digitization for the Coastal Barrier Resources System.

Neotropical Migratory Birds. The House provides \$4.0 million, a \$40,000 increase above the request and a \$59,000 increase above 2006.

Joint Ventures. The House decreases the President's request for the Migratory Bird Joint Ventures program by \$1.0 million and provides \$10.9 million. The Committee report states that the Committee will consider funding increases after completion and review of the program assessment being conducted by the Fish and Wildlife Service.

Take Pride in America. The House mark provides the requested funding level of \$499,000 for Take Pride in America.

Land Management Operations

National Park Service Operations

\$000			House +/-		House +/-	
	<u>06 Enacted</u>	<u>07 Budget</u>	<u>House</u>	<u>06 Enacted</u>	<u>07 Budget</u>	
ONPS	1,718,940	1,742,317	1,754,317	+35,377	+12,000	
				+2.1%	+7%	

The President's 2007 budget request for the Operation of the National Park System account was \$1.742 billion, a net increase of \$23.4 million over the 2006 enacted level. Within the account total, the request for park base operations was \$1.093 billion, a net increase of \$20.6 million above the 2006 enacted level. The request included an increase in funding of \$10.0 million for cyclic maintenance, \$2.4 million to develop air tour management plans in partnership with the Federal Aviation Administration, \$1.0 million to enhance the inventory and monitoring of historic structures and landscapes, and \$911,000 for concessions contracting oversight. The request also included a decrease of \$10.0 million for the repair and rehabilitation program. The request provided an increase of \$30.3 million for pay, benefits, and other fixed costs.

The House mark provides \$1.754 billion for the ONPS account, a net increase of \$12.0 million above the President's budget. The House mark includes an across-the-board increase of \$20.0 million above the request for park base operations, of which \$15.0 million is to be allocated pro rata to all parks and the remaining \$5.0 million is to be allocated for priority needs. Fixed cost increases are funded at the request level of \$30.3 million.

The House provides \$8.0 million for cyclic maintenance, which is \$2.0 million below the request. The House also accepts the Administration's proposal to reduce funding for the repair and rehabilitation program by \$10.0 million.

The House also provides \$651,000 for air tour management plans, which is \$1.8 million less than requested and \$900,000 to improve concessions contracting oversight, which is \$11,000 less than requested.

The House does not provide \$1.0 million for enhancing the inventory and monitoring of historic structures and landscapes.

The Committee report expresses concern over the direction and cost of icon security measures and directs that all icon security measures already established and those contemplated for the future be reviewed to ensure they strike a rational balance among reduction of a clearly defined risk, visitor access, and cost. A report on these findings is to be submitted no later than April 15, 2007. Bill language is also included in the House mark to preclude the National Park Service from employing the "no net loss" policy for law enforcement positions.

The Committee also proposes a revised approval process for NPS fee projects. All parks will develop fee revenue comprehensive plans that are reviewed and

approved at the regional and national levels. Once a park's comprehensive plan is approved by headquarters, the park has the discretion to re-sequence projects within the approved plan after regional review. Fee projects for new construction or expanded infrastructure improvements costing more than \$500,000 will be identified annually in the budget justification, and will be considered approved if no response is provided by the Committee within 60 days. The NPS budget justification will also contain summary information about the programmatic uses of fee dollars in the fiscal years covered by the justification.

NPS Natural Resource Challenge

\$000				House +/-	House +/-
	<u>06 Enacted</u>	<u>07 Budget</u>	<u>House</u>	<u>06 Enacted</u>	<u>07 Budget</u>
Natural Resource Challenge	76,552	78,302	77,552	+1,000 +1.3%	-750 0

The President's 2007 budget included \$78.3 million for the Natural Resource Challenge, an increase of \$1.8 million above the 2006 enacted level. The budget included an increase of \$1.0 million for the natural resource programs to complete the establishment of inventory and monitoring programs for all 272 natural resource parks and to equip managers with critical information about the ecosystems. The 2007 budget request also included an increase of \$750,000 for additional exotic plant management teams to address the severe damage caused by invasive species to natural resources and the economy.

The House mark funds the \$1.0 million requested for vital signs inventory and monitoring. Cumulative increases in the Natural Resource Challenge program under this Administration would total \$197.1 million over six years (2002-2007) when compared to 2001 funding. The House mark does not include the requested \$750,000 for invasive species.

Everglades Restoration

\$000				House +/-	House +/-
	<u>06 Enacted</u>	<u>07 Budget</u>	<u>House</u>	<u>06 Enacted</u>	<u>07 Budget</u>
Everglades	63,543	69,402	69,402	+5,859 +9.2%	0 0

In 2007, total funding for the Department is proposed at \$69.4 million, an increase of \$5.9 million over the 2006 enacted level. The request includes \$13.3 million for the Modified Water Deliveries project. The House funds the Administration's request.

The House mark includes bill language that makes the funds to implement the Modified Water Deliveries project unavailable for expenditure unless funds requested in the 2007 budget for the Army Corps of Engineers for the project are fully appropriated. These funds will also be unavailable should the consent decree in *U.S. v. South Florida Water Management District* be terminated before its requirements, including the ten parts per billion numeric phosphorus criterion, have been achieved.

The Committee report states that the Committee expects that the annual report required by P.L. 108-108, and prepared jointly by the Departments of the Interior, Justice, and Army and the Environmental Protection Agency, will be submitted on-time this year. Additionally, the Committee expects that prior directives requiring the FWS to provide the Committee with the refuge's annual and quarterly reports summarizing the implementation of the additional monitoring and modeling at the refuge will continue for the next fiscal year. Furthermore, the Committee directs that the Department submit again a report by December 31, 2006 describing the scientific research projects to be funded in NPS and USGS with the fiscal year 2007 appropriations.

U.S. Park Police

\$000				House +/-	House +/-
	<u>06 Enacted</u>	<u>07 Budget</u>	<u>House</u>	<u>06 Enacted</u>	<u>07 Budget</u>
Park Police	80,213	84,775	84,775	+4,562	0
				+5.7%	0

The President's budget requested \$84.8 million for the U.S. Park Police, an increase of \$4.6 million above the 2006 enacted level. The 2007 budget proposed an increase of \$1.1 million for the highest priority police work, an increase of \$948,000 for dedicated national icon security, and an increase of \$755,000 to recruit and train a larger recruiting class. The House funds the USPP at the request level.

Fish and Wildlife Service Operations

\$000				House +/-	House +/-
	<u>06 Enacted</u>	<u>07 Budget</u>	<u>House</u>	<u>06 Enacted</u>	<u>07 Budget</u>
Resource Management	1,001,435	995,594	1,016,669	+15,234	+21,075
				1.5%	2.1%

The President's budget funded FWS operations at \$995.6 million, a \$5.8 million decrease from the 2006 enacted level. Within this funding level the budget proposed key program increases including: \$3.1 million for the migratory bird management program; \$496,000 for FWS participation in a multi-agency International Trade Data System; \$1.9 million for hatchery operations; \$1.4

million for fish passage improvements; and \$2.0 million for the National Fish Habitat Initiative.

For FWS operations, the Committee provides \$1.0 billion, \$21.1 million more than the request and \$15.2 million above the 2006 level, including the following:

Ecological Services. The Committee provides a decrease of \$1.2 million compared to the 2006 enacted level for the Endangered Species program. This is \$5.6 million more than the President's request. Details are provided below in the Endangered Species section of this document.

For Habitat Conservation programs, the Committee provides \$96.4 million, a decrease of \$2.0 million compared to the enacted level, but \$5.9 million above the request. This includes an increase of \$4.0 million above the President's request for the Partners for Fish and Wildlife program for a total of \$46.7 million. The Committee does not provide the requested Partners funding for grizzly bear conservation and wolf monitoring, but provides increases over the budget for this monitoring in the Endangered Species Recovery program. Earmarks include:

- +\$1.4 million for Washington regional fisheries enhancement groups;
- +\$500,000 for environmental data quality and access improvement project with Washington State Department of Fish and Wildlife;
- +\$180,000 for New Jersey meadowlands technical assistance;
- +\$750,000 for restoration in the Tunkhannock, Bentley, and Bowman's Creek watersheds in Pennsylvania;
- +\$500,000 for Georgia streambank restoration;
- +\$500,000 for nutria eradication at Blackwater NWR; and
- +\$1.5 million for a study of Colorado River flow and aquatic habitats from Longhorn Dam to Matagorda Bay.

The Committee provides \$1.1 million above the request for the Project Planning program. Earmarks include:

- +\$270,000 for FERC relicensing review;
- +\$550,000 for the Middle Rio Grande Bosque Initiative;
- +\$140,000 for a base program increase; and
- +\$100,000 to continue operations at the Cedar City, UT ecological services office.

The Committee provides \$800,000 above the request for the Coastal program. Earmarks include:

- +500,000 for Coastal Barrier Resources System map digitization; and
- +\$300,000 for the Tampa and Florida panhandle field offices.

Refuges and Wildlife. The Committee provides a net increase of \$6.9 over the President's request for the National Wildlife Refuge System, for a total of \$388.7 million. Report language states that the increased funding recommended for the

refuge operating needs should be used to pay critical energy and other cost increases and to fill the most critical staffing vacancies. The Committee also states that it is concerned that there may already be too many refuge complexes. Changes from the President's request include:

- -\$4.3 million for the challenge cost share program;
- +\$622,000 restore program administration savings;
- +\$3.5 million for projects in the Refuge Operations Needs System and to fund staffing shortfalls;
- +\$1.5 million for spartina grass control at Willapa NWR;
- +\$1.0 million for invasive species control with friends groups;
- +\$1.0 million for visitor facility enhancements;
- +\$1.1 million for refuge law enforcement; and
- +\$2.5 million for refuge maintenance.

The Committee provides \$40.4 million for migratory bird management, an increase of \$2.1 million compared to the enacted level, but \$955,000 below the President's request. The report states that the Committee does not provide a programmatic increase for the Joint Ventures program. The Committee will consider funding increases after completion and review of the program assessment being conducted by the Service.

The Committee provides \$57.5 million for the Law Enforcement program. This is a \$1.4 million increase over the enacted level and a \$224,000 increase over the request. This includes a \$124,000 operations increase to restore the proposed program administration reduction and a \$100,000 maintenance increase.

Fisheries. The Committee provides \$121.4 million for Fisheries, an increase of \$4.9 million above the enacted level and \$6.7 million above the request. The Committee includes several Fisheries related items in report language. The Committee directs FWS to continue and intensify its efforts to collect reimbursements for fisheries mitigation and use those funds to address habitat restoration and conservation. The Committee also expects FWS to address inequities in field station funding in the fisheries program when allocating base budget increases.

The Committee provides \$61.1 million for the Hatchery system, a \$3.9 million increase over the enacted level, and equal to the requested level.

The Committee provides \$60.2 million for Fish and Wildlife Management, a \$885,000 increase over the enacted level, and \$6.7 million over the request. Earmarks include:

- +\$1.2 million to restore a proposed general program activities reduction;
- +\$75,000 for aquatic nuisance species;
- +\$500,000 for the Great Lakes Fish and Wildlife Restoration program;
- +\$1.5 million for Washington State salmon mass marking of hatchery fish;

- +\$400,000 for Washington State salmon enhancement activities; \$200,000 each for Hood Canal salmon enhancement group and Long Live the Kings;
- +\$250,000 for a regional mark processing center;
- +\$660,000 for a Potomac River snakehead management plan;
- +\$185,000 for a South River, MD brown bullhead cancer study; and
- +\$2.0 million for the Marine Mammals program.

General Administration. The Committee provides \$154.6 million for General Administration. This is an increase of \$3.5 million above the enacted level including the Avian Influenza supplemental appropriation, but \$3.4 million below the requested level. Changes from the request include:

- -\$1.8 million for Departmental performance training requested through the National Conservation Training Center;
- +\$804,000 for base funding for NCTC;
- -\$2.7 million for the National Fish and Wildlife Foundation; and
- +\$300,000 for Wildlife Without Borders grants within the International Affairs program.

FWS Endangered Species Program

\$000	<u>06 Enacted</u>	<u>07 Budget</u>	<u>House</u>	<u>House +/-</u>	<u>House +/-</u>
				<u>06 Enacted</u>	<u>07 Budget</u>
Candidate Conservation	8,619	8,063	8,163	-456	+100
Listing Program	17,630	17,759	17,759	+129	0
Consultation/HCP	47,997	49,337	50,018	+2,021	+681
Recovery Program	<u>73,562</u>	<u>65,879</u>	<u>70,670</u>	<u>-2,892</u>	<u>+4,791</u>
Total	147,808	141,038	146,610	-1,198	+5,572
				-0.8%	+4.0%

The President’s budget included a total of \$141.0 million for the endangered species program, a \$6.8 million reduction from the 2006 level. The Committee provides a total of \$146.6 million for the endangered species program, a \$1.2 million decrease compared to the enacted level, but an increase of \$5.6 million compared to the requested level.

In the **Candidate Conservation** program, the Committee provides a \$100,000 increase compared to the requested level. Changes to the request include:

- +\$300,000 for Idaho sage grouse;
- +\$300,000 for the Fisher (*Martes pennanti*); and
- -\$500,000 for general program activities.

In the **Listing** program, the Committee provides \$17.8 million, equal to the requested level.

In the **Consultation** program, the Committee provides \$50.0 million, \$681,000 above the requested level for general program activities.

In the **Recovery** program, the Committee provides \$70.7 million, \$4.8 million above the request. Changes to the requested level include:

- +\$146,000 to restore base programs;
- +\$800,000 for wolf monitoring, which was requested through the Partners program;
- +\$700,000 for wolf monitoring in Idaho;
- +\$1.5 million for Pacific Salmon grants through the National Fish and Wildlife Foundation;
- +\$500,000 for Florida manatee protection and recovery;
- +\$150,000 for the Peregrine Fund for Northern Aplomado falcon recovery activities;
- +\$500,000 for southern sea otter recovery; and
- +\$495,000 for grizzly bear conservation, which was requested through the Partners program.

Multinational Species Conservation Fund and Neotropical Migratory Birds

\$000				House +/-	House +/-
	<u>06 Enacted</u>	<u>07 Budget</u>	<u>House</u>	<u>06 Enacted</u>	<u>07 Budget</u>
Multi Species Conservation Fund	6,404	8,217	6,057	-347	-2,160
Neotropical Birds	<u>3,941</u>	<u>[3,960]</u>	<u>4,000</u>	<u>+59</u>	<u>+4,000</u>
Total	10,345	8,217	10,057	-288	+1,840
				-2.8%	+22.4%

The budget request funded the Multinational Species Conservation Fund at \$8.2 million, including \$4.0 million for Neotropical Migratory Bird grants. The Committee bill funds these grants at \$6.1 million plus an additional, separate appropriation of \$4.0 million for Neotropical Migratory bird grants. The \$6.1 million includes \$1.3 million each for African elephant conservation, Asian elephant conservation, and great ape conservation. This provides an increase of \$300,000 over the requested levels. It also includes \$1.5 million for rhinoceros and tiger conservation and \$697,000 for marine turtle conservation; increases of \$500,000 and \$400,000 over the requested levels.

BLM Operations

\$000	<u>06 Enacted</u>	<u>07 Budget</u>	<u>House</u>	<u>House +/-</u> <u>06 Enacted</u>	<u>House +/-</u> <u>07 Budget</u>
MLR	847,632	863,244	867,738	+20,106	+4,494
O&C	<u>108,451</u>	<u>112,408</u>	<u>111,408</u>	<u>+2,957</u>	<u>-1,000</u>
Total	956,083	975,652	979,146	+23,063	+3,494
				+2.4%	+0.4%

The 2007 President's budget provided \$975.7 million for BLM operations, a net increase of \$19.6 million over the 2006 enacted level of \$956.1 million. The net increase included a major increase of \$25.4 million in BLM's energy programs to support implementation of the Energy Policy Act of 2005 and to continue to support the goals of the President's National Energy Plan for increasing domestic energy supplies.

The BLM budget proposed a \$3.0 million increase to begin a long-term cultural resources enhancement initiative, "Enduring Legacy", to improve the protection, preservation, and interpretation of cultural resources to enhance their economic, scientific, recreational, cultural, and educational value. The budget also included a \$3.0 million increase in the Oregon and California Grant Lands Forest Management program that would be focused on implementing the Northwest Forest Plan under the commitments of the settlement agreement in the *American Forest Resource Council v. Clarke*, which directs BLM to produce the allowable sale quantity of 203 million board feet and an additional 100 million board feet by thinning late successional reserves.

In the budget, Departmental and Administration priorities were partially offset by eliminating funding for Congressional add-ons, reducing funding for lower priority programs, and by reaping savings through improved information technology management (-\$9.4 million) and implementing other organizational and management efficiencies (-\$2.5 million).

The House provides \$979.1 million for BLM operations, \$3.5 million above the request and \$23.1.6 million over the 2006 enacted level. Specific changes from the President's budget follow:

- In **Land Resources**, the Committee provides \$1.5 million of the \$3.0 million requested for the Enduring Legacy cultural resources initiative. The Committee partially restores funding for two earmarks that were discontinued in the budget request: \$700,000 for the Upper San Pedro Partnership project and \$250,000 for the Santa Ana River wash project. The Committee also provides general program increases of \$500,000 for weeds management and \$400,000 for Public Domain forestry.
- In **Recreation Management**, the Committee restores the proposed \$500,000 reduction in base funding for Wilderness Management. The Committee adds

\$2.8 million in the Recreation Resource Management program. This includes restoring a \$500,000 earmark for implementing the San Jacinto and Santa Rosa NM management plan; earmarking \$500,000 for implementation of various California desert plans; earmarking \$250,000 for Imperial Sand Dunes management; providing \$500,000 for the operation of various unspecified national scenic and historic trails; and a general increase of \$1.0 million for the NLCS.

- In **Energy and Minerals Management**, the Committee provides all but \$2.5 million of the \$25.4 million in requested increases for the Oil and Gas Management program. The Committee targets the reduction to the request for remediating legacy wells and related infrastructure in the National Petroleum Reserve-Alaska. The Committee mark provides an unrequested increase of \$800,000 in the Other Mineral Resources program to facilitate development of policy and operations for potash and oil and gas development in New Mexico.
- In **Realty and Ownership Management**, a reduction of \$200,000 in the Cadastral Survey program reflects the Committee's decision to fund BLM's contribution to the Snake River Water Rights Act, a one-time payment to local governments, in the Bureau of Indian Affairs budget. The Committee adds \$500,000 in Lands and Realty Management to help implement sections 121 and 122 of the Steens Mountain Act.
- In **Resource Protection and Maintenance**, the Committee adds \$1.5 million in the Resource Protection and Law Enforcement program, including \$1.0 million targeted to law enforcement activities along the southwest border and a general program increase of \$544,000 for law enforcement. The Committee also supports the requested increase of \$720,000 for six State rangers and the proposed reduction of the 2006 earmark of \$1.2 million for law enforcement in NLCS units.
- In **Transportation and Facilities Maintenance**, the Committee adds \$250,000 in the Annual Maintenance program to enhance the system of national scenic and historic trails. This increase combined with the \$500,000 increase for trails provided in the Recreation Resources Management program essentially restores the 2006 add-on for trails, but without earmarking the additional funds to specific trails.
- In **Challenge Cost Share**, the Committee adds \$500,000 to restore the program to the 2006 level prior to the rescission of \$500,000 in unobligated balances.
- In **O&C Forest Management**, the Committee mark provides \$2.0 million of the \$3.0 million requested increase to support additional timber production and allow BLM to meet the terms of the settlement agreement in *American Forest Resource Council v. Clarke*.

The Committee reduces the earmark for the National Fish and Wildlife Foundation in the Management of Lands and Resources appropriation language by \$250,000.

Finally, the Committee maintains funding for the mandatory Range Improvement Fund at \$10.0 million. The President’s budget proposed to abolish this account by depositing the Federal share of grazing fees in the General Fund of the Treasury for deficit reduction. The Committee does not score the budget proposal because the legislative language needed to effectuate the change has not been submitted to Congress.

Wildland Fire Management

\$000	<u>06 Enacted</u>	<u>07 Budget</u>	<u>House</u>	<u>House +/-</u> <u>06 Enacted</u>	<u>House +/-</u> <u>07 Budget</u>
Preparedness	268,839	274,801	274,801	+5,962	0
Suppression Ops	230,721	257,041	257,041	+26,320	0
Other Operations					
Haz Fuels Reduction	208,113	199,787	199,787	-8,326	0
Rehabilitation	24,116	24,286	24,286	+170	0
Rural Fire Assistance	9,852	0	0	-9,852	0
Fire Facilities	7,734	7,734	7,338	-396	-396
Joint Fire Science	<u>5,911</u>	<u>5,911</u>	<u>6,000</u>	<u>+89</u>	<u>+89</u>
Total	755,286	769,560	769,253	+13,967	-307
				+1.8%	-0.0%

The President’s budget proposed \$769.6 million for Wildland Fire Management, an increase of \$14.3 million over the 2006 enacted level.

The Interior budget included increases of \$7.8 million for fixed costs and \$26.3 million to fund Suppression Operations at near the ten-year average. The President’s budget partially offset these increases with a proposed program reduction of \$10.0 million in the Hazardous Fuels Reduction program and a \$9.9 million reduction that terminated Interior’s Rural Fire Assistance program

The House Committee mark provides \$769.3 million for Wildland Fire Management, \$307,000 below the request. In addition to approving the increases and decreases proposed in the budget request, the Committee mark increases funding for the Joint Fire Science program by \$89,000 and reduces funding for Fire facilities by \$396,000. The Committee targets the facilities reduction to BLM’s proposed Silver State interagency hotshot crew operations building planned for Nevada. The Committee report states that this project should be considered for funding under the Southern Nevada Public Lands Management Act. However, this project is not eligible for SNPLMA funding because it is not located in southern Nevada.

In accepting the proposed elimination of funding for Interior’s Rural Fire Assistance program, the Committee states that it has increased funding for the

Forest Service's volunteer and state fire assistance programs and expects the Forest Service to work with Interior bureaus to ensure that assistance funding goes for the most meritorious State and local fire department projects.

Land Acquisition and Grant Programs

Federal LWCF Land Acquisition

\$000	<u>06 Enacted</u>	<u>07 Budget</u>	<u>House</u>	<u>House +/- 06 Enacted</u>	<u>House +/- 07 Budget</u>
BLM	8,621	8,767	3,067	-5,554	-5,700
FWS	27,990	27,079	19,751	-8,239	-7,328
NPS	34,395	22,718	28,370	-6,025	+5,652
Transfer S.FL & Mod W:	-17,000	0	0	+17,000	0
Appraisal -DM	<u>7,332</u>	<u>7,416</u>	<u>7,416</u>	<u>+84</u>	<u>0</u>
Total	61,338	65,980	58,604	-2,734	-7,376
				-4.5%	-11.2%

The President's budget request included \$66.0 million for Federal land acquisition, an increase of \$4.6 million above 2006, including \$28.9 million for line item land acquisition projects.

The House funds land acquisition at \$58.6 million, a decrease of \$7.4 million from the request and a reduction of \$2.7 million from the 2006 enacted level.

The \$5.7 million reduction to BLM's land acquisition is in line-item projects. While the House increases funding for the Coachella Valley project in California to \$500,000, no funding is provided for any of the other requested land acquisition projects.

The House decreases funding for FWS's land acquisition by \$7.3 million. This reduction includes a \$2.4 million reduction in inholdings and exchanges, and a reduction of \$4.9 million in land acquisition projects. Two of the President's nine requested projects are funded, including \$1.0 million of the \$2.0 million requested for the Highlands Conservation Act. Four unrequested projects are funded.

Funding for the NPS land acquisition account is increased by \$5.7 million above the request and includes the \$5.0 million requested in the budget for the Flight 93 National Memorial. The \$4.0 million requested for the Civil War battlefield sites grant program is not provided, but \$2.0 million each is provided for the Chickamauga-Chattanooga NMP and the Shenandoah Valley battlefields.

A detailed list of land acquisition projects requested in the President's budget is included in Attachment 3.

Stateside LWCF Grants

\$000				House +/-	House +/-
	<u>06 Enacted</u>	<u>07 Budget</u>	<u>House</u>	<u>06 Enacted</u>	<u>07 Budget</u>
Grants	27,995	0	0	-27,995	0
Administration	<u>1,564</u>	<u>1,625</u>	<u>1,625</u>	<u>+61</u>	<u>0</u>
Total	29,559	1,625	1,625	-27,934	0
				-94.5%	+0.0%

The Administration did not request funding for new LWCF State grants in 2007. The President's budget request did include \$1.6 million for the administration of existing grants. The House funds the program consistent with the President's request.

National Recreation & Preservation

\$000				House +/-	House +/-
	<u>06 Enacted</u>	<u>07 Budget</u>	<u>House</u>	<u>06 Enacted</u>	<u>07 Budget</u>
Recreation Programs	40,855	33,261	33,261	-7,594	0
Heritage Partnership Program ¹	<u>13,301</u>	<u>[7,400]</u>	<u>13,900</u>	<u>+599</u>	<u>+13,900</u>
Total	54,156	33,261	47,161	-6,995	+13,900
				-12.9%	+41.8%

¹ Heritage Partnership Programs were funded in National Recreation and Preservation in 2006. The President's budget requested funding in the Historic Preservation Fund. The House mark provides the funding in National Recreation and Preservation.

The President's budget request included \$33.3 million for National Recreation and Preservation programs. The 2007 request was \$20.9 million below the 2006 level due to the transfer of \$13.3 million of the Heritage Partnership Program to the Historic Preservation Fund.

The House mark provides \$47.2 million for NR&P programs, which is an increase of \$13.9 million above the request. The House mark rejects the transfer of Heritage Partnership Program and funds it at \$13.9 million.

NPS Historic Preservation Fund

\$000				House +/-	
	<u>06 Enacted</u>	<u>07 Budget</u>	<u>House</u>	<u>06 Enacted</u>	<u>07 Budget</u>
Historic Pres.	35,717	35,717	35,717	0	0
Tribal grants	3,941	3,941	3,941	0	0
Heritage Part. ¹	[13,301]	7,400	0	0	-7,400
Save Am. Treas.	29,558	14,800	15,000	-14,558	+200
Preserve America	0	10,000	3,000	+3,000	-7,000
HBCUs	<u>2,956</u>	<u>0</u>	<u>1,000</u>	<u>-1,956</u>	<u>+1,000</u>
Total	72,172	71,858	58,658	-13,514	-13,200
				-18.7%	-18.4%

¹ Heritage Partnership Programs were funded in National Recreation and Preservation in 2006. The President's budget requested funding in the Historic Preservation Fund. The House mark provides the funding in National Recreation and Preservation.

The President's budget requested a total of \$71.9 million for the NPS Historic Preservation Fund. This included \$35.7 million in grants to States and Territories and \$3.941 million for tribal grants. The President's budget also included a total of \$32.2 million for the American Heritage and Preservation program, including \$14.8 million for Save America's Treasures, \$10.0 million for the Preserve America initiative, and \$7.4 million for the Heritage Partnership Program, which had previously been funded in National Recreation and Preservation account. The President did not request funding for grants to Historically Black Colleges and Universities; last year Congress added \$2.956 million for this program.

The House mark provides a total of \$58.7 million for the Historic Preservation Fund, a decrease of \$13.2 million below the President's request. Historic preservation grants-in-aid to States and Territories and tribal grants are funded at the President's requested level. The House mark also includes \$15.0 million for Save America's Treasure program, of which \$7.5 million is earmarked for projects selected by the Committee. The Preserve America grants are funded at \$3.0 million, \$7.0 million below the request. The Heritage Partnership Program is retained in the NR&P appropriation and funded at \$13.9 million, \$6.5 million above the request level.

The Committee also includes \$1.0 million for grants-in-aid to HBCUs.

Native American Programs

Office of Special Trustee

\$000			House +/-		House +/-
	<u>06 Enacted</u>	<u>07 Budget</u>	<u>House</u>	<u>06 Enacted</u>	<u>07 Budget</u>
OST	188,774	185,036	150,036	-38,738	-35,000
ILCA	<u>34,006</u>	<u>59,449</u>	<u>34,006</u>	0	<u>-25,443</u>
Total	222,780	244,485	184,042	-38,738	-60,443
				-17.4%	-24.7%

The 2007 budget request for OST accounts totaled \$244.5 million, including \$185.0 million for OST Federal Trust Programs and \$59.4 million for Indian Land Consolidation. The budget reflected a net increase of \$21.7 million or a ten percent increase above 2006, including a slight decrease to Federal Trust Programs and an increase of \$25.4 million for purchase of individual Indian lands to reduce fractionation. The budget for Federal Trust Programs included a request for the Office of Historical Trust Accounting of \$56.4 million, level with the 2006 amount.

Included within the requested total, as a result of base evaluation of trust programs, were reductions or redirections totaling of \$4.9 million to be refocused on other high priority trust reform initiatives. The reductions included \$1.0 million for completion of certain trust systems work supporting development of policies and procedures. Other reductions included \$1.4 million in training programs due to the completion of the development of the trust officer certification program; \$885,000 based on completion of training on a standardized risk management tool to support risk assessments; \$675,000 resulting from the completion of development and implementation of the Indian Trust Examiner Certification program; and \$875,000 from efficiencies realized as a result of the implementation of the lockbox and Trust Beneficiary Call Center.

Increases of \$197,000 were included for additional outreach efforts to Tribes on self-determination contracts related to appraisal services and trust financial services and \$110,000 for the additional costs of space.

The House provides \$150.0 million for Federal Trust Programs a decrease of \$35.0 million below the request, and a decrease of \$38.7 million below 2006. Except for historical accounting, the House provides all the increases requested, and agrees to the reductions proposed. The Committee report states that historical accounting is decreased \$35.0 million from the request of \$56.4 million, but suggests the use of \$15.0 million of prior year unobligated funds to offset the reduction. This would provide a net program of \$36.4 million. However, bill language caps historical accounting at a higher level of \$45 million.

Report language continues to note the Committee's concern about the scope of an historical accounting and the resulting impact on funding for Indian programs. The Committee remains concerned about the use of BIA, Operation of

Indian Programs funds to pay for ongoing litigation support costs. The Committee directs the Department to report quarterly on the use of BIA Operation of Indian Programs funds to pay for ongoing litigation support costs associated with the *Cobell* case.

The House provides \$34.0 million for Indian Land Consolidation, a decrease of \$25.4 million from the amount requested, the same amount as the 2006 level.

The House includes bill language that:

- Allows the use of unobligated balances from prior appropriations acts for OST or BIA for trust management reform, other than historical accounting;
- Prevents the statute of limitations from commencing on any claim in litigation pending on the date of enactment of the Act, concerning losses to or mismanagement of trust funds, until the affected tribe or individual Indian has been furnished with an accounting;
- Allows the Secretary to not provide a quarterly statement for any Indian trust account that has not had activity for at least 18 months and has a balance of \$15.00 or less; and
- Makes available an amount not to exceed \$50,000 to make payments to correct administrative errors of either disbursements from or deposits to Individual Indian Money or Tribal accounts after September 30, 2002.

Bureau of Indian Affairs

\$000	<u>05 Enacted</u>	<u>06 Enacted</u>	<u>07 Budget</u>	<u>House</u>	House +/- <u>06 Enacted</u>	House +/- <u>07 Budget</u>
Op. of Indian Programs		1,962,190	1,966,594	1,973,403	+11,213	+6,809
Construction		271,582	215,049	215,799	-55,783	+750
Land & Water Settlements		34,243	33,946	39,213	+4,970	+5,267
Guaranteed Loan Program		<u>6,255</u>	<u>6,262</u>	<u>6,262</u>	<u>+7</u>	<u>0</u>
Total	2,295,702	2,274,270	2,221,851	2,234,677	-39,593	+12,826
					-1.7%	+0.6%

The request for BIA for 2007 was \$2.2 billion, a net decrease of \$52.4 million or two percent below 2006. Budget increases totaled \$65.7, and focused on the bureau’s highest priorities: trust management programs, law enforcement and detention centers, contract support costs, and education. The budget contained several reductions to offset the increases requested, including reduction of the education construction program and elimination of Johnson-O’Malley assistance for students in public schools.

Increases in the budget included \$19.0 million for contract support costs; \$11.5 million for trust programs; and \$4.5 million to expand a law enforcement presence in high crime areas and to staff, operate, and maintain new detention centers.

For the school construction program, the 2007 budget proposed a reduction of \$49.3 million for school construction and repair in order to allow the program to focus on building the schools that have already been funded for replacement.

The House provides \$2.2 billion for BIA, a decrease of \$39.6 million from 2006, but \$12.8 million over the 2007 request.

Trust. The House funds the BIA portions of the Unified Trust Budget at \$288.4 million, \$3.0 million less than the request, but \$5.1 million more than 2006:

- The House funds a requested increase of \$6.5 million to implement the cadastral survey recommendations of the Fiduciary Trust Model to improve the cadastral survey process to eliminate backlogs and reduce the cost of surveys.
- The House provides an additional \$1.9 million to assist in resolving the current probate backlog. The budget requested a \$3.0 million increase to address the backlog.
- The House denies a \$2.0 million increase request for Indian energy resource development.
- The House accepts the proposed reductions of \$962,000 in the endangered species program and \$1.1 million in the noxious weeds program as a result of program priority assessments.

Public Safety and Justice. The House funds public safety and justice programs at \$209.5 million, \$4.2 million less than the request and \$2.6 million less than 2006:

- The House provides the additional \$1.7 million requested to expand law enforcement programs in areas where violent crime is most severe. The Committee requests a report detailing the use of these funds by December 31, 2006.
- The House denies the additional \$2.7 million requested to staff, operate, and maintain detention facilities built with Department of Justice funding that will be certified for occupancy in 2007.
- The House denies the additional \$1.5 million requested for tribal justice support.

Tribal Government. The House funds Tribal Government at \$401.7 million, the same as the request level and \$27.0 million more than 2006:

- The House provides the additional \$19.0 million requested to fully fund indirect costs for contracting Tribes and provides the additional \$3.9 million requested to provide technical support for Tribes pursuing self-determination contracts.
- The House allows the \$971,000 reduction proposed in the budget to the Indian Self-Determination Fund due to sufficient carryover to fund 2007 needs.

Education. The President's budget included a total of \$536.0 million for elementary and secondary school operations. The House provides a total of \$549.1 million, an increase of \$13.1 million above the requested level and a net increase of \$6.6 million above 2006. The House denies the \$16.4 million decrease for Johnson O'Malley assistance grants proposed in the budget and funds the program at the 2006 level.

The House allows the following increases and decreases for the elementary and secondary education programs as requested in the President's budget:

- The House provides the additional \$2.5 million to improve education program management.
- The House provides the additional \$630,000 to establish the juvenile detention education program for Indian students incarcerated in Bureau-owned detention centers.
- The House concurs with the proposed reduction of \$3.3 million for Early Childhood Development.
- The House concurs with the proposal to reduce Administrative Cost Grants by \$493,000.
- The House includes a reduction in non-forward funded elementary and secondary education programs of \$3.3 million from the request level due to availability of prior year carryover funding. The source of the reduction is unspecified, but will likely have to be taken against education facility operations.
- The House accepts the \$824,000 reduction proposed in the 2007 request to eliminate Tribal College and Universities endowment grants.

Human Services, Resources Management and Community Development. The House accepts the following decreases proposed in the President's budget:

- -\$11.0 million from Welfare Assistance.
- -\$690,000 from the Indian Child Welfare Act.
- -\$2.6 million from the road maintenance program.
- -\$1.9 million from water management planning and predevelopment.
- -\$2.2 million from rights protection implementation.

As proposed in the budget, the House does not provide funding for the United Tribes Technical College or the Crownpoint Institute of Technology. However, report language asks that Interior and OMB give these schools (which are not part of the BIA system) full consideration in the 2008 budget and work with these institutions on future budget requests. The House adds \$1.0 million for the Washington Timber-fish-wildlife program for the mass marking of fish.

Education Construction. The House funds BIA school construction at the requested level of \$157.4 million. The House provides \$70.9 million for replacement school and facility construction projects and major school facilities improvement and repair projects. The House provides \$86.5 million for maintenance and minor school FI&R projects.

Resources Management Construction. Resources management construction is funded by the House at \$38.6 million, adding \$750,000 to the request for upgrades and repairs by the Navajo Agriculture Products Industry to farming operations served by the Navajo Indian Irrigation Project.

Indian Land and Water Claims Settlements. The House provides \$5.3 million above the request of \$32.9 million to fund portions of the Nez Perce/Snake River settlement that were requested in the Fish and Wildlife Service and Bureau of Land Management budgets.

Bill Language. BIA-related bill language proposed in the budget and accepted by the House Committee includes the following:

- A provision that permits use of funds from ISEP program adjustments for costs associated with rising student enrollment at bureau-funded schools.
- Language that allows the Secretary to exceed the welfare budget cap in instances of designated federal disasters.

Report Language. Committee report directives for BIA include:

- Direction to submit a report by December 31, 2006 outlining how the new budget structure is: (1) being received by the Tribes; (2) aligned programmatically to provide full transparency for Tribal Priority Allocation funding; (3) increases accountability for bureau programs and program managers; (4) clearly delineates funding levels of the central and regional offices.
- Direction to submit a report by March 1, 2007 on the school construction program that includes: the projected obligation, by project, of the existing balance of carryover dollars; the time frame for obligation; the implementation of new policies and processes on enrollment projections and updated education space standards; and modifications that have been made to strengthen existing planning and design policies.
- Direction to the Secretary to take the following actions concerning the Navajo Indian Irrigation Project:
 - Limit BIA staffing and other overhead costs from the construction appropriation for NIIP to not more than \$700,000;
 - Ensure that the balance of the amount provided for the project is made available to the Bureau of Reclamation immediately;
 - Develop a streamlined management structure assigning clear responsibility within BIA for NIIP and providing for seamless coordination between BIA and Reclamation;
 - Ensure that non-contract and indirect cost surcharges by the Bureau of Reclamation to the funds transferred from BIA are limited to the minimum amount necessary to support on-going construction and rehabilitation of NIIP;

The Committee further states that it expects that the Secretary will give first priority within construction funding, including carryover, to correcting construction deficiencies and completing rehabilitation of the older blocks of NIIP.

Maintaining America's Heritage

Maintenance

\$000				House +/-	House +/-
	<u>06 Enacted</u>	<u>07 Budget</u>	<u>House</u>	<u>06 Enacted</u>	<u>07 Budget</u>
BLM	95,122	93,936	93,790	-1,332	-146
USGS	32,938	33,044	33,044	106	0
FWS	152,462	149,923	152,523	61	2,600
NPS	593,074	601,800	599,800	6,726	-2,000
BIA	<u>76,531</u>	<u>80,186</u>	<u>76,828</u>	<u>297</u>	<u>-3,358</u>
Total	950,127	958,889	955,985	5,858	-2,904
				0.60%	-0.30%

The President's 2007 budget included \$958.9 million, an increase of \$8.9 million above 2006, for annual, deferred, and cyclic maintenance programs in BLM, USGS, FWS, NPS, and BIA. The House mark provides \$956.0 million, an increase of \$5.9 million above 2006 and \$2.9 million below the request. House changes to the request are: BLM (-\$146,000), FWS (+\$2.6 million), NPS (-\$2.0 million), and BIA (-\$3.4 million). The reduction for BIA includes an unspecified reduction of \$3.3 million against a non-forward funded elementary and secondary education program that likely be assessed against facilities operations.

Construction

\$000				House +/-	House +/-
	<u>06 Enacted</u>	<u>07 Budget</u>	<u>House</u>	<u>06 Enacted</u>	<u>07 Budget</u>
BLM	11,750	6,476	11,476	-274	5,000
FWS	45,216	19,722	39,756	-5,460	20,034
NPS	332,858	229,269	229,934	-102,924	665
BIA	<u>271,582</u>	<u>215,049</u>	<u>215,799</u>	<u>-55,783</u>	<u>750</u>
Total	661,406	470,516	496,965	-164,441	26,449
				-24.90%	5.60%

The President's budget included \$470.5 million for construction, including \$6.5 million for BLM, \$19.7 million for FWS, \$229.0 million for NPS, and \$215.0 million for BIA.

The House provides a total of \$497.0 million for construction. Although this is a decrease of \$164.4 million (-24%) from 2006 enacted, it is a \$26.4 million increase above the 2007 request and provides an increase in each of the bureaus as specified below.

BLM. The House provides funding for all of the requested projects and an additional \$5.0 million is provided for the Santa Ana River Wash Cooperative Conservation Program with the County of San Bernadino, California.

FWS. The House provides funding for all the requested projects and provides \$10.5 million for four additional projects. The House also increases funding for visitor enhancements from the \$1.0 million requested to a total of \$10 million. Overall, the House increases construction \$20.0 million over the request.

NPS. The House increases construction funding by \$665,000. The House funds all of the requested projects except Dry Tortugas National Park (-\$6.9 million) and some of the funds requested for Independence National Park (-\$2.5 million). The House includes \$9.4 million in funds for six new projects not requested in the President's budget.

BIA. The House Committee funds the President's request for BIA construction and includes an additional \$750,000 million for upgrades and repairs for Navajo Agriculture Products Industry farming operations.

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

National Park Service Deferred Maintenance Backlog

\$000				House +/-	
	<u>06 Enacted</u>	<u>07 Budget</u>	<u>House</u>	<u>06 Enacted</u>	<u>07 Budget</u>
ONPS / Facility Maintenance	389,736	393,546	391,546	+1,810	-2,000
Construction	<u>313,868</u>	<u>229,269</u>	<u>229,934</u>	<u>-83,934</u>	<u>+665</u>
Total	703,604	622,815	621,480	-82,124	-1,335
				-11.7%	-.2%

The President's 2007 budget requested \$622.8 million for the NPS deferred maintenance backlog, which was a decrease of \$80.8 million below the 2006 enacted level. Within the overall amount, the budget request included an increase of \$10.0 million for cyclic maintenance and a decrease of \$10.0 million for repair and rehabilitation. The request for line-item construction project funding totaled \$121.9 million, a decrease of \$93.0 million below the 2006 enacted level.

The House mark provides \$391.5 million for NPS facility maintenance, which is \$2.0 million below the President's request. Construction is funded at \$229.9 million, which is \$665,000 above the request level. Line-item construction is funded at \$121.9 million, the same as the request level. Together with the \$210.0 million available for park roads under the Highway bill, deferred maintenance funding at the House Committee level would total \$831.5 million to address the deferred maintenance backlog in 2007.

The Committee accepts the Administration's proposed \$10.0 million reduction to the repair and rehabilitation program. The Committee cautions against any

further proposed cuts in this program and states that such cuts will be restored by taking funds from the Departmental Management appropriation.

Science Programs

USGS

\$000	<u>06 Enacted</u>	<u>07 Budget</u>	<u>House</u>	<u>House +/- 06 Enacted</u>	<u>House +/- 07 Budget</u>
SIR	965,345	944,760	991,447	+26,102 +2.7%	+46,687 +4.9%

The 2007 President’s budget requested \$944.8 million for the USGS’ Surveys, Investigations, and Research account. The House mark of \$991.4 million is \$46.7 million above the budget request. This is a \$26.1 million increase over the 2006 enacted level for USGS.

Geography. The House funds Geographic Research, Investigations, and Remote Sensing at \$78.6 million, which is \$2.0 million above the request level. This includes the requested amount of \$16.0 million to begin the buildup of the ground receiving station needed as part of the Landsat Data Continuity Mission, also known as Landsat 8. The House restores \$2.0 million of the proposed \$3.0 million reduction for the AmericaView program. The House approves the requested budget restructure that moved most of the Cooperative Topographic Mapping program to the Enterprise Information budget activity. With this budget structure change, Geography is \$50.6 million below the 2006 enacted level.

Geology. Geology is funded at \$241.9 million, which is \$24.4 million above the budget request and \$6.6 million above the 2006 enacted level. The House restores the \$22.9 million reduction to the Minerals Resources Program and includes report language disagreeing with the rationale behind that reduction. The House funds all of the requested increase within the President’s budget for the Integrated Multi-Hazards Demonstration Project and includes an additional \$1.0 million to extend the demonstration to hurricane research in Florida. The House also supports the President’s request for funding to accomplish objectives of the Energy Policy Act of 2005, including \$500,000 for a gas hydrates research, \$500,000 for assessments of oil shale, and \$1.0 million for preservation of geological and geophysical data. The House restores \$500,000 of the proposed \$591,000 reduction for Florida shelf research

Water Resources. The House provides \$213.8 million for water resources investigations, which is \$9.7 million above the budget request and \$2.0 million above the 2006 enacted level. This includes the restoration of \$6.4 million for the water resource research institutes. The House provides for all of the increases in the President’s request for the National Streamflow Information Program, including the \$200,000 for the Integrated Multi-Hazards Demonstration Project

and \$2.3 million to continue operation of streamgages that would otherwise be shut down due to the loss of cooperator funding, as well as allow for restoration of some previously terminated streamgages. The House disagrees with some proposed decreases in the President's budget, restoring \$940,000 for the National Water Quality Assessment program, \$100,000 for the Hood Canal dissolved oxygen study, \$300,000 for the San Pedro Partnership, and \$2.0 million for the Cooperative Water program.

Biology. Biological research is funded at \$175.6 million, which is \$3.0 million above the budget request and \$723,000 above the 2006 enacted level. The House funds the initiatives in the President's budget for the Integrated Multi-Hazards Demonstration Project at \$300,000 and the one-time support for the NatureServe foundation at \$1.0 million. The House restores \$200,000 for the Science Excellence project with the FWS, \$350,000 of the proposed \$1.0 million reduction for the Pacific Northwest Forest program, and \$1.0 million of the proposed \$2.0 million reduction to the National Biological Information Infrastructure program. The House also adds \$1.0 million for Great Lakes Science Center operations, \$300,000 for ivory-billed woodpecker research, and \$150,000 for the Connecticut River Watershed project at the Anadromous Fish Research Laboratory. The House includes report language urging USGS to implement the Chesapeake Bay science plan, including the assessment of nutrient and sediment reduction strategies and assessing the causes for fish health problems in the Potomac River basin.

Enterprise Information. The House funds the Enterprise Information program at \$113.7 million, which is \$2.5 million above the request and \$63.7 million above 2006. The increase above enacted reflects the House approval of the proposed budget restructure to move \$64.3 million from the Cooperative Topographic Mapping program of the former Mapping, Remote Sensing, and Geographic Information budget activity to Enterprise Information. The House mark restores \$1.5 million of \$2.0 million in proposed reductions due to claimed operational efficiencies. The House includes \$2.0 million to improve the Nation's geospatial data program and the geospatial one-stop program by expanding the operational architecture of the GOS and integrating additional bureau and Federal mapping enterprises in the GOS. The House Committee adopted an amendment that earmarks \$13.0 million for the Mid-Continent Mapping Center in Rolla, Missouri, to continue functioning as a full-service mapping organization and forbids use of any funds to consolidate the center or any of its functions into the National Geospatial Technical Operations Center.

Science Support. Science Support is funded at \$72.3 million, which is \$5.0 million above the President's request level and \$3.1 million above 2006. The House adds \$5.0 million to make up for past fixed costs that have had to be absorbed. The USGS facilities program is funded at \$95.5 million, which is the same as the President's request level and \$690,000 above 2006.

Other Bureaus and Offices

Minerals Management Service

\$000				House +/-	
	<u>06 Enacted</u>	<u>07 Budget</u>	<u>House</u>	<u>06 Enacted</u>	<u>07 Budget</u>
ROMM	167,391	156,651	157,496	-9,895	845
Oil Spill	<u>6,903</u>	<u>6,903</u>	<u>6,903</u>	<u>0</u>	<u>0</u>
Total	174,294	163,554	164,399	-9,895	845
				-5.7%	0.5%
Offset Collections	122,730	128,730	128,730	6,000	0
				4.9%	0.0%

The President's budget for MMS included \$163.6 million for direct appropriations comprised of \$156.7 million for Royalty and Offshore Minerals Management and \$6.9 million for Oil Spill Research. This was a net increase of \$5.3 million from 2006. Collections from Outer Continental Shelf rents and other fee sources were requested at \$128.7 million, an increase of \$6.0 million from 2006. The total request was \$292.3 million for MMS operations.

The 2007 budget proposed an increase of \$8.4 million in support of the Energy Policy Act of 2005, including: \$6.5 million to establish a comprehensive program to manage alternate energy-related projects on the OCS; \$750,000 for an automated credit royalty system; \$137,000 for Federal and State Liquid Natural Gas forums; and \$1.0 million to expand the collaborative gas hydrates research effort with BLM and USGS in Alaska and the Gulf of Mexico. The budget proposed bill language to authorize the retention of up to one percent of Coastal Impact Assistance Program funds to cover the costs of administering the new program.

Other proposed increases include: \$2.1 million to facilitate OCS development by funding increased helicopter contract and fuel costs and ensuring the expertise necessary to keep abreast of innovative developments in deepwater technology and the increase in transactions; \$1.5 million for the NEPA analyses necessary for the 2007 OCS lease sales initiative; and \$842,000 for implementation of the Indian oil valuation rule. The 2007 budget proposed reductions of \$3.1 million in Royalty-In-Kind indirect costs; \$2.0 million in Congressional earmarks; and \$170,000 to postpone tribal cooperative audit agreements. Also, MMS proposed to collect an additional \$6.0 million in cost recovery and other fees in 2007.

The House provides \$157.5 million for ROMM, \$845,000 above the President's request, and \$9.9 million below the 2006 enacted level. The House provides an increase of \$1.8 million for fixed costs above the President's budget. This increase is partially offset by a \$1.0 million reduction in OCS alternate energy projects within the Leasing & Environmental Assessment subactivity. Oil Spill Research is funded at the request, level with the 2006 enacted level. The House

concur with the Administration's request to increase receipts and fees by \$6.0 million.

The House Committee increases the amount allowable for administrative costs of managing the CIAP program to three percent, and requires MMS to include information on activities and funding related to the CIAP in future budget justifications.

By a vote of 37 to 25, the Appropriations Committee adopted an amendment by Mr. Peterson (Pa.) to open OCS areas currently under statutory drilling restrictions to exploration and leasing for natural gas. These areas are also under Presidential moratoria through 2012.

The Committee also adopted language offered by Mr. Hinchey, and amended by Mr. Kingston, to prospectively require Federal leases to include price caps when royalty relief is granted on oil and gas production. The amendment also requires the Secretary of the Interior to try to renegotiate current leases that do not include such caps.

Office of Surface Mining

\$000			House +/-		House +/-	
	06 Enacted	07 Budget	House	06 Enacted	07 Budget	
Reg & Technology	108,810	112,109	112,109	3,299	0	
Abandon Mine Land	185,248	185,936	185,936	688	0	
Certified States	0	0	0	0	0	
Total	294,058	298,045	298,045	3,987	0	
				1.4%	0.0%	

The President's budget included \$298.1 million for OSM programs, a net increase of \$4.0 million above the 2006 enacted level. The increase included \$2.0 million for State and tribal regulatory programs to support continued increases in fixed costs that constitute by far the largest proportion of regulatory program expenditures. The increase also included \$2.0 million for fixed costs within OSM. The 2007 budget also included proposed language to extend the Surface Mining and Reclamation Act fee to September 30, 2007.

The House Committee funds OSM programs at the President's request of \$298.1 million. The mark is \$4.0 million above the 2006 enacted level.

The House does not include the SMCRA fee extension language proposed in the President's budget. Language providing for an extension through December 31, 2007 is included in the currently pending emergency supplemental appropriations bill. Committee report language encourages the authorizing committees to reach consensus and act on a legislative proposal to permanently extend and modify AML provisions of SMCRA.

The House includes bill language for a one-time transfer of the unappropriated balance of funds in the Rural Abandoned Mine Program portion of the AML fund to the Federal share allocation, to be used for emergencies and other high-priority Federal obligations. The RAMP portion of the fund is subject to appropriation and has not been used in ten years. The transfer increases the amount available for continuation of the State and tribal AML grant program in the event that the AML fee is not extended beyond its current expiration date, June 30, 2006.

Office of Insular Affairs

\$000			House +/-		House +/-	
	<u>06 Enacted</u>	<u>07 Budget</u>	<u>House</u>	<u>06 Enacted</u>	<u>07 Budget</u>	
Assistance to Territories	76,160	74,361	77,561	+1,401	+3,200	
Compact of Free Assoc	<u>5,313</u>	<u>4,862</u>	<u>5,362</u>	<u>+49</u>	<u>+500</u>	
Total	81,473	79,223	82,923	+1,450	+3,700	
				+1.8%	+4.7%	

The 2007 President’s budget requested \$79.2 million in current (non-permanent) funding for the Office of Insular Affairs, which was \$2.25 million below the 2006 enacted level. The House mark provides OIA with \$82.9 million in current funding, which is \$3.7 million above the 2007 request and \$1.4 million above the 2006 enacted level.

Assistance to Territories. The House funds Assistance to Territories at \$77.6 million, which is \$3.2 million above the President’s request and \$1.4 million above the 2006 enacted level. The House provides funding for the increases in the 2007 request and restores the proposed elimination of funding for unrequested earmarks in Technical Assistance. The House provides \$1.0 million for specific insular measures and assessments and an additional \$400,000 to support oversight of the implementation of the Compacts of Free Association and other increased territorial workload. Report language encourages OIA to explore ways in which grant funds for infrastructure can be leveraged through bond financing and other types of financing.

The House also includes \$800,000 for distribution among the pension systems of the Republic of Palau, Commonwealth of the Northern Mariana Islands, Republic of the Marshall Islands, and the Federated States of Micronesia, but expects that this funding will be reprogrammed if there is a failure to transfer the Prior Service Trust Fund management to the insular nation and territorial governments. The House provides an additional \$1.0 million for continuation of health care programs in the Republic of the Marshall Islands, to be used first to provide primary health care to members of the Enewetak, Bikini, Rongelap, and Utrik communities residing on Enewetak Atoll, Kili Island, Mejetto Island, Rongelap Atoll following resettlement, and Utrik Atoll.

The Committee report states that the Committee expects the Secretary to enhance the inter-departmental, coordinated approach to oversight of all Federal grants awarded to American Samoa. The Committee also encourages OIA to ensure that single audits are completed in a timely fashion and that the information contained therein is widely available to all branches of the territorial government. The Committee suggests that OIA should consider requiring the American Samoa government to complete its capital investment plan for a 5-year duration and include specific targets for the three main sectors of health, education, and other government needs. The Committee expects OIA to require a prioritized list of items needed by the American Samoa Government next year and to develop this list in an open fashion with the territorial government.

The Committee directs the Office of Insular Affairs to implement the allocations presented in the budget request for the Covenant Grants; however, the Secretary may use discretion to modify the Covenant funding formula to address appropriately court-ordered infrastructure projects in the respective territories.

Compact of Free Association. The House funds the current component of the Compact of Free Association at \$5.4 million, which is \$500,000 above the President's request and \$49,000 above the 2006 enacted level. The increased funding provided by the House is for Enewetak Support.

Departmental Offices

\$000				House +/-	House +/-
	<u>06 Enacted</u>	<u>07 Budget</u>	<u>House</u>	<u>06 Enacted</u>	<u>07 Budget</u>
Departmental Management	85,903	89,188	88,646	+2,743	-542
FBMS	22,224	22,240	22,240	+16	0
Appraisal Services	7,332	7,416	7,416	+84	0
Grants/Kendall/MLK	<u>14,779</u>	<u>0</u>	<u>0</u>	<u>-14,779</u>	<u>0</u>
Subtotal, DM	130,238	118,845	118,303	-11,936	-542
PILT	232,528	198,000	228,000	-4,528	+30,000
Central HAZMAT	9,710	9,923	9,923	+213	0
Solicitor	54,624	56,755	56,755	+2,131	0
Office of Inspector General	38,541	40,699	39,688	+1,147	-1,011
NRDA	<u>6,016</u>	<u>6,109</u>	<u>6,109</u>	<u>+93</u>	<u>0</u>
Total	471,657	430,331	458,778	-12,880	+28,447
				-2.7%	+6.6%

Overall, the 2007 President's budget for Departmental Offices provided \$430.3 million. The House funds Departmental Offices at \$458.8 million, a net increase of \$28.4 million, primarily as a result of a \$30 million increase for PILT.

Departmental Management. For Departmental Management, the President's budget request of \$118.8 million included \$89.2 million for Departmental Offices and centralized services supporting management of the Department, \$22.2

million for the Financial and Business Management System, and \$7.4 million for the appraisal services program. In addition a funding realignment was proposed to reflect current workload and staffing. Increases proposed in the budget included:

- \$128,000 for the Office of Environmental Policy and Compliance for emergency preparedness and responses to oil discharges and hazardous substance releases;
- \$400,000 for the Office of Hearings and Appeals to implement the hearings requirement for hydropower licensing contained in the Energy Policy Act of 2005;
- \$1.3 million to address increased costs in space rental, postage, and administrative services for personnel, accounting, and acquisition;
- \$14,000 for overhead rate changes pertaining to the Office of Indirect Cost Negotiations; and
- \$1.5 million for fixed costs.

The House Committee provides \$118.4 million, a decrease of \$542,000 from the request but \$2.8 million more than the 2006 enacted level. The House funds requested increases for costs in space rental, postage, and administrative services for accounting and acquisition, and personnel and fixed costs. The House bill does not provide the increases requested for the Offices of Environmental Policy and Compliance, Hearings and Appeals, nor Indirect Cost Negotiations.

The House Committee mark funds the Financial and Business Management System at the requested level.

Payments in Lieu of Taxes. For the Payments in Lieu of Taxes program, the budget included \$198.0 million, a decrease of \$34.5 million below the 2006 enacted level. The House Committee funds the program at \$228.0 million, an increase of \$30.0 million above the request and only \$4.5 million below the 2006 level.

Central Hazardous Materials Fund. The House Committee funds the Central Hazardous Materials Fund at the requested level of \$9.9 million.

Office of the Solicitor. For the Office of the Solicitor, the President's budget requested \$56.8 million including the following:

- \$2.3 million for fixed costs;
- \$57,000 for working capital fund program increases; and
- a decrease of \$272,000 for one-time IT increases in the 2006 budget.

The House Committee provides \$56.8 million as requested in the President's budget, \$2.1 million above the 2006 enacted level.

Office of the Inspector General. For the Office of Inspector General, the President's budget requested \$40.7 million including the following increases:

- \$1.1 million for fixed costs;
- \$391,000 for benchmarking/best practices;
- \$330,000 for program assessments and reviews;
- \$76,000 for security clearances;
- \$174,000 to upgrade and enhance computer equipment and software; and
- \$40,000 for program and technical training.

The House mark provides \$39.7 million, a decrease of \$1.0 million from the request but \$1.1 million above the 2006 enacted level. The House does not fund requested increases for benchmarking/best practices, program review and assessments, security clearances, computer equipment and software, or program and technical training. The House funds the requested increase for fixed costs.

Natural Resource Damage Assessment and Restoration Program. For the Natural Resource Damage Assessment and Restoration program, the budget included \$6.1 million. The House Committee funds the program at the requested level.

Law Enforcement

\$000			<u>House</u>	House +/-	House +/-
	<u>06 Enacted</u>	<u>07 Budget</u>		<u>06 Enacted</u>	<u>07 Budget</u>
BLM	18,942	18,556	20,100	+1,158	+1,544
NPS	171,902	176,409	175,909	+4,007	-500
USPP	80,213	84,775	84,775	+4,562	0
FWS	83,186	83,592	84,916	+1,730	+1,324
BIA	208,057	216,300	212,106	+4,049	-4,194
OLES	4,483	4,784	4,784	+301	0
NBC	<u>5,590</u>	<u>5,988</u>	<u>5,988</u>	<u>+398</u>	<u>0</u>
Total	572,373	590,404	588,578	+16,205	-1,826
				+2.8%	-0.3%

The President's budget for law enforcement programs funded in the Interior bill; totaled \$590.4 million. The House provides \$588.6 million. A summary of major changes follows:

BLM. The 2007 President's budget requested an increase of \$720,000 for senior staff rangers, offset by a reduction of a \$1.2 million Congressional earmark for law enforcement in National Landscape Conservation System units. The House accepts all changes in the request and provides an additional \$1.0 million targeted to the southwest border, along with a general program increase of \$544,000 for law enforcement activities.

NPS. The President's budget requested increases of \$750,000 to base fund the Federal Law Enforcement Training Center and \$500,000 for special agents at parks with critical issues. The House provides the increase for FLETC, but does not fund the additional costs of special agents.

US Park Police. Increases were requested to recruit and train a larger recruiting class (\$755,000) and implement the mission review and NAPA recommendations (\$2.1 million). The House provides both increases.

FWS. The FWS requested an increase of \$496,000 for the International Trade Data System and a reduction of \$1.0 million for the Incident Management Analysis and Reporting System, mainly due to delays in implementation. The House provides the increase for ITDS and restores funding for IMARS.

Legislative Provisions

Title I – General Provisions, Department of the Interior

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

Outer Continental Shelf Moratoria. The House retains the longstanding OCS oil and gas leasing moratoria, as requested in the budget. However, it modifies the moratoria to exempt natural gas. (House §104-106)

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 the properties. (House §109)

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 §110)

Land Acquisition Grants. The House includes a provision that allows NPS land acquisition funds for Shenandoah Valley Battlefields National Historic District and Ice Age National Scenic Trail to be used for grants to a State, local government, or any other land management for the acquisition of lands without regard to any restriction in the LWCF Act of 1965. The President’s budget proposed to delete this provision as one-time. (House §111)

Carlsbad Caverns. The House continues the limitation on the use of funds for a concessions contract permitting or requiring the removal of the underground lunchroom at Carlsbad Caverns NP. The budget proposed to eliminate this provision. (House §112)

Bridge Demolition. The House continues a provision prohibiting the use of funds to demolish of a bridge between Jersey City, New Jersey, and Ellis Island or to prevent pedestrian use of the bridge, as long as pedestrian use is consistent with generally accepted safety standards. The President’s budget proposed to discontinue the provision. (House §113)

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* litigation at an annual rate that exceeds 200 percent of the higher SES rate of pay for the Washington-Baltimore locality pay area. (House §114)

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 the *Cobell* litigation. (House §115)

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. The President's budget proposed to discontinue the provision as unnecessary. (House §116)

Lake Powell. The House continues 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. The President's budget proposed to discontinue the provision. (House §118)

Indian Gaming. As requested in the President's Budget, the House extends for one year the provision that sets the ceiling for fees that the Indian Gaming Commission can collect and raises the ceiling from \$12 million to \$13 million. (House §119)

Tribal Trust Demonstration Project. As requested in the President's budget, the House continues a 2004 provision that allows the Department to provide funds to certain, specified Tribes for a trust demonstration project. (House §120)

Temporary Nonrenewable Grazing Permits. The House continues a provision included in the 2005 Consolidated Appropriations Act that renews temporary nonrenewable grazing permits in the BLM Jarbidge Field Office, notwithstanding any other provision of law, including NEPA. The President's budget proposed to discontinue the provision. (House §121)

Ellis, Governors and Liberty Islands. As requested in the President's budget, the House continues a provision that authorizes the Secretary to acquire lands, waters, or interests therein in order to operate and maintain facilities in support of transportation and accommodation of visitors to Ellis, Governors, or Liberty Islands, by donation or with appropriated funds, including franchise fees, or by exchange. The provision also authorizes the Secretary to negotiate and enter into leases, subleases, concession contracts or other agreements for the use of such facilities. (House §122)

Mojave National Preserve. The House continues a provision that authorizes continuation of the Clark Mountain grazing allotment within the Mojave

National Preserve. The President's budget proposed to discontinue the provision as one-time. (House §123)

Centers of Excellence and Partnership. The House continues a prohibition on the use of funds to set up Centers of Excellence and Partnership Skills Bank training without prior approval of the House and Senate Appropriations Committees. The President's budget proposed to change the provision to require prior notification instead of prior approval. (House §125)

Title IV – General Provisions (Bill-wide)

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

Assessments, Charges, or Billings. The House continues a provision that requires that all overhead charges, deductions, reserves or holdbacks from programs be presented in the budget and approved by the Appropriations Committees. The President's budget proposed to change this provision to eliminate the language requiring approval by the Appropriations Committees. (House §405)

Mine Patent Moratorium. As requested in the President's budget, the House continues the mine patent moratorium for an additional year. (House §408)

Contract Support Costs. The House continues a provision stating that the amount appropriated for contract support costs is the total amount available, and that tribes may use the tribal priority allocations to cover unmet indirect costs. (House §409)

Answering Machines. The House continues a provision first included in the 2003 Interior 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. The President's budget proposed to discontinue the provision. (House §412)

National Monuments. As requested in the President's budget, the House continues a prohibition on the use of funds to conduct mineral pre-leasing, leasing, and related activities within the boundaries of a national monument 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 §414)

Reciprocal Agreements for Firefighters. The House continues a provision that directs the terms of reciprocal agreements with foreign countries for firefighting services and extends it through FY 2010. The President's budget proposed to revise the language to make it advisory. (House §415)

Hazardous Fuels and Watershed Projects. As requested in the President's

budget, the House continues language that allows the Departments of the Interior and Agriculture to provide a preference for local contractors in disadvantaged areas for ecosystem restoration and fuels reduction work. (House §416).

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 funds appropriated to implement the Everglades National Park Protection Act of 1989 or to funds appropriated for Federal assistance to the State of Florida to acquire lands for Everglades restoration purposes. The President's budget proposed to change the provision to require prior notification instead of prior approval. (House §417).

Competitive Sourcing Funding Limitation. The House continues a provision that imposes a limit of \$3.450 million on Department of the Interior competitive sourcing studies for 2007 and clarifies reporting requirements to specify the reporting of the full costs associated with sourcing studies and related activities. The President's budget proposed to delete this provision. (House §418).

E-Government. The House continues a provision that precludes agencies funded in the Interior bill from providing funds to the managing partners of the SAFECOM, or Disaster Management e-government projects. The President's budget proposed to discontinue the provision. (House §419)

Competitive Sourcing Studies. The House includes a provision that prohibits the use of funds for competitive studies in the Wildland Fire Management program. (House §422)

Fire Program Analysis. The House includes a provision that prohibits funding for the Fire Program Analysis system until the Secretary of the Agriculture and the Secretary of the Interior certify in writing that the FPA system will accomplish the work plan for the system, as determined by the Wildland Fire Leadership Council, and that State wildfire agencies will be full participants in the use of the system. (House §423)

Title V – Royalty Relief

Royalty Relief. The House includes a provision that establishes price thresholds for granting royalty relief on future leases. The provision also requires Interior to seek to renegotiate any leases granted prior to the enactment of the Act that do not contain price thresholds for royalty relief consistent with those established in the provision. (House §501)

Legislative History

House Bill – H.R. 5386/Report 109-465

House Subcommittee

The House Subcommittee reported the bill on May 4, 2006, unanimously approving the measure.

House Committee

The House Committee reported the bill on May 10, 2006, and adopted a number of amendments. Amendments relating to the Department of the Interior programs were offered in Committee action. The following amendments were adopted:

Payment in Lieu of Taxes – Subcommittee Chairman Taylor offered an amendment to increase funding for PILT by \$12 million. This increase brings the PILT account to \$228 million, within \$4.5 million of last year's enacted level. The increase was offset by a decrease in the Smithsonian Institution salaries and expense account. The Committee adopted the amendment on voice vote.

Kenilworth Park – Congressman Simpson proposed report language supporting a public private partnership between First Tee of Washington, D.C. and NPS for construction of an educational and recreational facility for children at Kenilworth Park South. The amendment was agreed to and adopted.

Personal Watercraft Rulemaking – Congressman Doolittle proposed report language urging NPS to complete rulemakings on personal watercraft. The amendment was accepted and adopted on a voice vote.

OCS Moratoria – Congressman Peterson proposed bill language amending the OCS moratoria to lift the moratoria on natural gas leasing. The amendment was adopted by a 37 to 25 roll call vote.

Royalty Relief – Congressman Hinchey proposed bill language directing the Secretary to suspend the application of royalty relief for production of oil and gas after the date of enactment of the Act. The language also directs the Secretary to seek renegotiation of leases providing royalty relief. The amendment was adopted by voice vote after adoption of a second-degree Kingston amendment striking a provision that would have made lessees who did not agree to renegotiation ineligible for future leases.

Mid-Continent Mapping Center – Congresswoman Emerson proposed bill language providing a hard earmark of \$13 million for the USGS Mid-Continent Mapping Center and prohibiting use of funds to consolidate the Mid-Continent Mapping Center into the National Geospatial Technical Operations Center. The amendment was adopted on a voice vote.

GW Memorial Highway – Congressman Moran proposed report language directing NPS to report on the feasibility of adding a third lane on the southbound GW Memorial Parkway from the Sprout Run merge lane to Roosevelt Bridge. The amendment was adopted on a voice vote.

Royalty Calculations – Congressman Hinchey proposed report language directing the Department to report on methods to improve the accuracy of oil and gas flow measurements used for royalty calculations. The amendment was adopted on a voice vote.

The Committee did not adopt the following proposed amendments:

Conservation Programs – Congressman Obey proposed an amendment allocating an additional \$800 million for conservation, recreation, and environment programs in Interior, USFS and EPA. The increase would be offset by reducing tax reductions for taxpayers with incomes in excess of \$1 million. The amendment was defeated by a roll call vote of 27 to 35.

Oklahoma City Memorial – Congressman Istook proposed bill language to provide \$2 million for the Oklahoma City National Memorial, offset by reducing NPS equipment replacement. The amendment was defeated on a voice vote.

Energy Star/BLM Energy Programs – Congressman Moran proposed bill language reducing BLM energy programs by \$10 million as an offset for an increase in the EPA Energy Star program. The amendment was withdrawn based on agreement to continue to work on funding for the Energy Star program.

Technical Notes

All amounts are current dollars. This document reports in thousands of dollars as do the House Committee tables. The President's budget reports funding in millions.

All years referred to are fiscal years unless otherwise noted.

Comparisons in this document are to 2006 enacted to date appropriations as scored by the Congressional Appropriations Committees, as amended. This document excludes one time disaster supplementals but includes supplementals for avian flu activities. The Committee's scoring of 2006 and the OMB scoring, which was included in the President's Budget, consistently differ. As a result the comparisons in this document do not in all instances match the comparisons in the budget.

OMB Budget Totals Compared with Appropriations Committee Totals

The Committee's scoring differs from OMB scoring by a net \$52.1 in 2006 and \$269.9 in 2007. The Committee includes four current mandatory accounts that OMB does not include in its discretionary totals, including BLM's Range

Improvements, (\$10 million), BLM's Miscellaneous Trust (\$12.4 million), OIA's Assistance to Territories (\$27.7 million) and Compact Assistance (\$2.0 million). OMB scoring reflected the 2007 budget proposal to eliminate the Range Improvements account which the Committee does not accept or acknowledge in its reporting of the President's budget. OMB scoring reflected the proposed one-year extension of the AML fee which reduced the discretionary total by \$312 million. The Committee did not score this offset and did not extend the AML fee authorization. Both OMB and the Committee include \$70.3 million in one-time hurricane-related disaster supplemental funding in the 2006 amounts. To allow comparable evaluations of Congressional action, these amounts are excluded from the totals in this document. OMB and Committee scoring include the 2006 avian flu supplemental of \$11.6 million and those amounts are included in this document.