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108TH CONGRESS, 1st Session | HOUSE OF REPRESENTATIVES | REPORT 108–195

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATION BILL, 2004

JULY 10, 2003.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. TAYLOR of North Carolina, from the Committee on Appropriations, submitted the following

R E P O R T

together with

ADDITIONAL VIEWS

[To accompany H.R. 2691]

The Committee on Appropriations submits the following report in explanation of the accompanying bill making appropriations for the Department of the Interior and Related Agencies for the fiscal year ending September 30, 2004. The bill provides regular annual appropriations for the Department of the Interior (except the Bureau of Reclamation) and for other related agencies, including the Forest Service, the Department of Energy, the Indian Health Service, the Smithsonian Institution, and the National Foundation on the Arts and the Humanities.

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Comparison With Budget Resolution

Section 308(a)(1)(A) of the Congressional Budget and Impoundment Control Act of 1974 (Public Law 93–344), as amended, requires that the report accompanying a bill providing new budget authority contain a Statement detailing how the authority compares with the reports submitted under section 302 of the Act for the most recently agreed to concurrent resolution on the budget for the fiscal year. This information follows:

[In millions of dollars]

	Sec. 302(b)		This bill—	
	Discretionary	Mandatory	Discretionary	Mandatory
Budget authority	$19,627	64	$19,627	64
Outlays	19,400	70	19,400	70

Summary of the Bill

The Committee has conducted hearings on the programs and projects provided for in the Interior and Related Agencies Appropriations bill for 2004. The hearings are contained in 8 published volumes totaling nearly 8,500 pages.

During the course of the hearings, testimony was taken at 9 hearings on 8 days, not only from agencies which come under the jurisdiction of the Interior Subcommittee, but also from Members of Congress, and, in written form, from State and local government officials, and private citizens.

The bill that is recommended for fiscal year 2004 has been developed after careful consideration of all the facts and details available to the Committee.

BUDGET AUTHORITY RECOMMENDED IN BILL BY TITLE

Activity	Budget estimates, fiscal year 2004	Committee bill, fiscal year 2004	Committee bill compared with budget estimates
Title I, Department of the Interior: New Budget (obligational) authority	$9,763,661,000	$9,667,322,000	−$96,339,000
Title II, related agencies: New Budget (obligational) authority	9,727,318,000	9,933,803,000	+206,485,000
Grand total, New Budget (obligational) authority	19,490,979,000	19,601,125,000	+110,146,000

Total Appropriations for the Department of the Interior and Related Agencies

In addition to the amounts in the accompanying bill, which are reflected in the table above, permanent legislation authorizes the continuation of certain government activities without consideration by the Congress during the annual appropriations process.

Details of these activities are listed in tables at the end of this report. In fiscal year 2003, these activities are estimated to total $3,445,579,000. The estimate for fiscal year 2004 is $3,518,554,000.

The following table reflects the total budget (obligational) authority contained both in this bill and in permanent appropriations for fiscal years 2003 and 2004.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES TOTAL BUDGET AUTHORITY FOR FISCAL YEARS 2003–2004

Item	Fiscal year 2003	Fiscal year 2004	Change
Interior and related agencies appropriations bill	$19,787,481,000	$19,601,125,000	−$186,356,000
Permanent appropriations, Federal funds	2,849,661,000	2,889,662,000	+40,001,000
Permanent appropriations, trust funds	595,918,000	628,892,000	+32,974,000
Total budget authority	23,233,060,000	23,119,679,000	−113,381,000

Revenue Generated by Agencies in Bill

The following tabulation indicates total new obligational authority to date for fiscal years 2002 and 2003, and the amount recommended in the bill for fiscal year 2004. It compares receipts generated by activities in this bill on an actual basis for fiscal year 2002 and on an estimated basis for fiscal years 2003 and 2004. The programs in this bill are estimated to generate $8.2 billion in revenues for the Federal Government in fiscal year 2004. Therefore, the expenditures in this bill will contribute to economic stability rather than inflation.

Item	Fiscal year—		
	2002	2003	2004
New obligational authority	$19,157,770,000	$19,787,481,000	$19,601,125,000
Receipts:			
Department of the Interior	8,337,983,000	8,268,121,000	7,815,176,000
Forest Service	334,446,000	389,191,000	399,511,000
Naval Petroleum Reserves	6,728,000	6,988,000	6,927,000
Total receipts	8,679,157,000	8,664,300,000	8,221,614,000

APPLICATION OF GENERAL REDUCTIONS

The level at which sequestration reductions shall be taken pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, if such reductions are required in fiscal year 2004, is defined by the Committee as follows:

As provided for by section 256(l)(2) of Public Law 99–177, as amended, and for the purpose of a Presidential Order issued pursuant to section 254 of said Act, the term "program, project, and activity" for items under the jurisdiction of the Appropriations Subcommittees on the Department of the Interior and Related Agencies of the House of Representatives and the Senate is defined as (1) any item specifically identified in tables or written material set forth in the Interior and Related Agencies Appropriations Act, or accompanying committee reports or the conference report and accompanying joint explanatory statement of the managers of the committee of conference; (2) any Government-owned or Government-operated facility; and (3) management units, such as National parks, National forests, fish hatcheries, wildlife refuges, research units, regional, State and other administrative units and the like, for which funds are provided in fiscal year 2004.

The Committee emphasizes that any item for which a specific dollar amount is mentioned in any accompanying report, including all increases over the budget estimate approved by the Committee, shall be subject to a percentage reduction no greater or less than the percentage reduction applied to all domestic discretionary accounts.

FEDERAL FUNDING OF INDIAN PROGRAMS

The Committee recommends appropriations of new budget authority aggregating $5.5 billion for Indian programs in fiscal year 2004. This is an increase of $26 million above the budget request and an increase of $247 million above the amount appropriated for fiscal year 2003. Spending for Indian services by the Federal Government in total is included in the following table.

[In thousands of dollars]

	Approps bills	FY 2002 actual	FY 2003 estimate	FY 2004 budget request
Department of Agriculture	(Agriculture)	671,438	709,547	720,958
Army Corps of Engineers	(Energy/Water)	26,007	23,631	21,853
Department of Commerce	(C/J/S)	29,138	12,534	12,534
Department of Defense	(Defense)	18,000	18,000	0
Department of Education	(Labor/HHS/ED)	2,032,236	2,113,264	2,249,841
Department of Health & Human Services	(L/HHS/Interior)	3,277,192	3,350,956	3,458,012
Department of Housing & Urban Development	(VA/HUD)	731,557	729,500	725,500
Department of the Interior	(Interior)	2,638,061	2,761,654	2,906,204
Department of Justice	(C/J/S)	241,392	208,656	214,867
Department of Labor	(Labor/HHS/ED)	73,919	70,014	70,014
Department of Transportation	(Transportation)	245,840	272,076	329,170
Department of Veterans Affairs	(VA/HUD)	544	558	563
Environmental Protection Agency	(VA/HUD)	228,698	229,800	234,800
Small Business Administration	(C/J/S)	0	1,000	1,000
Smithsonian Institution	(Interior)	67,896	53,517	52,024
Department of the Treasury	(VA/HUD)	5,000	5,000	3,500
Other Agencies & Independent Agencies:				
Department of Energy—Tribal Program	(Energy/Water)	2,840	8,307	6,000
National Science Foundation	(VA/HUD)	9,910	9,980	9,980

[In thousands of dollars]

	Approps bills	FY 2002 actual	FY 2003 estimate	FY 2004 budget request
Morris K. Udall Foundation	(Treasury)	345	500	163
Denali Commission	(C/J/S)	46,550	38,475	19,475
Institute of Museum and Library Services	(Labor/HHS/ED)	2,941	3,075	3,225
Office of Navajo and Hopi Indian Relocation	(Interior)	15,148	14,491	13,532
Institute of American Indian and Alaska	(Interior)			
Native Culture and Arts Development (IAIA)	(Interior)	4,490	5,490	5,250
Total, Others		82,224	80,318	57,625
Grand Total		10,369,142	10,640,025	11,058,465

CONSTITUTIONAL AUTHORITY

Clause 3(d)(1) of rule XIII of the House of Representatives states that:

Each report of a committee on a bill or joint resolution of a public character, shall include a statement citing the specific powers granted to the Congress in the Constitution to enact the law proposed by the bill or joint resolution.

The Committee on Appropriations bases its authority to report this legislation from Clause 7 of Section 9 of Article I of the Constitution of the United States of America which states: "No money shall be drawn from the Treasury but in consequence of Appropriations made by law. * * *"

Appropriations contained in this Act are made pursuant to this specific power granted by the Constitution.

ALLOCATING CONGRESSIONAL FUNDING PRIORITIES

The Committee continues to be concerned that the agencies funded by this Act are not following a standard methodology for allocating appropriated funds to the field where Congressional funding priorities are concerned. When Congressional instructions are provided, the Committee expects these instructions to be closely monitored and followed. The Committee directs that earmarks for Congressional funding priorities be first allocated to the receiving units, and then all remaining funds should be allocated to the field based on established procedures. Field units or programs should not have their allocations reduced because of earmarks for Congressional priorities without direction from or advance approval of the Committee.

REPROGRAMMING GUIDELINES

The Committee has revised the reprogramming guidelines to address the issue of assessments and charges within department and agencies or by other agencies, and to clarify other issues. The changes dealing with assessments, as reflected in sections 2(e) and 10 below, clarify in 2(e) that the head of any department or agency or bureau may not assess or charge subordinate entities for services or products above the amounts that are listed in the budget justification without formal Committee approval. If there are any overhead charges or other assessments or charges that are not listed in the budget justification, the head of the department or agency

may not require payment of such charges or assessments without Committee approval. This same instruction (see section 10 below) applies to assessments from other agencies such as the General Services Administration.

Section 9 has been modified to delete the reference to legislative committees. Sections 11, 12, and 13 have been added dealing with land acquisitions and forest legacy projects, land exchanges, and appropriations structure issues. Several other minor technical changes have been made and section 9(b) has been added dealing with Forest Service transfers.

The following are revised procedures governing reprogramming actions for programs and activities funded in the Interior and Related Agencies Appropriations Act:

1. *Definition.*—"Reprogramming," as defined in these procedures, includes the reallocation of funds from one budget activity to another. In cases where either Committee report displays an allocation of an appropriation below the activity level, that more detailed level shall be the basis for reprogramming. For construction accounts, a reprogramming constitutes the reallocation of funds from one construction project identified in the justifications to another. A reprogramming shall also consist of any significant departure from the program described in the agency's budget justifications. This includes proposed reorganizations even without a change in funding.

2. *Guidelines for Reprogramming.*—(a) A reprogramming should be made only when an unforeseen situation arises; and then only if postponement of the project or the activity until the next appropriation year would result in actual loss or damage. Mere convenience or desire should not be factors for consideration.

(b) Any project or activity which may be deferred through reprogramming shall not later be accomplished by means of further reprogramming; but, instead, funds should again be sought for the deferred project or activity through the regular appropriations process.

(c) Reprogramming should not be employed to initiate new programs or to change allocations specifically denied, limited or increased by the Congress in the Act or the report. In cases where unforeseen events or conditions are deemed to require such changes, proposals shall be submitted in advance to the Committee, regardless of amounts involved, and be fully explained and justified.

(d) Reprogramming proposals submitted to the Committee for approval shall be considered approved 30 calendar days after receipt if the Committee has posed no objection. However, agencies will be expected to extend the approval deadline if specifically requested by either Committee.

(e) The Secretary or agency head may not assess, charge or bill bureaus or other subordinate entities more than the amounts listed in the budget justification for any products or services, or institute any additional assessments, without formal Committee approval.

3. *Criteria and Exception.*—Any proposed reprogramming must be submitted to the Committee in writing prior to implementation if it exceeds $500,000 annually or results in an increase or decrease

of more than 10 percent annually in affected programs, with the following exception:

With regard to the tribal priority allocations activity of the Bureau of Indian Affairs, Operations of Indian Programs account, there is no restriction on reprogrammings among the programs within this activity. However, the Bureau shall report on all reprogrammings made during the first six months of the fiscal year by no later than May 1 of each year, and shall provide a final report of all reprogrammings for the previous fiscal year by no later than November 1 of each year.

4. *Quarterly Reports.*—(a) All reprogrammings shall be reported to the Committee quarterly and shall include cumulative totals. (b) Any significant shifts of funding among object classifications also should be reported to the Committee.

5. *Administrative Overhead Accounts.*—For all appropriations where costs of overhead administrative expenses are funded in part from "assessments" of various budget activities within an appropriation, the assessments shall be shown in justifications under the discussion of administrative expenses.

6. *Contingency Accounts.*—For all appropriations where assessments are made against various budget activities or allocations for contingencies, the Committee expects a full explanation, separate from the justifications. The explanation shall show the amount of the assessment, the activities assessed, and the purpose of the fund. The Committee expects reports each year detailing the use of these funds. In no case shall a fund be used to finance projects and activities disapproved or limited by Congress or to finance new permanent positions or to finance programs or activities that could be foreseen and included in the normal budget review process. Contingency funds shall not be used to initiate new programs.

7. *Declarations of Taking.*—The Committee directs the Bureau of Land Management, the U.S. Fish and Wildlife Service, the National Park Service, and the Forest Service to seek Committee approval in advance of filing declarations of taking.

8. *Report Language.*—Any limitation, directive, or earmarking contained in either the House or Senate report which is not contradicted by the other report nor specifically denied in the conference report shall be considered as having been approved by both Houses of Congress.

9. *Forest Service.*—The following procedures shall apply to the Forest Service, Department of Agriculture:

(a) The Forest Service shall not change the boundaries of any region, abolish any region, move or close any regional office for research, State and private forestry, or National Forest System administration, without the consent of the House and Senate Committees on Appropriations in compliance with these reprogramming procedures.

(b) Provisions of section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257) and of 7 U.S.C. 147b shall apply to appropriations available to the Forest Service only to the extent that the proposed transfer is approved by the House and Senate Committees on Appropriations in compliance with these reprogramming procedures.

10. *Assessments.*—No assessments shall be levied against any program, budget activity, subactivity, or project funded by the Inte-

rior Appropriations Act unless such assessments and the basis therefore are presented to the Committees on Appropriations and are approved by such Committees, in compliance with these procedures.

11. *Land Acquisitions and Forest Legacy.*—Lands shall not be acquired for more than the approved appraised value (as addressed in section 301(3) of Public Law 91–646) except for condemnations and declarations of taking, unless such acquisitions are submitted to the Committees on Appropriations for approval in compliance with these procedures.

12. *Land Exchanges.*—Land exchanges, wherein the estimated value of the Federal lands to be exchanged is greater than $500,000, shall not be consummated until the Committees on Appropriations have had a 30-day period in which to examine the proposed exchange.

13. The appropriation structure for any agency shall not be altered without advance approval of the House and Senate Committees on Appropriations.

EROSION OF BASE PROGRAM BUDGETS

The Committee is concerned about the erosion of the capability of the agencies funded in this bill to deliver programs and services to the American people. Each of the last three budgets has only partially funded the costs of employee pay increases, as proposed by the Administration and approved by the Congress. Many of the agencies are salary intensive, funding on-the-ground work by rangers, biologists, maintenance workers, educators and other dedicated and skilled employees at the Nation's parks, wildlife refuges, public land districts, National forests, scientific laboratories, and Indian agencies, hospitals and schools. If funding to cover pay increases is "absorbed", programs and service inevitably are reduced. In the case of the Department of the Interior alone, cumulative pay costs of at least $225 million will be absorbed in fiscal year 2004. In the case of the National Park Service operating account, fixed cost absorption is equivalent to a three percent reduction from 2001 program levels. Also unfunded are uncontrollable costs, such as utilities, rent increases, and inflationary costs that are beyond the agencies' control and must be paid. Medical inflation has averaged 15% per year, yet there have been no funds provided to the Indian Health Service for non-pay inflation in many years.

The absorption of uncontrollable pay costs has been compounded by substantial unbudgeted costs that have been incurred for activities associated with management initiatives, including competitive sourcing, budget and performance integration, financial management reform, activity based costing, the program assessment rating tool, and e-government. While the Committee is supportive of the goals of these initiatives, the costs have, by-in-large, not been requested in annual budget justifications or through reprogramming procedures. The Committee has thus been unable to evaluate the costs, benefits and effectiveness of these initiatives or to weigh the priority that these initiatives should receive as compared with the important ongoing programs funded in the bill.

Compounding the situation for the agencies is the reluctance of the Office of Management and Budget to reimburse agencies, such as the National Park Service, for costs associated with anti-ter-

rorism security requirements. Since January 2003, the National Park Service alone has incurred increased security costs in excess of $8 million.

In fiscal year 2004, "information technology savings" have been levied by the Administration as cuts to agency budgets. While the Committee supports the concept, it is unlikely that these savings will be achieved in 2004.

The Committee believes that if this trend continues, there will undoubtedly be reductions in services to the American public and urges the Administration to present more realistic fiscal year 2005 budget justifications that reflect the true costs to agencies of fixed cost increases and management initiatives.

COMPETITIVE SOURCING

The Committee has carefully reviewed the application of the Administration's Competitive Sourcing initiative within the agencies and bureaus under its jurisdiction. While there is certainly merit to this undertaking, and the Committee commends the Department of the Interior, in particular, for its approach to addressing this issue, the Committee remains concerned about the massive scale, seemingly arbitrary targets, and considerable costs associated with this initiative, costs which are expected to be absorbed by the agencies at a time when federal budgets are declining.

The Committee is no stranger to competitive sourcing. In fiscal year 1996, after careful review, the Committee required the United States Geological Survey's National Mapping Division to contract out 60 percent of its map and digital data production activities. The Committee has carefully monitored, on an annual basis, the quality of the product, the overall effect this approach had on the Survey's workforce, the ability of the National Mapping Division to maintain those workforce skills necessary to manage effectively the contracts in the future, and the ability of the National Mapping Division to maintain a cadre of skilled cartographers to ensure that the Geological Survey remains at the cutting edge of its mission-essential disciplines.

Similarly, in 1999, the Committee responded to recommendations made by the National Academy of Public Administration by requiring the outsourcing of 90 percent of the National Park Service's construction operation—the Denver Service Center. As with the U.S. Geological Survey, workforce skills were retained by the Service to manage projects handled in-house and to oversee private sector contracts.

The Committee understands that the Forest Service expects to spend $10 million during fiscal year 2003 on competitive sourcing activities. The Committee is concerned that all forests and most contracting officers will be heavily impacted by this effort at a time when they should concentrate their attention on improving business practices that were adversely affected by last year's severe fiscal situation due to the redirection of funds for emergency firefighting.

This massive initiative appears to be on such a fast track that the Congress and the public are neither able to participate nor understand the costs and implications of the decisions being made. In addition, the Committee's required reprogramming guidelines are

not being followed. While millions have been spent, reprogramming letters have not been forwarded to the Committee.

Based on these and other concerns the Committee has included bill language under Title III—General Provisions limiting competitive sourcing activities to those that are currently underway for fiscal years 2002 and 2003. Each agency should provide an in-depth report to the Committee detailing the results of completed studies and the action to be taken as a result of those studies. The reports should be completed by March 1, 2004, and should include specific schedules, plans, and cost analyses for the outsourcing competitions.

LAND ACQUISITION

The Committee remains very concerned about the unfocused direction demonstrated in Federal Land Acquisition priorities for Interior and Related Agencies. There are no clear acreage goals for acquisition of Federal lands and little coordination among the four land management agencies involved. There needs to be a greater focus on how to determine the best potential management agency for each land tract. At times it appears that agencies seek to expand boundaries without consideration of the large backlog of inholdings that currently exist.

The Committee directs the Secretary of the Interior and the Secretary of Agriculture to develop jointly a long-term national plan outlining the acreage goals and conservation objectives for Federal land acquisition. The plan must demonstrate how the agencies will work together to realize acreage goals and must include a schedule for monitoring progress in meeting Federal land acquisition goals. Additionally, the plan should: (1) evaluate existing authorities regarding the disposal and consolidation of Federal Lands; (2) review the methods employed for receiving and evaluating public input on potential acquisitions; and (3) address the reimbursement of all costs associated with the transfer of former military and other Federal lands to the Department of the Interior and the Forest Service. The report should be delivered to the Committee no later than March 30, 2004.

The Committee strongly discourages boundary expansions until such time as the agencies develop and submit the long-term report mentioned above.

The Committee directs the agencies to place the highest priority on acquiring inholdings that consolidate Federal lands and reduce management costs to agencies. Further, conservation easements or land exchanges should be considered for each land acquisition before any "fee simple" purchase is proposed.

Future budget submissions must contain an evaluation of operation and maintenance costs associated with each proposed purchase and these costs should be requested in the operation and maintenance portion of each agency's budget justification.

The Committee remains concerned about the involvement of third-party land conservation groups and their relationship to the priorities set forth by Federal agencies for acquisition. Each agency should indicate clearly in future budget submissions when a third-party land conservation group is monetarily involved in a proposed acquisition.

Finally, the Committee expects each agency to justify fully how each proposed acquisition comports with the long-term plan. This information should be displayed in the fiscal year 2005 budget justification and in subsequent budget justifications.

RECREATIONAL FEE DEMONSTRATION PROGRAM

The Committee has included bill language in Title III (Section 332) extending the recreational fee demonstration program for an additional two years, consistent with the Administration request. The Committee encourages the authorizing Committees to continue work on this issue and enact a more comprehensive solution. The extension is needed to provide consistency and predictability for the American public and recreation providers.

This program, begun in the fiscal year 1996 Interior and Related Agencies Appropriations Act, allows the National Park Service, Bureau of Land Management, U.S. Fish and Wildlife Service, and Forest Service to charge certain fees for recreation activities and retain those fees at the site to reduce the backlog in deferred maintenance and enhance the visitor experience. To date, the fee program has raised nearly one billion dollars to enhance recreational experiences on America's public lands. As the agencies move from experimental phases of the early program implementation, the Committee expects that business practices and management will improve.

SUMMARY OF RECREATIONAL FEE DEMONSTRATION PROGRAM RECEIPTS

[Millions of dollars]

	1997–2002 actual	FY 2003 estimate	FY 2004 estimate	Total
National Park Service	$584	$124.7	$124.7	$833.4
Bureau of Land Management	24.7	9.5	9.5	43.7
Fish and Wildlife Service	14.1	3.8	4.0	21.9
USDA Forest Service	124.2	40	42	206.2
Total	747	178	180.2	1,105.2

The Committee expects to see positive changes as the program moves from the demonstration phase to a mature program. As the agencies work with the authorizing committees on permanent legislation, the Committee offers the following guidance:

- The public should not be excluded from the public lands due to excessive fees;
- Recreation receipts should be retained and used at the site of collection;
- Fees should be focused on areas where there is a Federal infrastructure investment, and not be required for general access to national forests or public lands;
- Interagency programs and passes should be increased for the convenience of the public;
- There needs to be full accountability for the use of the receipts;
- Agencies need to maintain good business practices, but the public lands should not be run as a profit-making business;

- Agencies should work with users and communities to help decide on the use of the receipts;
- Receipts should be used to reduce the backlog maintenance and for visitor service enhancements;
- The receipts should not be used to replace Federal appropriations for recreation, rather, they should complement the Federal investment;
- The fee structure should be kept simple; visitor convenience needs to be increased;
- The public should not be subjected to multiple fees on the various public lands they visit;
- Agencies should encourage volunteerism and reward it with reduced fees; and
- Fees should be structured to provide equity among user groups.

ENERGY RESEARCH—RESPONDING TO THE NATIONAL ENERGY POLICY

Two years ago the Committee wholeheartedly welcomed the Administration's National Energy Policy. The Committee agrees that the Department of Energy needs to do a better job measuring potential program success and discontinuing programs that do not yield expected results. The Committee also believes that new programs should be considered and promising research should be expanded if we are to achieve the goals of energy independence, dramatically lower energy consumption, and significantly reduced emissions of harmful pollutants from energy production and use. It is also critically important to continue existing, successful research programs.

The Committee disagrees with the fiscal year 2004 budget request's focus on a few major initiatives and program expansions at the expense of critical ongoing research. The Committee's recommendations present a balanced approach to handling the supply and demand sides of the energy issue and to funding long-term research while continuing promising, ongoing shorter-term research.

Incremental improvements to existing technology are critical to achieve short-term and mid-term energy efficiency improvements and emission reductions. We cannot afford to abandon ongoing research in the hope that potential, cutting-edge improvements can be achieved in the next 15 or 20 years. Indeed, the government's track record for picking "winning" technologies of the future has not been good. Too often new technologies have been pursued based on economic assumptions of their affordability that fail to materialize. Most major energy savings are achieved over time through incremental improvements to existing technologies. This country and the world will rely on traditional sources of energy supply and on current technology for at least the next 20 years. We can't afford to back away from research on coal, oil, and natural gas while we look for alternative technologies.

The Committee's recommendations acknowledge that we need both traditional fuels and alternative fuels and we need to find ways to use all fuels and technologies more efficiently and more cleanly. To meet the ever-growing need for energy, domestically and worldwide, we are going to need to burn traditional fossil fuels more efficiently and with lower emissions. We need to expand our

use of nuclear energy for electric power generation. We also should expand the use of alternative energy resources such as solar, wind, geothermal, and hydrogen. We will need all of these sources to meet demand.

The Committee continues to support the President's clean coal power initiative and has recommended modest increases in funding for the weatherization assistance program and for State energy programs. The Committee also has recommended restoring many of the reductions proposed in the budget request for energy conservation research and for research to improve fossil energy technologies. It would be fiscally irresponsible to discontinue research in which we have made major investments without bringing that research to a logical conclusion.

The Committee does not object to refocusing some existing programs if there is a rational, scientific basis for doing so. The Committee has continued funding for independent program reviews by the National Academy of Sciences to serve as that basis. In the meantime, we need to continue ongoing research if we are to have a balanced and effective national energy strategy.

TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

The Bureau of Land Management is responsible for the multiple use management, protection, and development of a full range of natural resources, including minerals, timber, rangeland, fish and wildlife habitat, and wilderness on about 261 million acres of the Nation's public lands and for management of 700 million additional acres of Federally-owned subsurface mineral rights. The Bureau is the second largest supplier of public outdoor recreation in the Western United States.

Under the multiple-use and ecosystem management concept the Bureau administers more than 18,000 grazing permits and leases and nearly 13 million livestock animal unit months on some 161 million acres of public land ranges, and manages rangelands and facilities for 56,000 wild horses and burros, some 261 million acres of wildlife habitat, and over 116,000 miles of fisheries habitat. Grazing receipts are estimated to be about $13.2 million in fiscal year 2004, compared to an estimated $13.2 million in fiscal year 2003 and actual receipts of $12.7 million in fiscal year 2002. The Bureau also administers about 55 million acres of commercial forestlands through the "Management of Lands and Resources" and "Oregon and California grant lands" appropriations. Timber receipts (including salvage) are estimated to be $34.6 million in fiscal year 2004 compared to estimated receipts of $24.3 million in fiscal year 2003 and actual receipts of $18.1 million in fiscal year 2002. The Bureau has an active program of soil and watershed management on 175 million acres in the lower 48 States and 86 million acres in Alaska. Practices such as revegetation, protective fencing, and water development are designed to conserve, enhance, and develop public land, soil, and watershed resources. The Bureau is also responsible for fire protection on the public lands and on all Department of the Interior managed lands in Alaska, and for the suppression of wildfires on the public lands in Alaska and the western States.

MANAGEMENT OF LANDS AND RESOURCES

Appropriation enacted, 2003	$820,344,000
Budget estimate, 2004	828,079,000
Recommended, 2004	834,088,000
Comparison:	
Appropriation, 2003	+13,744,000
Budget estimate, 2004	+6,009,000

The Committee recommends $834,088,000 for management of lands and resources an increase of $6,009,000 above the budget request and $13,744,000 above the fiscal year 2003 enacted level.

The amounts recommended by the Committee compared with the budget estimates by activity are shown in the following table:

	(dollars in thousands)				
	FY 2003 Enacted	FY 2004 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Management of Lands and Resources					
Land Resources					
Soil, water and air management	35,824	34,936	35,936	+112	+1,000
Range management	72,256	70,180	71,180	-1,076	+1,000
Forestry management	7,188	8,197	8,197	+1,009	---
Riparian management	21,967	21,972	21,972	+5	---
Cultural resources management	15,257	14,700	14,700	-557	---
Wild horse and burro management	29,524	29,422	29,422	-102	---
Subtotal, Land Resources	182,016	179,407	181,407	-609	+2,000
Wildlife and Fisheries					
Wildlife management	22,201	22,423	22,423	+222	---
Fisheries management	11,593	11,869	11,869	+276	---
Subtotal, Wildlife and Fisheries	33,794	34,292	34,292	+498	---
Threatened and endangered species	21,532	21,831	21,831	+299	---
Recreation Management					
Wilderness management	17,374	16,999	17,999	+625	+1,000
Recreation resources management	41,472	48,718	48,718	+7,246	---
Recreation operations (fees)	993	1,000	1,000	+7	---
Subtotal, Recreation Management	59,839	66,717	67,717	+7,878	+1,000
Energy and Minerals					
Oil and gas	86,123	85,953	87,453	+1,330	+1,500
Coal management	9,526	9,538	9,538	+12	---
Other mineral resources	10,250	10,434	10,434	+184	---
Subtotal, Energy and Minerals	105,899	105,925	107,425	+1,526	+1,500
Alaska minerals	2,484	2,222	2,222	-262	---

(dollars in thousands)

	FY 2003 Enacted	FY 2004 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Realty and Ownership Management					
Alaska conveyance	36,826	32,943	32,943	-3,883	---
Cadastral survey	15,024	13,945	13,945	-1,079	---
Land and realty management	36,770	34,045	34,045	-2,725	---
Subtotal, Realty and Ownership Management	88,620	80,933	80,933	-7,687	---
Resource Protection and Maintenance					
Resource management planning	47,242	48,146	49,146	+1,904	+1,000
Resource protection and law enforcement	14,318	14,798	14,798	+480	---
Hazardous materials management	16,705	16,726	19,326	+2,621	+2,600
Subtotal, Resource Protection and Maintenance	78,265	79,670	83,270	+5,005	+3,600
Transportation and Facilities Maintenance					
Operations	6,386	6,402	6,402	+16	---
Annual maintenance	31,974	31,025	31,025	-949	---
Deferred maintenance	13,600	11,503	11,503	-2,097	---
Infrastructure improvement	30,826	29,414	31,414	+588	+2,000
Subtotal, Transportation/Facilities Maintenance	82,786	78,344	80,344	-2,442	+2,000
Land and resources information systems	19,215	18,991	18,991	-224	---
Mining Law Administration					
Administration	32,696	32,696	32,696	---	---
Offsetting fees	-32,696	-32,696	-32,696	---	---
Subtotal, Mining Law Administration	---	---	---	---	---
Workforce and Organizational Support					
Information systems operations	16,342	18,762	18,762	+2,420	---
Administrative support	49,785	49,817	49,817	+32	---
Bureauwide fixed costs	65,885	70,195	70,195	+4,310	---
Subtotal, Workforce and Organizational Support	132,012	138,774	138,774	+6,762	---

	FY 2003 Enacted	FY 2004 Request	Recommended	Recommended versus Enacted	Recommended versus Request
	(dollars in thousands)				
Challenge cost share	13,882	20,973	16,882	+3,000	-4,091
Total, Management of Lands and Resources	820,344	828,079	834,088	+13,744	+6,009

Land Resources.—The Committee recommends $181,407,000 for land resources, $2,000,000 above the budget request and $609,000 below the 2003 enacted level including increases above the budget request of $1,000,000 for continuation of the San Pedro Partnership; and $1,000,000 for rangeland health and monitoring.

The Committee remains concerned that the Bureau's range conservation staff levels have decreased dramatically, reducing capability to provide rangeland health monitoring and service to grazing permit holders. The Committee recommends that the $1,000,000 increase be used to enhance the Bureau's capability to place more personnel in the field to address more effectively rangeland health issues and increase service to grazing permittees.

Wildlife and Fisheries.—The Committee recommends $34,292,000 for wildlife and fisheries, the same as the budget request and $498,000 above the 2003 enacted level.

Threatened and Endangered Species.—The Committee recommends $21,831,000 for threatened and endangered species, the same as the budget request and $299,000 above the 2003 enacted level.

Recreation Management.—The Committee recommends $67,717,000 for recreation management, $1,000,000 above the budget request and $7,878,000 above the 2003 enacted level. The increase above the budget request is for Otay Mountains management.

The Committee recognizes that the Bureau faces increasing demands on the public lands from recreational users, and was pleased to see a request for additional funding in the 2004 budget justification. However, the request does not outline a clear long-term strategy for managing recreation on the public lands. The Bureau should report to the Committee by March 1, 2004, on efforts to develop a unified strategy for recreation management, including management of dispersed recreation. This report should outline anticipated costs of implementing that strategy and potential partnership contributions over the five-year period beginning in 2004.

The Committee appreciates the efforts of the Bureau of Land Management and the Forest Service to assess the current status of access to the lands that they manage. The Committee feels strongly that the agencies should continue to take proactive steps to provide adequate public access for recreation. Therefore, the Committee directs the BLM and the Forest Service to submit to the Committee, by May 30, 2004, a coordinated strategic plan which indicates how the agencies will: (1) inventory and identify the ownership of roads, trails, access points and existing public rights-of-way within their units; (2) identify a priority list of perpetual access easements needed to provide adequate permanent legal access to enhance the recreation potential of public lands; and (3) establish a process and timeline for developing up-to-date recreational access plans for individual forest and public land units.

Energy and Minerals.—The Committee recommends $109,647,000 for energy and minerals including Alaska minerals, $1,500,000 above the budget request and $1,264,000 above the 2003 enacted level including increases above the budget request of $1,500,000 to address the significant coalbed methane permit backlog.

Realty and Ownership Management.—The Committee recommends $80,933,000 for realty and ownership management, the same as the budget request and $7,687,000 below the 2003 enacted level.

Resource Protection and Maintenance.—The Committee recommends $83,270,000 for resource protection and maintenance, $3,600,000 above the budget request and $5,005,000 above the 2003 enacted level, including increases above the budget request of $1,000,000 for the Mojave Desert plan in the California desert, $1,000,000 to address public land degradation as a result of illegal immigration in Arizona, $600,000 for California desert rangers, and $1,000,000 for Imperial Sand Dunes law enforcement and management.

Transportation and Facilities Maintenance.—The Committee recommends $80,344,000 for transportation and facilities maintenance, $2,000,000 above the budget request and $2,442,000 below the 2003 enacted level. The increase above the budget request is for infrastructure improvements for fish passage (culverts) on Bureau lands.

Land and Resource Information Systems.—The Committee recommends $18,991,000 for land resource information systems, the same as the budget request and $224,000 below the 2003 enacted level.

Mining Law Administration.—The Committee recommends $32,696,000 for mining law administration. This activity is supported by offsetting fees equal to the amount made available.

Workforce and Organizational Support.—The Committee recommends $138,774,000 for workforce and organizational support, the same as the budget request and $6,762,000 above the 2003 enacted level.

Challenge Cost Share.—The Committee recommends $16,882,000 for challenge cost share, $4,091,000 below the budget request and $3,000,000 above the 2003 enacted level.

The Committee originally authorized the Bureau's Challenge Cost Share program on a small-scale in 1985, and has supported its growth into a Bureau-wide initiative. In 2003, the valuable partnership opportunities made possible by challenge cost share were expanded under the cooperative conservation initiative. These programs are now funded under a single subactivity. While the 2004 budget request provides examples of apparently worthwhile projects, it does not estimate accomplishments in a manner similar to other subactivities, nor is the list of projects comprehensive. The Bureau should report to the Committee by February 15, 2004, on year-end accomplishments for all projects funded in 2003, and should include this information in future budget justifications.

WILDLAND FIRE MANAGEMENT

Appropriation enacted, 2003	$839,153,000
Budget estimate, 2004	698,725,000
Recommended, 2004	698,725,000
Comparison:	
Appropriation, 2003	−140,428,000
Budget estimate, 2004	0

The Committee recommends $698,725,000 for wildland fire management, the same as the budget request and $140,428,000 below the 2003 enacted level. After adjusting for reimbursements from

other accounts borrowed during last year's fire season for wildland fire management there is an increase of $48,572,000 above the 2003 enacted level.

The appropriation includes $302,725,000 for preparedness and fire use, of which $12,374,000 is for deferred maintenance and capital improvement, and $8,000,000 is for the joint fire science program; $170,310,000 is for fire suppression operations; and $225,690,000 for other operations, of which $10,000,000 is for the rural fire assistance program, $74,935,000 is for hazardous fuels reduction, $111,255,000 is for the wildland urban interface, and $29,500,000 is for restoration and rehabilitation of burned-over areas.

The Committee is concerned that the allocation of funds between preparedness and suppression operations may not maintain the levels of readiness needed for public safety that were established in fiscal years 2001 and 2002. The Committee believes that decisive action is necessary to manage escalating fire suppression costs. An important component of reducing such costs is maintaining initial attack capability so that more fires can be contained before they escape and cause serious loss of life and property as well as natural resource damage. Accordingly, the Committee directs the Department of the Interior to analyze current readiness levels to determine whether maintaining preparedness resources in the field at a level not less than that established in fiscal year 2002 will, based on the best information available, result in lower overall firefighting costs. If the agency makes such a determination, the Committee directs the Department to adjust the levels for preparedness and suppression funding accordingly and report on these adjustments to the House and Senate Committees on Appropriations. The Department should advise the House and Senate Committees on Appropriations in writing prior to their decision.

Bill Language.—Language is included under the wildland fire management account allowing the Secretary of the Interior and the Secretary of Agriculture to transfer not more than $12,000,000 between the two Departments for wildland fire management programs and projects. Language is also included allowing the use of wildfire suppression funds in support of Federal emergency response actions.

CENTRAL HAZARDOUS MATERIALS FUND

Appropriation enacted, 2003	$9,913,000
Budget estimate, 2004	9,978,000
Recommended, 2004	9,978,000
Comparison:	
Appropriation, 2003	+65,000
Budget estimate, 2004	0

The Central Hazardous Materials Fund was established to include funding for remedial investigations/feasibility studies and cleanup of hazardous waste sites for which the Department of the Interior is liable pursuant to the Comprehensive Environmental Response, Compensation and Liability Act and includes sums recovered from or paid by a party as reimbursement for remedial action or response activities.

The Committee recommends $9,978,000, the budget request, for the central hazardous materials fund, an increase of $65,000 above the fiscal year 2003 level.

CONSTRUCTION

Appropriation enacted, 2003	$11,898,000
Budget estimate, 2004	10,976,000
Recommended, 2004	10,976,000
Comparison:	
Appropriation, 2003	−922,000
Budget estimate, 2004	0

The Committee recommends $10,976,000 for construction the same as the budget request and $922,000 below the 2003 enacted level.

LAND ACQUISITION

Appropriation enacted, 2003	$33,233,000
Budget estimate, 2004	23,686,000
Recommended, 2004	14,000,000
Comparison:	
Appropriation, 2003	−19,233,000
Budget estimate, 2004	−9,686,000

The Committee recommends $14,000,000 for land acquisition, a decrease of $9,686,000 below the budget request and $19,233,000 below the enacted level. This amount includes $8,500,000 for land acquisition projects, $1,500,000 for emergencies and hardships, $500,000 for land exchanges and $3,500,000 for acquisition management.

The Committee recommends the following distribution of funds:

Project	*Amount*
Land Acquisition Projects	$8,500,000
Acquisition Management	3,500,000
Emergency and Hardships	1,500,000
Land Exchanges	500,000
Total	14,000,000

OREGON AND CALIFORNIA GRANT LANDS

Appropriation enacted, 2003	$104,947,000
Budget estimate, 2004	106,672,000
Recommended, 2004	106,672,000
Comparison:	
Appropriation, 2003	+1,725,000
Budget estimate, 2004	0

The amounts recommended by the Committee compared with the budget estimates by activity are shown in the following table:

(dollars in thousands)

	FY 2003 Enacted	FY 2004 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Oregon and California Grant Lands					
Western Oregon resources management	85,794	87,454	87,454	+1,660	---
Western Oregon information and resource data systems	2,192	2,202	2,202	+10	---
Western Oregon transportation & facilities maintenance	10,887	10,911	10,911	+24	---
Western Oregon construction and acquisition	297	297	297	---	---
Jobs in the woods	5,777	5,808	5,808	+31	---
Total, Oregon and California Grant Lands	104,947	106,672	106,672	+1,725	---

The Committee recommends $106,672,000 for the Oregon and California grant lands, the same as the budget request and $1,725,000 above the 2003 enacted level. These funds are provided for construction and acquisition, operation and maintenance, and management activities on the revested lands in the 18 Oregon and California land grant counties of western Oregon.

RANGE IMPROVEMENTS

Appropriation enacted, 2003	$10,000,000
Budget estimate, 2004	10,000,000
Recommended, 2004	10,000,000
Comparison:	
Appropriation, 2003	0
Budget estimate, 2004	0

The Committee recommends an indefinite appropriation of not less than $10,000,000 to be derived from public lands receipts and Bankhead-Jones Farm Tenant Act lands grazing receipts. Receipts are used for construction, purchase, and maintenance of range improvements, such as seeding, fence construction, weed control, water development, fish and wildlife habitat improvement, and planning and design of these projects.

SERVICE CHARGES, DEPOSITS AND FORFEITURES

The Committee recommends an indefinite appropriation estimated to be $20,490,000, the budget request, for service charges, deposits, and forfeitures. This appropriation is offset with fees collected under specified sections of the Federal Land Policy and Management Act of 1976 and other Acts to pay for reasonable administrative and other costs in connection with rights-of-way applications from the private sector, miscellaneous cost-recoverable realty cases, timber contract expenses, repair of damaged lands, the adopt-a-horse program, and the provision of copies of official public land documents.

MISCELLANEOUS TRUST FUNDS

Appropriation enacted, 2003	$12,405,000
Budget estimate, 2004	12,405,000
Recommended, 2004	12,405,000
Comparison:	
Appropriation, 2003	0
Budget estimate, 2004	0

The Committee recommends an indefinite appropriation estimated to be $12,405,000, the budget request, for miscellaneous trust funds. The Federal Land Policy and Management Act of 1976 provides for the receipt and expenditure of moneys received as donations or gifts (section 307). Funds in this trust fund are derived from the administrative and survey costs paid by applicants for conveyance of omitted lands (lands fraudulently or erroneously omitted from original cadastral surveys), from advances for other types of surveys requested by individuals, and from contributions made by users of Federal rangelands. Amounts received from the sale of Alaska town lots are also available for expenses of sale and maintenance of town sites. Revenue from unsurveyed lands, and surveys of omitted lands, administrative costs of conveyance, and gifts and donations must be appropriated before it can be used.

UNITED STATES FISH AND WILDLIFE SERVICE

The mission of the U.S. Fish and Wildlife Service is to conserve, protect and enhance fish and wildlife and their habitats for the continuing benefit of people. The Service has responsibility for migratory birds, threatened and endangered species, certain marine mammals, and land under Service control.

The Service manages nearly 95 million acres across the United States, encompassing a 542-unit National Wildlife Refuge System, additional wildlife and wetlands areas, and 69 National Fish Hatcheries. A network of law enforcement agents and port inspectors enforce Federal laws for the protection of fish and wildlife. In 2003, the Service is celebrating the 100th anniversary of the establishment of the National Wildlife Refuge System.

RESOURCE MANAGEMENT

Appropriation enacted, 2003	$911,464,000
Budget estimate, 2004	941,526,000
Recommended, 2004	959,901,000
Comparison:	
Appropriation, 2003	+48,437,000
Budget estimate, 2004	+18,375,000

The amounts recommended by the Committee compared with the budget estimates by activity are shown in the following table:

(dollars in thousands)

	FY 2003 Enacted	FY 2004 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Resource Management					
Ecological Services					
Endangered species					
Candidate conservation	9,867	8,670	9,920	+53	+1,250
Listing	9,018	12,286	12,286	+3,268	---
Consultation	47,459	45,734	47,734	+275	+2,000
Recovery	65,412	62,029	64,529	-883	+2,500
Subtotal, Endangered species	131,756	128,719	134,469	+2,713	+5,750
Habitat conservation	85,070	82,336	87,911	+2,841	+5,575
Environmental contaminants	10,710	10,805	10,805	+95	---
Subtotal, Ecological Services	227,536	221,860	233,185	+5,649	+11,325
Refuges and Wildlife					
Refuge operations and maintenance	367,377	402,015	397,315	+29,938	-4,700
Salton Sea recovery	992	---	---	-992	---
Migratory bird management	28,697	31,121	31,121	+2,424	---
Law enforcement operations	51,590	52,666	54,416	+2,826	+1,750
Subtotal, Refuges and Wildlife	448,656	485,802	482,852	+34,196	-2,950
Fisheries					
Hatchery operations and maintenance	54,098	58,027	59,027	+4,929	+1,000
Fish and wildlife management	52,538	45,579	54,179	+1,641	+8,600
Subtotal, Fisheries	106,636	103,606	113,206	+6,570	+9,600
General Administration					
Central office administration	14,474	17,275	17,275	+2,801	---
Regional office administration	24,060	23,787	23,787	-273	---
Servicewide administrative support	58,132	57,709	57,709	-423	---
National Fish and Wildlife Foundation	7,620	7,670	7,670	+50	---
National Conservation Training Center	16,037	15,639	16,039	+2	+400
International affairs	8,114	8,178	8,178	+64	---

(dollars in thousands)

	FY 2003 Enacted	FY 2004 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Caddo Lake Ramsar Center	199	---	---	-199	---
Subtotal, General Administration	128,636	130,258	130,658	+2,022	+400
Total, Resource Management	911,464	941,526	959,901	+48,437	+18,375

The Committee recommends $959,901,000 for resource management, an increase of $18,375,000 above the budget request and $48,437,000 above the fiscal year 2003 level. Changes to the budget request are detailed below.

Ecological Services.—The Committee recommends $233,185,000 for ecological services, an increase of $11,325,000 above the budget request.

Increases for endangered species candidate conservation programs include $300,000 for Idaho sage grouse, $150,000 for Kootenai River burbot, $750,000 for Alaska sea otter, and $50,000 for slickspot peppergrass. There is an increase of $2,000,000 in consultation for the Natural Communities Conservation Planning program. Increases for recovery programs include $500,000 for wolf monitoring and $2,000,000 for Pacific salmon grants to be administered through the National Fish and Wildlife Foundation.

Increases recommended for habitat conservation programs include $4,600,000 for the Partners for Fish and Wildlife program of which $1,400,000 is for Washington regional fisheries enhancement groups, $1,500,000 is for Walla Walla Basin fish passage and salmon recovery efforts, $1,000,000 is for restoration in the Tunkhannock and Bowman's Creek watersheds in Pennsylvania, and $700,000 is for Willapa Bay spartina grass control; $300,000 in project planning to restore the Metropolitan Greenspaces program; and $675,000 for coastal programs of which $175,000 is for the Hood Canal Salmon Enhancement Group, $200,000 is for Long Live the Kings, and $300,000 is to restore funding for the Tampa and Florida panhandle field offices.

Refuges and Wildlife.—The Committee recommends $482,852,000 for refuges and wildlife, a decrease of $2,950,000 below the budget request.

Changes recommended for refuge operations and maintenance include a net increase of $300,000 for refuge operations, including increases of $4,000,000 to continue "minimum staffing" implementation and $300,000 to restore the Spartina grass control program at the Willapa NWR, WA, and decreases of $2,000,000 for the challenge cost share program and $2,000,000 for the proposed new land management research and demonstration program. There is also a decrease of $5,000,000 for refuge maintenance. In law enforcement operations, there is an increase of $1,750,000 of which $1,000,000 is for wildlife inspectors on the northern and southern borders and $750,000 is for operation of the Atlanta, GA port of entry.

Fisheries.—The Committee recommends $113,206,000 for fisheries, an increase of $9,600,000 above the budget request, including a decrease of $1,000,000 for hatchery operations and a net increase of $2,000,000 for hatchery maintenance, including an increase of $3,000,000 for the Washington State hatchery improvement project and a decrease of $1,000,000 for general program activities. In fish and wildlife assistance, increases include $2,000,000 to restore funding for the fish passage program, $900,000 to restore Sea lamprey program administration, $2,400,000 to restore the Yukon River salmon treaty programs, $500,000 to restore the Great Lakes fish and wildlife program, $1,600,000 for mass marking machines for hatchery fish, and $1,200,000 to restore the marine mammals program.

General Administration.—The Committee recommends $130,658,000 for general administration, an increase of $400,000 above the budget request to restore the operations and maintenance program at the National Conservation Training Center.

Bill Language.—The Committee recommends continuing bill language earmarking $2,000,000 for the Natural Communities Conservation Planning program.

The Committee agrees to the following:

1. The Service should monitor carefully its travel budget to ensure that proposed savings are achieved. The fiscal year 2005 budget justification should address this issue in detail, including travel by headquarters, each regional office, and field units in each region; domestic and foreign travel; and travel by category (program supervision, conferences, training, employee relocation, etc.).

2. The amount paid for the cost allocation methodology in the Resource Management account may only exceed that paid in fiscal year 2003 where such costs are clearly the direct result of increased space and increased staffing. CAM needs to be reformed so that it is clearly justified and transparent. It currently is impossible to understand and is used inappropriately to supplement shortfalls in the headquarters and regional office budgets. The Service should realign its budget to show accurately the costs for headquarters and regional office functions and should clearly explain what costs are included in CAM and why.

3. The Service's 2004 budget places too much emphasis on "targeted" increases within the refuge operating needs system. As a result, not all units appear to have a fair chance of addressing critical staffing needs unless they happen to fall into one of the targeted categories. The Service needs to maintain a general increase for RONS so that minimum staffing requirements in areas such as maintenance and administrative support can be addressed. The Committee has not agreed to the proposed new land management research and demonstration program; preferring instead to redirect those funds to basic RONS needs across the entire National Wildlife Refuge System.

4. The Service should continue to provide technical assistance to the interagency effort dealing with long-term protection of the Hackensack Meadowlands in New Jersey.

5. The Committee encourages the Service to complete the comprehensive conservation plan for the Massassoit Refuge in Southeastern Massachusetts as quickly as possible.

6. Refuge law enforcement is separate and distinct from other service law enforcement programs and is critical for successful refuge management. Funding for refuge law enforcement should remain in the refuge operations budget.

7. The additional funding provided for law enforcement operations is in recognition of the increased demands placed on the Service for border security and airport port of entry needs. The Service should examine its law enforcement needs and budget adequately for those needs in fiscal year 2005.

8. The Louisville, KY airport and the Memphis, TN airport should be considered for port of entry designation in fiscal year 2005.

9. Within the funds provided for hatchery operations, the Service should continue to support the Boy Scout Jamboree at Fort A.P. Hill.

10. The Peregrine Fund should be funded at $400,000 in fiscal year 2004.

11. Funding for fisheries programs has been realigned to reflect a more appropriate balance between hatcheries and habitat restoration. Future Service budgets should be much more sensitive to habitat restoration requirements.

12. The Service is commended for following the Committee's direction with respect to supporting and increasing funding for the joint venture programs in fiscal year 2004.

13. The Service should continue and intensify its efforts to collect reimbursements for fisheries mitigation efforts and use those funds to address habitat restoration and conservation.

14. The Committee has received numerous expressions of concern about inadequate ESA program staffing in California. In distributing the increased ESA funding, the Service should pay particular attention to the needs of the Sacramento and Carlsbad offices in California.

CONSTRUCTION

Appropriation enacted, 2003	$54,073,000
Budget estimate, 2004	35,393,000
Recommended, 2004	52,718,000
Comparison:	
Appropriation, 2003	−1,355,000
Budget estimate, 2004	+17,325,000

The Committee recommends $52,718,000 for construction, a decrease of $1,355,000 below the fiscal year 2003 level and $17,325,000 above the budget request.

The Committee agrees to the following distribution of funds:

[Dollars in thousands]

Project	Description	Budget request	Committee recommendation	Difference
Audubon Center for Research of Endangered Species, LA.	Whooping Crane Breeding Facility [cc]	$0	$1,200	$1,200
Bitter Lake NWR, NM	Joe Skeen Visitors Center [cc]	0	1,400	1,400
Bozeman Fish Technology Center, MT	Construction of Laboratory/Administration Building—Phase V [cc].	1,887	1,887	0
Bridge Safety Inspections	Servicewide	575	575	0
Cabo Rojo NWR, PR	Replace Office Building (Seismic)—Phase II [cc].	3,700	3,700	0
Clark R. Bavin Forensics Laboratory, OR	Security upgrades (not funded in 2003)	0	765	765
Crab Orchard NWR, IL	Devil's Kitchen Dam—Phase I [d]	500	500	0
Dams on Recently Acquired NWRs	Inspections, Classification, & Studies	1,291	1,291	0
Dam Safety Program & Inspections	Servicewide	730	730	0
Dam Safety	Structural Studies (not funded in 2003)	0	660	660
Division of Safety, Security, and Aviation, VA.	Replacement Survey Aircraft—Phase I	1,000	1,000	0
Entiat NFH, WA	Seismic Safety Rehabilitation of Four Buildings—Phase I [p/d].	120	120	0
Iron River NFH, WI	Replace Domes at Schacte Creek with Buildings—Phase III [cc].	600	600	0
Jordan River NFH, MI	Replace Great Lakes Fish Stocking Vessel, M/V Togue—Phase III [cc].	5,500	5,500	0
Kofa NWR, AZ	Seismic Safety Rehabilitation—Phase I [p/d].	350	350	0

[Dollars in thousands]

Project	Description	Budget request	Committee recommendation	Difference
Lacreek NWR, SD	Little White River Dam—Phase II [d]	730	730	0
Lahontan NFH, NV	Seismic Safety Rehabilitation of Two Buildings—Phase I [p/d].	70	70	0
Makah NFH, WA	Seismic Safety Rehabilitation of One Building—Phase I [p/d].	80	80	0
National Eagle Repository, CO	Repository incinerator [p/d/cc]	110	110	0
Neosho NFH, MO	Office and Visitors Center [c]	0	1,000	1,000
Northeast Fishery Center Complex, PA	Laboratory expansion, accessible fishing, etc.	0	1,150	1,150
Northwest Power Planning Area	Fish screens, etc	0	4,000	4,000
Ohio River Islands NWR, WV	Visitors Center [cc]	0	850	850
Ottawa NWR, OH	Visitors Center—Centennial Legacy Project—Phase II [cc].	850	0	−850
Puerto Rican Parrot, PR	Replace/Relocate Aviary	0	1,700	1,700
Savannah NWR, GA	Visitors Center—Centennial Legacy Project—Phase II [cc].	850	0	−850
Security Upgrades	Servicewide (not funded in 2003)	0	700	700
Shawangunk NWR, NY	Demolish Runways [p/d]	0	500	500
Ted Stevens Anchorage International Airport, AK.	Hangar—Phase II [cc]	5,000	5,000	0
Visitor Contact Facilities	Servicewide	0	3,000	3,000
Winthrop NFH, WA	Seismic Safety Rehabilitation of Four Buildings—Phase I [p/d].	130	130	0
Wolf Creek NFH, KY	Visitors Center [cc]	0	2,100	2,100
Subtotal, Line Item Construction		24,073	41,398	17,325
Nationwide Engineering Services:				
Cost Allocation Methodology		3,058	3,058	0
Environmental Compliance		1,650	1,650	0
Other, non-project specific Nationwide Engineering Services.		6,262	6,262	0
Seismic Safety Program		200	200	0
Waste Prevention, Recycling Environmental Management.		150	150	0
Subtotal, Nationwide Engineering Services.		11,320	11,320	0
Total		35,393	52,718	17,325

The Committee agrees to the following:

1. The Service should continue to use its standardized design methodology for visitor centers and should continue to encourage cost sharing for visitor center construction. The Service should report to the Committee on its design and costing methodology, including how it has been applied to date.

2. There are only about 25 Puerto Rican parrots in the wild and the current aviary is in need of replacement. The new aviary should be more favorably situated to assist with species survival. The Committee understands that the Forest Service has agreed to provide the necessary land and the National Fish & Wildlife Foundation will assist with fundraising for the new aviary.

LAND ACQUISITION

Appropriation enacted, 2003	$72,893,000
Budget estimate, 2004	40,737,000
Recommended, 2004	23,058,000
Comparison:	
Appropriation, 2003	−49,835,000
Budget estimate, 2004	−17,679,000

The Committee recommends $23,058,000 for land acquisition, a decrease of $17,679,000 below the budget request and $49,835,000 below the enacted level. This amount includes $7,500,000 for land acquisition projects, $2,500,000 for inholdings, $2,000,000 for emergencies and hardships, $1,000,000 for exchanges, $2,058,000 for cost allocation methodology, and $8,000,000 for acquisition management.

The Committee recommends the following distribution of funds:

Project	*Amount*
Land Acquisition Projects	$7,500,000
Acquisition Management	8,000,000
Inholdings	2,500,000
Exchanges	1,000,000
Emergency and Hardships	2,000,000
Cost Allocation Methodology	2,058,000
Total	23,058,000

LANDOWNER INCENTIVE PROGRAM

The Landowner Incentive program provides funds to States, territories and tribes for matching, competitively awarded grants to establish or supplement landowner incentive programs that provide technical and financial assistance to private landowners. The purpose of these incentive programs is to restore and protect habitat of Federally listed, proposed or candidate species under the Endangered Species Act, or other at risk species on private lands. Eligible grantees include the States, the District of Columbia, Indian Tribes, Puerto Rico, Guam, the U. S. Virgin Islands, the Northern Mariana Islands, and American Samoa.

Appropriation enacted, 2003	$39,740,000
Budget estimate, 2004	40,000,000
Recommended, 2004	40,000,000
Comparison:	
Appropriation, 2003	+260,000
Budget estimate, 2004	0

The Committee recommends $40,000,000, the budget request, for the landowner incentive program, an increase of $260,000 above the fiscal year 2003 level.

STEWARDSHIP GRANTS

The stewardship grants program provides grants and other assistance to individuals and groups engaged in local, private, and voluntary conservation efforts that benefit federally listed, proposed or candidate species, or other at risk species.

Appropriation enacted, 2003	$9,935,000
Budget estimate, 2004	10,000,000
Recommended, 2004	10,000,000
Comparison:	
Appropriation, 2003	+65,000
Budget estimate, 2004	0

The Committee recommends $10,000,000, the budget request, for the private stewardship grants program, an increase of $65,000 above the fiscal year 2003 level.

COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

Eighty percent of the habitat for more than half of the listed endangered and threatened species is on private land. The Cooperative Endangered Species Conservation Fund provides grants to States and territories for endangered species recovery actions on non-Federal lands and provides funds for non-Federal land acquisition to facilitate habitat protection. Individual States and territories provide 25 percent of grant project costs. Cost sharing is reduced to 10 percent when two or more States or territories are involved in a project.

Appropriation enacted, 2003	$80,473,000
Budget estimate, 2004	86,614,000
Recommended, 2004	86,614,000
Comparison:	
Appropriation, 2003	+6,141,000
Budget estimate, 2004	0

The Committee recommends $86,614,000, the budget request, for the cooperative endangered species conservation fund, an increase of $6,141,000 above the fiscal year 2003 level.

Bill language is recommended to derive the HCP land acquisition portion of this account from the Land and Water Conservation Fund, instead of deriving the entire funding from the LWCF as proposed in the budget request.

NATIONAL WILDLIFE REFUGE FUND

Through this program the Service makes payments to counties in which Service lands are located, based on their fair market value. Payments to counties are estimated to be $17,270,000 in fiscal year 2004 with $14,414,000 derived from this appropriation and $2,856,000 from net refuge receipts estimated to be collected in fiscal year 2003.

Appropriation enacted, 2003	$14,320,000
Budget estimate, 2004	14,414,000
Recommended, 2004	14,414,000
Comparison:	
Appropriation, 2003	+94,000
Budget estimate, 2004	0

The Committee recommends $14,414,000, the budget request, for the National wildlife refuge fund, an increase of $94,000 above the fiscal year 2003 funding level.

NORTH AMERICAN WETLANDS CONSERVATION FUND

The U.S. Fish and Wildlife Service, through the North American Wetlands Conservation Fund, leverages partner contributions for wetlands conservation. Projects to date have been in 50 States, 13 Canadian provinces, 24 Mexican states and the U.S. Virgin Islands. In addition to this appropriation, the Service receives funding from receipts in the Federal Aid in Wildlife Restoration account from taxes on firearms, ammunition, archery equipment, pistols and revolvers, and from the Sport Fish Restoration account from taxes on fishing tackle and equipment, electric trolling motors and fish find-

ers and certain marine gasoline taxes. By law, sport fish restoration receipts are used for coastal wetlands in States bordering the Pacific and Atlantic Oceans, States bordering the Great Lakes, Puerto Rico, the Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, the freely associated States in the Pacific, and American Samoa.

Appropriation enacted, 2003	$38,309,000
Budget estimate, 2004	49,560,000
Recommended, 2004	24,560,000
Comparison:	
Appropriation, 2003	−13,749,000
Budget estimate, 2004	−25,000,000

The Committee recommends $24,560,000 for the North American wetlands conservation fund, a decrease of $25,000,000 below the budget request and $13,749,000 below the fiscal year 2003 level. Decreases to the budget request include $24,000,000 for wetlands conservation grants and $1,000,000 for program administration.

NEOTROPICAL MIGRATORY BIRD CONSERVATION

The Neotropical Migratory Bird Conservation Act of 2000 authorizes grants for the conservation of neotropical migratory birds in the United States, Latin America and the Caribbean, with 75 percent of the amounts available to be expended on projects outside the U.S. There is a three to one matching requirement under this program.

Appropriation enacted, 2003	$2,981,000
Budget estimate, 2004	0
Recommended, 2004	5,000,000
Comparison:	
Appropriation, 2003	+2,019,000
Budget estimate, 2004	+5,000,000

The Committee recommends $5,000,000 for the neotropical migratory bird conservation program, an increase of $5,000,000 above the budget request and $2,019,000 above the fiscal year 2003 level. The Administration proposed $3,000,000 for this program as part of the multinational species conservation fund.

This program provides critically needed resources for conservation of neotropical migratory birds. The Committee expects the Service to continue to administer this grant program through the Service's division of bird habitat conservation, following the model of the North American wetlands conservation program, and in close coordination with the Service's international program.

MULTINATIONAL SPECIES CONSERVATION FUND

This account combines funding for programs under the former rewards and operations (African elephant) account, the former rhinoceros and tiger conservation account, the Asian elephant conservation program, and the great ape conservation program.

The African Elephant Act of 1988 established a fund for assisting nations and organizations involved with conservation of African elephants. The Service provides grants to African Nations and to qualified organizations and individuals to protect and manage critical populations of these elephants.

The Rhinoceros and Tiger Conservation Act of 1994 authorized programs to enhance compliance with the Convention on Inter-

national Trade in Endangered Species (CITES) and U.S. or foreign laws prohibiting the taking or trade of rhinoceros, tigers or their habitat.

The Asian Elephant Conservation Act of 1997 authorized a grant program, similar to the African elephant program, to enable cooperators from regional and range country agencies and organizations to address Asian elephant conservation problems. The world's surviving populations of wild Asian elephants are found in 13 south and southeastern Asian countries.

The Great Ape Conservation Act of 2000 authorized grants to foreign government, the CITES secretariat, and non-governmental organizations for the conservation of great apes.

Appropriation enacted, 2003	$4,768,000
Budget estimate, 2004	7,000,000
Recommended, 2004	5,000,000
Comparison:	
Appropriation, 2003	+232,000
Budget estimate, 2004	−2,000,000

The Committee recommends $5,000,000 for the multinational species conservation fund, an increase of $232,000 above the fiscal year 2003 level and $2,000,000 below the budget request. Changes to the budget request include a decrease of $3,000,000 for neotropical migratory birds (which is funded in a separate account) and an increase of $1,000,000 including $200,000 each for African elephant conservation, Asian elephant conservation, and great ape conservation and $400,000 for rhinoceros and tiger conservation. The Committee expects these funds to be matched by non-Federal funding to leverage private contributions to the maximum extent possible.

STATE AND TRIBAL WILDLIFE GRANTS

The State and tribal wildlife grant program provides funds for States to develop and implement wildlife management and habitat restoration for the most critical wildlife needs in each State. States are required to develop comprehensive wildlife conservation plans to be eligible for grants and to provide at least a 25 percent cost share for planning grants and at least a 50 percent cost share for implementation grants.

Appropriation enacted, 2003	$64,577,000
Budget estimate, 2004	59,983,000
Recommended, 2004	75,000,000
Comparison:	
Appropriation, 2003	+10,423,000
Budget estimate, 2004	+15,017,000

The Committee recommends $75,000,000 for State and tribal wildlife grants, an increase of $15,017,000 above the budget request and $10,423,000 above the fiscal year 2003 level. Within the amount provided, $6,000,000 is for competitively awarded grants to Indian tribes.

Each State or eligible entity has two years to enter into specific grant agreements with the Service using fiscal year 2004 funding. If funds remain unobligated at the end of fiscal year 2005, the unobligated funds will be reapportioned to all States and eligible entities, together with any new appropriations provided in fiscal year 2006.

Not more than 3 percent of the appropriated amount may be used for Federal administration of the program. Administrative costs for each grantee should also be held to a minimum so that the maximum amount of funding is used for on-the-ground projects.

NATIONAL PARK SERVICE

The mission of the National Park Service is to preserve unimpaired the natural and cultural resources and values of the national park system for the enjoyment, education, and inspiration of this and future generations. The National Park Service cooperates with partners to extend the benefits of natural and cultural resource conservation and outdoor recreation throughout this country and the world.

The National Park Service, established in 1916, has stewardship responsibilities for the protection and preservation of the heritage resources of the national park system. The system, consisting of 388 separate and distinct units, is recognized globally as a leader in park management and resource preservation. The national park system represents much of the finest the Nation has to offer in terms of scenery, historical and archeological relics, and cultural heritage. Through its varied sites, the National Park Service attempts to explain America's history, interpret its culture, preserve examples of its natural ecosystems, and provide recreational and educational opportunities for U.S. citizens and visitors from all over the world. In addition, the National Park Service provides support to tribal, local, and State governments to preserve culturally significant, ecologically important, and public recreational lands.

OPERATION OF THE NATIONAL PARK SYSTEM

Appropriation enacted, 2003	$1,564,331,000
Budget estimate, 2004	1,631,882,000
Recommended, 2004	1,636,882,000
Comparison:	
Appropriation, 2003	+72,551,000
Budget estimate, 2004	+5,000,000

The amounts recommended by the Committee compared with the budget estimates by activity are shown in the following table:

(dollars in thousands)

	FY 2003 Enacted	FY 2004 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Operation of the National Park System					
Park Management					
Resource stewardship	338,149	334,646	340,442	+2,293	+5,796
Visitor services	315,375	318,028	324,730	+9,355	+6,702
Maintenance	519,970	569,695	569,166	+49,196	-529
Park support	283,305	294,590	287,621	+4,316	-6,969
Subtotal, Park Management	1,456,799	1,516,959	1,521,959	+65,160	+5,000
External administrative costs	107,532	114,923	114,923	+7,391	---
Total, Operation of the National Park System	1,564,331	1,631,882	1,636,882	+72,551	+5,000

The Committee recommends $1,636,882,000 for operation of the National Park System, an increase of $5,000,000 above the budget request and $72,551,000 above the enacted level. The Committee has provided an additional $10 million for base park operating increases and has restored the $4 million for the Critical Ecosystems Studies Initiative. This was done by redirecting increases in the budget request for lower priority items as well as new funds. The Committee has restored the $10,234,000 for the across the board reduction taken in fiscal year 2003.

Resource Stewardship.—The Committee recommends $340,442,000 for resource stewardship, an increase of $5,796,000 above the budget request and $2,293,000 above the enacted level. Included in this amount are increases of $7,924,000 for inventory and monitoring, $600,000 to monitor water quality, $750,000 for chronic wasting disease, $4,000,000 for the critical ecosystems studies initiative and a reduction of $9,220,000 for uncontrollable expenses.Programmatic decreases include $200,000 forgreenspace for living.

Visitor Services.—The Committee recommends $324,730,000 for visitor services, an increase of $6,702,000 above the budget request and $9,355,000 above the enacted level. Included in this amount are increases of $750,000 for border parks $1,400,000 for field law enforcement training and $1,412,000 for uncontrollable expenses.

Maintenance.—The Committee recommends $569,166,000 for maintenance, a decrease of $529,000 below the budget request and an increase of $49,196,000 above the enacted level. Included in this amount are increases of $9,315,000 for repair and rehabilitation, $4,606,000 for condition assessments, $14,000,000 for cyclic maintenance and $14,060,000 for uncontrollable expenses. The Committee has not agreed to provide $1,000,000 for a strategic business advisor.

The Committee encourages the National Capitol Parks to review and improve its management and maintenance procedures with regard to parks in the city of Washington to ensure that management and maintenance policies fully reflect the public's pattern of park use and accommodate park activities ranging from child and adolescent play, canine exercise, sports and recreation. The Service should report to the Committee no later than 90 days after enactment of this Act on its management and maintenance practices and proposals for future improvements.

Within funds available for repair and rehabilitation, $300,000 is to continue the cultural landscaping improvements at Gettysburg NMP, $550,000 is for improvements to comfort stations and the North Shore Cemetery at Great Smoky's NP, $210,000 is for a water connection at Indiana Dunes NL, $250,000 is for access improvements at Apostle Island NL and $200,000 is for rehabilitation work at Valley Forge NMP.

Park Support.—The Committee recommends $287,621,000 for park support, a reduction of $6,969,000 from the budget request and an increase of $4,316,000 above the enacted level. Included in this amount are increases of $500,000 for a VIP coordinators program, $1,000,000 for management account review, $505,000 for IT security and accreditation and $1,523,000 for uncontrollable expenses. The Committee has not agreed to provide $1,000,000 for a VIP senior ranger program or the $2,000,000 base increase for the

regular challenge cost share program. The Committee has provided $600,000 under Departmental Management for the public lands volunteers program instead of providing funds in this account as requested in the Administration's budget. The request to increase the CCI challenge cost share program by $7,000,000 is reduced to an additional $3,000,000. Programmatic decreases include $3,000,000 for incidental personnel costs and $200,000 for international travel.

The Committee expects the Service to continue to allocate one third of the funds provided for the challenge cost share program to the National Trails System.

External Administrative Costs.—The Committee has provided $114,923,000 for external administrative costs, an increase of $7,391,000 above the enacted level and the same as the budget request. Included in this amount is $6,687,000 for uncontrollable expenses.

Travel.—The Committee is concerned by the Service's lack of sensitivity to the Committee's directive that travel be significantly reduced during these difficult fiscal times. Earlier this year, the General Accounting Office released a report, which disclosed that travel in the Service's Washington, DC office has risen by 60 percent over the last several years and regional office travel has increased 26 percent during the same time period. Most alarming is the steadily increasing number of trips to foreign countries, which rose from 355 in 1999 to 470 in 2002.

Recently, the Committee discovered that 30 Service employees' names had been submitted to attend a conference in South Africa in the fall of 2003.

Agencies have had to absorb pay costs and other uncontrollable expenses as well as costs for anti-terrorism related security, costs associated with the Administration's outsourcing initiative, and costs associated with other government-wide and department-wide initiatives. Given the tight fiscal times, there is no excuse for the Service's seeming inability to restrain its tendency toward excessive travel—both the number of trips and the number of people taking those trips. The Service must do a better job of identifying and eliminating unnecessary domestic and foreign travel.

The Committee has requested that the Inspector General monitor travel by Service personnel. The Committee directs the Service to provide quarterly reports which detail individual foreign trips as well as all Washington and Regional Office travel. The Committee understands that some travel is critical for meeting mission requirements, but the Service is not able currently to demonstrate what travel clearly fits that category and what travel is not as mission-essential. The Committee should not have to intervene to make such determinations for the Service.

Cooperative Agreements.—The Committee is becoming concerned over the possible misuse of cooperative agreements. The two areas that have come to the Committee's attention lately are the use of these agreements with the National Park Foundation, which is discussed below and those being used through the rivers and trails conservation assistance program which is discussed under the National Recreation and Preservation account.

Since 1997, the Park Service has been providing the National Park Foundation with appropriated funds through twenty-two co-

operative agreements. From 2000 through 2002 alone, the Service provided the foundation with $1,700,000 of appropriated dollars through this mechanism. These funds have been used for messaging, brochures, stationary exhibits, celebrations, studies, education, conference, reports, newsletters and other services.

The National Park Foundation was chartered by Congress in 1967 to raise private support for the National Parks. The Committee is concerned that the Service may be using cooperative agreements to divert funds that were provided by the Congress for high priority park needs. Moreover, the Committee is troubled that the Foundation, a non-profit organization is receiving appropriated funding from the Service whereas it was created to raise private funds for the Service.

The Committee strongly urges the Service to review carefully its policy regarding the appropriate use of these agreements. The Committee expects the Service to prepare a report, which details the rules and approval process for such agreements as they apply to all programs, and specifically the National Park Foundation, prior to issuing any new agreements. Once the Committee has reviewed the official policy, the Service should forward all cooperative agreements with the Foundation to the Committee on a quarterly basis detailing funding amounts and specific requirements.

South Florida Initiative.—The Committee is concerned that recent changes to the State of Florida's 1994 Everglades Forever Act represent a departure from the commitments and obligations of the State to improve the quality of the water entering the Everglades by December 31, 2006. The Committee is concerned that this action could delay the restoration and protection of A.R.M. Loxahatchee National Wildlife Refuge and Everglades National Park, and frustrate implementation of the $7.8 billion Comprehensive Everglades Restoration Plan, which is equally cost-shared between the Federal government and the State of Florida.

The Committee made its position on the State bill and rulemaking process very clear—clean water by December 2006, no mixing zones, no relief from achieving the 10 parts per billion standard and restoring integrity to the process. There must be an open transparent process with all stakeholders participating.

Since 1996, this Committee has strongly supported the Everglades restoration effort. The Committee has funded over $1 billion in programs and projects benefiting the Everglades. Funds provided by the Committee support implementation of the Modified Water Deliveries Project; the purchase of the East Everglades Addition to Everglades National Park; acquisition of lands to be used to increase water storage for environmental and urban use, including the Talisman, Berry Groves, and East Coast Buffer lands; the funding of scientific research, as well as critical projects authorized by the Water Resources Development Act of 1996; and implementation of the Comprehensive Everglades Restoration Plan authorized by the Water Resources Development Act of 2000. The Committee has provided these funds at a time of tight fiscal constraints.

Future efforts to restore the Everglades that depend upon improvements to water quality are now at risk. Given the uncertainty over when the State will actually achieve the planned water quality improvements, the Committee believes that future Federal funding for Everglades restoration should be tied to specific

progress to improve water quality. The Committee is pleased that Governor Bush has stated that the State of Florida intends to comply with the terms of the Consent Decree in *United States* v. *South Florida Water Management District* and that the water entering and throughout A.R.M. Loxahatchee National Wildlife Refuge and Everglades National Park will meet the specific water quality requirements of the Consent Decree.

The Committee remains concerned that changes to underlying State law could frustrate these efforts. The Committee has recommended $68,054,000 for Everglades restoration and language directing that no funds will be available for the Modified Water Deliveries Project unless the Secretaries of the Interior and the Army, the Administrator of the Environmental Protection Agency and the Attorney General file a joint report each year indicating that the State of Florida is meeting its obligations to improve the quality of water entering A.R.M. Loxahatchee National Wildlife Refuge and Everglades National Park consistent with state water quality standards, including the numeric criteria adopted for phosphorus, as well as the terms of the Consent Decree entered in *United States* v. *South Florida Water Management District.* This language ensures that the State will remain on schedule to improve the quality of the water for these important federal areas as promised. Based upon a favorable report, and a response in writing from the Committees, the funds will become available for expenditure. In the event of an unfavorable report that the State is not in compliance with the Consent Decree, the funds will not be available for expenditure until the State comes into compliance or until corrective measures are undertaken by the State as recommended and agreed upon by the principals to the Consent Decree.

Further, the Committee directs the Administrator of the Environmental Protection Agency to file a report to the House and Senate Committees on Appropriations, specifically the subcommittees on Interior and Related Agencies and Veteran Affairs and Housing and Urban Development, indicating whether the amendments adopted by the State of Florida to its 1994 Everglades Forever Act have been approved by the Environmental Protection Agency as a change in water quality standards consistent with the requirements of the Clean Water Act. In addition, the Committee directs the Administrator of the Environmental Protection Agency to file a report to the House and Senate Committees on Appropriations indicating whether the Environmental Protection Agency has approved the State of Florida's rule to set forth the numeric interpretation of the phosphorus criterion, as required under the Everglades Forever Act. The report shall contain EPA's analysis as to whether the numeric criterion will result in improvements to the quality of water entering the Everglades Protection Area and protect the federal resources located therein consistent with the requirements of the Consent Decree entered in *United States* v. *South Florida Water Management District.*

The Committee is concerned that with the Florida Legislature's recent changes to the 1994 Everglades Forever Act that acquisition of additional lands for implementation of the Comprehensive Everglades Restoration Plan (CERP) may not be the highest priority for the expenditure of Federal funds that have been previously appropriated, but remain unspent. This is particularly the case in the

event that water quality improvements by the State are delayed beyond 2006 and CERP is dependent upon achieving water quality that is protective of the Everglades environment. Further, the Committee is aware that the State of Florida has acquired nearly half the lands that are necessary for CERP and that approximately $32 million of prior year appropriations to assist the State of Florida in this effort remain unobligated. With the potential for delay in achieving the necessary water quality improvements, the Committee believes that prior year unobligated balances of Everglades land acquisition assistance should be used instead to fund the highest priority Everglades restoration needs benefiting the Department's interests in South Florida. This includes the water quality improvements to Storm Water Treatment Area 1–East (STA 1–E), eradication of invasive exotics at A.R.M. Loxahatchee National Wildlife Refuge, recovery of endangered species in South Florida, as well as other Everglades restoration needs of the Department.

Bill language is included under the National Park Service land acquisition account directing the Secretary of the Interior to redirect $5,000,000 to the U.S. Fish and Wildlife Service for the purpose of implementing additional water quality monitoring and eradication of invasive exotics at A.R.M. Loxahatchee National Wildlife Refuge. The Committee understands that the refuge used an additional $1,000,000, provided by the Department last year, to treat successfully nearly 17,000 acres of lands infested with melaleuca and lygodium, leaving approximately 95,000 acres still in need of treatment. These two invasive exotic plants cover over 80% of the refuge and reduction of these species to a maintenance control level is identified as the highest priority in the refuge's conservation plan. The Committee applauds the Department for recognizing the threat to the refuge and intends that, of the $5 million transferred, approximately $4 million be directed for additional work in this area. This should allow the refuge to treat significant additional acreage for both melaleuca and lygodium. Additionally, the Committee directs that the refuge expend up to $1 million to collect water quality data, conduct transect monitoring, and develop a water quality model for the refuge in order to track impacts, provide information for adaptive design and operation of inflow structures, and protect the resource from additional damage from the discharge of waters high in phosphorus. The Committee directs that the Department file an annual status report with the Committee by September 30 each year detailing how the funds provided under this provision were spent and the results that were achieved. This report should be filed each year until the funds are depleted.

Bill language is also included under Park Service land acquisition to authorize the Secretary of the Interior to transfer funds to the Corps of Engineers to implement additional water quality improvement technologies for STA 1–E. Because STA 1–E discharges directly into A.R.M. Loxahatchee National Wildlife Refuge, additional water quality improvements will greatly facilitate the State of Florida's ability to meet water quality standards and discharges of phosphorus to the refuge that are protective of the Everglades environment consistent with the water quality standards and numeric criterion that are to be adopted by the State. The bill language clarifies that any Federal funds provided by the Secretary

under this provision will be matched pursuant to the cost sharing provisions of the Water Resources Development Act of 1996, which allow the Secretary of the Army to equally cost-share certain water quality improvements in the event it is determined that the projects benefit Everglades restoration efforts. In this instance, the Committee believes that these actions for STA 1–E will result in significant Everglades restoration benefits. In the event funds remain unspent after funds are used for the purposes described in this provision, the bill language directs the Secretary to file a reprogramming request with the Committee detailing how the remaining funds may be expended to benefit Everglades restoration activities of the Department in South Florida.

Everglades Research.—Restoring the South Florida ecosystem is a complex environmental effort, which will take decades and entail significant uncertainties. The conceptual basis for restoration rests on sound science, yet the General Accounting Office and the National Academy of Sciences recently reported that efforts to coordinate scientific information to support the restoration initiative need to be improved to increase the likelihood that the ecosystem will be successfully restored. The GAO stated that the South Florida Ecosystem Restoration Task Force has not ensured that scientific activities are well coordinated for all three of its restoration goals. To achieve improved coordination, the Committee recommends that the Science Coordination Team (SCT), which was created by the South Florida Ecosystem Restoration Task Force, be given clear direction about the products, including developing a science plan focused on gaps in information that is important for the restoration, to help the Task Force coordinate restoration efforts.

The GAO also reported that coordination efforts were hindered by the lack of staff dedicated to the SCT and recommended that the Task Force undertake an analysis of the staffing needs of the SCT and provide for sufficient staff to carry out its necessary tasks. Given the large number of agencies participating in the restoration, the Committee agrees that sufficient staffing is needed to support coordination activities, particularly in the area of science.

The Committee has had a longstanding interest in assuring that the restoration initiative is managed and coordinated to assure its success. For this reason, the Committee directs the South Florida Ecosystem Restoration Task Force, through its SCT, to develop a science plan focused on the gaps in scientific information that are needed to further restoration efforts. This plan should be prepared in coordination with the biennial strategic plan prepared by the Task Force. Recognizing that staffing may hinder the development of such a plan, the Committee requests that the Task Force undertake an analysis of the staffing needs for the SCT and examine opportunities to allocate staff to this important function. This analysis should be provided to the Committee no later than February 2004.

Within 90 days of the passage of this Act, the Secretary shall report to the Committee on Appropriations and the Committee on Resources regarding the feasibility, desirability, organization, costs and benefits associated with the establishment of a University-based National Parks Institute.

UNITED STATES PARK POLICE

Appropriation enacted, 2003	$77,921,000
Budget estimate, 2004	78,859,000
Recommended, 2004	78,859,000
Comparison:	
Appropriation, 2003	+938,000
Budget estimate, 2004	0

The Committee recommends $78,859,000, the budget request, for the United States Park Police, an increase of $938,000 above the enacted level.

NATIONAL RECREATION AND PRESERVATION

The National recreation and preservation appropriation provides for the outdoor recreation planning, preservation of cultural and National heritage resources, technical assistance to Federal, State and local agencies, administration of Historic Preservation Fund grants and statutory and contractual aid.

Appropriation enacted, 2003	$61,268,000
Budget estimate, 2004	47,936,000
Recommended, 2004	54,924,000
Comparison:	
Appropriation, 2003	−6,344,000
Budget estimate, 2004	+6,988,000

The Committee recommends $54,924,000 for National recreation and preservation, an increase of $6,988,000 above the budget request and $6,344,000 below the enacted level.

The amounts recommended by the Committee compared with the budget estimate by activity are shown in the following table:

(dollars in thousands)

	FY 2003 Enacted	FY 2004 Request	Recommended	Recommended versus Enacted	Recommended versus Request
National Recreation and Preservation					
Recreation programs	548	855	855	+307	---
Natural programs	10,877	12,511	11,011	+134	-1,500
Cultural programs	19,918	19,071	19,071	-847	---
International park affairs	1,708	1,626	1,626	-82	---
Environmental and compliance review	397	401	401	+4	---
Grant administration	1,575	1,595	1,595	+20	---
Heritage Partnership Programs					
Commissions and grants	14,162	7,616	13,770	-392	+6,154
Administrative support	118	124	124	+6	---
Subtotal, Heritage Partnership Programs	14,280	7,740	13,894	-386	+6,154
Statutory or Contractual Aid					
Aleutian World War II Historic Area	397	---	---	-397	---
Blue Ridge Parkway (Folk Art Center)	---	---	750	+750	+750
Brown Foundation	200	101	101	-99	---
Chesapeake Bay Gateway	1,987	798	798	-1,189	---
Dayton Aviation Heritage Commission	446	47	87	-359	+40
Flight 93 Memorial	298	---	298	---	+298
French and Indian War (PA)	---	---	500	+500	+500
Ice Age National Scientific Reserve	801	806	806	+5	---
Jamestown 2007	199	---	199	---	+199
Johnstown Area Heritage Association	49	49	49	---	---
Lake Roosevelt Forum	50	---	50	---	+50
Lamprey River	596	155	155	-441	---
Louisiana Purchase Comm of Arkansas	199	---	---	-199	---
Martin Luther King, Jr. Center	525	528	528	+3	---
National Constitution Center, PA	497	---	497	---	+497
Native Hawaiian culture and arts program	735	740	740	+5	---
New Orleans Jazz Commission	66	66	66	---	---
Office of Arctic Studies	1,490	---	---	-1,490	---
Penn Center National landmark, SC	497	---	---	-497	---
Roosevelt Campobello International Park Commission	797	847	847	+50	---
Sewall-Belmont House	397	---	---	-397	---

(dollars in thousands)

	FY 2003 Enacted	FY 2004 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Sleeping Rainbow Ranch, Capitol Reef NP.....	497	---	---	-497	---
St. Charles Interpretive Center.....	497	---	---	-497	---
Vancouver National Historic reserve.....	248	---	---	-248	---
Virginia Key Miami Beach.....	497	---	---	-497	---
Subtotal, Statutory or Contractual Aid.....	11,965	4,137	6,471	-5,494	+2,334
Total, National Recreation and Preservation.....	61,268	47,936	54,924	-6,344	+6,988

Recreation Programs.—The Committee recommends $855,000 for recreation programs, an increase of $307,000 above the enacted level and the same as the budget request.

Natural Programs.—The Committee recommends $11,011,000 for natural programs, a decrease of $1,500,000 below the budget request and $134,000 above the enacted level. The Committee has not included the increase for the rivers and trails program.

The Committee is concerned about the use of cooperative agreements in the rivers, trails and conservation assistance program. The Committee's surveys and investigative staff have been asked to conduct an evaluation of this practice and report its findings by September 2003.

This program was designed to provide technical assistance to communities. The official guidance published last year by the Park Service, at the Committee's request, states that the Service does not provide financial assistance through this program. In fact, the Committee has data, which clearly indicates that there has been a longstanding practice of giving financial assistance to certain groups and communities. This results in sole source, non-competitive grants.

The Committee has been very supportive of this program over the years. It has provided valuable assistance to many communities. However, there must be clear, published guidance regarding exactly what type of assistance is available and how to apply for that assistance. While the Committee has allowed the Service great flexibility in managing this program in the past, it cannot permit different rules for different groups without a compelling justification. Bill language is included which prohibits the use of competitive agreements and cash grants until the Committee has had an opportunity to review the surveys and investigative staff recommendations.

Cultural Programs.—The Committee recommends $19,071,000 for cultural programs, a reduction of $847,000 below the enacted level and the same as the budget request. Within available funds the Service should continue to provide $250,000 for the Heritage Education initiative in cooperation with Northeastern State University in Louisiana.

International Park Affairs.—The Committee recommends $1,626,000 for international park affairs, a reduction of $82,000 below the enacted level and the same as the budget request.

Environmental and Compliance Review.—The Committee recommends $401,000 for environmental and compliance review, a $4,000 increase above the enacted level and the same as the budget request.

Grant Administration.—The Committee recommends $1,595,000 for grant administration, an increase of $20,000 above the enacted level and the same as the budget request.

Heritage Partnership Programs.—The Committee recommends $13,894,000 for National Heritage Areas, a reduction of $386,000 below the enacted level and an increase of $6,154,000 above the budget request. The Committee provides $13,770,000 for individual areas and $124,000 for administrative support.

Statutory or Contractual Aid.—The Committee recommends $6,471,000 for statutory or contractual aid, an increase of

$2,334,000 above the budget request and $5,494,000 below the 2003 enacted level.

URBAN PARK AND RECREATION FUND

Appropriation enacted, 2003	$298,000
Budget estimate, 2004	305,000
Recommended, 2004	305,000
Comparison:	
Appropriation, 2003	+7,000
Budget estimate, 2004	0

The Committee recommends $305,000 for urban park grant administration, an increase of $7,000 above the enacted level and the same as the budget request.

HISTORIC PRESERVATION FUND

The Historic Preservation Fund supports the State historic preservation offices to perform a variety of functions, including State management and administration of existing grant obligations; review and advice on Federal projects and actions, determinations, and nominations to the National Register; Tax Act certifications; and technical preservation services. The States also review properties within States to develop data for planning use.

Appropriation enacted, 2003	$68,552,000
Budget estimate, 2004	67,000,000
Recommended, 2004	71,000,000
Comparison:	
Appropriation, 2003	+2,448,000
Budget estimate, 2004	+4,000,000

The amounts recommended by the Committee compared with the budget estimates by activity are shown in the following table:

(dollars in thousands)

	FY 2003 Enacted	FY 2004 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Historic Preservation Fund					
State historic preservation offices	33,779	34,000	34,000	+221	---
Tribal grants	2,981	3,000	3,000	+19	---
Grants for millennium initiative	29,805	30,000	30,000	+195	---
National trust (endowment)	1,987	---	---	-1,987	---
HBCUs	---	---	4,000	+4,000	+4,000
Total, Historic Preservation Fund	68,552	67,000	71,000	+2,448	+4,000

The Committee recommends $71,000,000 for historic preservation fund programs, an increase of $2,448,000 above the enacted level and $4,000,000 above the budget request.

The total amount provides $34,000,000 for state historic preservation offices, $3,000,000 for tribal grants, $30,000,000 for Save America's Treasures and $4,000,000 for Historically Black Colleges and Universities (HBCU). The HBCU program will be a competitive program run by the National Park Service. The cost share on this program is 70 percent Federal, 30 percent private.

CONSTRUCTION

Appropriation enacted, 2003	$325,712,000
Budget estimate, 2004	327,257,000
Recommended, 2004	303,199,000
Comparison:	
Appropriation, 2003	−22,513,000
Budget estimate, 2004	−24,058,000

The Committee recommends $303,199,000 for construction, a decrease of $22,513,000 below the enacted level and $24,058,000 below the budget request.

The Committee recommends the following distribution of funds:

Project	*Amount*
Acadia NP, ME (rehabilitation)	$7,017
Badlands NP, SD (ADA deficiencies)	2,996
Big Bend NP, TX (Chisos Basin)	1,946
Big Bend NP, TX (curatorial)	295
Blue Ridge Parkway, NC (reconstruction)	3,186
Blue Ridge Parkway, NC (visitor center)	1,000
Boston Harbor Islands NRA, MA (George's Island)	727
Boston NHP, MA (USS Constitution rehabilitation)	2,408
Bryce Canyon NP, UT (renovation)	859
Colonial NHP, VA	7,611
Colonial NHP, VA (museum collection)	725
Cuyahoga NP, OH (rehabilitation)	3,000
Dayton Aviation NHP, OH (26 Williams)	430
Delaware Water Gap NRA, PA (cabin rehab.)	600
Everglades NP, FL (water system)	12,990
Frederick Douglass NHS, DC (rehabilitation)	956
Fredericksburg & Spotsylvania NMP, VA (stabilization)	1,560
Gateway NRA, NY (rehabilitation)	2,416
George Washington Carver NM, MO (rehabilitation)	2,000
George Washington Memorial Parkway, VA (Iwo Jima rehabilitation)	3,383
George Washington Memorial Parkway, VA (rehabilitation)	400
Gettysburg NMP, PA (conservation)	2,000
Homestead NHS, NE (visitor center)	350
Hot Springs NP, AR	1,012
Independence NHP, PA (rehabilitation)	1,750
Independence NHP, PA (security fence & screening structure)	5,100
Indiana Dunes IN (cultural/historical reports)	225
Jefferson NM, MO (security)	4,339
Lake Mead NRA, NV (upgrades & waste water system)	3,514
Lincoln Library, IL	6,000
Mammoth Cave NP, KY (upgrade electrical system)	3,593
Mammoth Cave NP, KY (water system)	6,014
Mesa Verde NP, CO	1,207
Moccasin Bend NAD, TN (erosion)	500
Morristown NHP, NJ (rehabilitation)	1,789
Mount Rainier NP, WA (rehabilitation)	4,000
National Capital Parks-Central, DC (Jefferson Memorial)	4,858
National Capital Parks-Central, DC (Washington Monument)	20,000
Oklahoma City NM, OK (contingent)	1,000
Olympic NP, WA (Elwha River Ecosystem restoration)	12,950
Organ Pipe Cactus NM, AZ	4,405

Project	*Amount*
Petersburg NB, VA	781
Rock Creek Park, DC (Meridian Hill Park)	2,891
San Francisco Maritime NHP, CA (rehabilitation)	4,177
Sequoia and Kings Canyon NP, CA (replace water tanks)	2,210
St Croix NSR, WI (administrative building)	4,900
Stones River NB, TN (trails)	300
SW Pennsylvanian Heritage Commission, PA	3,000
Thomas Stone NHS, MD (restrooms, kiosk, office spaces)	500
Timucuan Ecological & Historic Preserve, FL	765
Tuskegee Airmen NHS (AL)	500
White House, DC (rehabilitation)	6,443
Wind Cave NP, SD (wastewater treatment)	3,909
Wrangell-St Elias NP&P, AK (rehabilitation)	933
Yellowstone NP, WY (Old House at Old Faithful Inn)	5,973
Yellowstone NP, WY (West Entrance Station)	1,888
Yellowstone NP, WY (infrastructure improvements)	2,892
Project Total	183,173
Emergency/Unscheduled	5,500
Housing	8,000
Equipment replacement	38,460
Planning, construction	24,480
General management plans	13,420
Construction program management	27,466
Dam safety	2,700
Total Construction	303,199

The Committee has included $295,000 to plan a curatorial storage facility at Big Bend National Park; $1,000,000 for a visitor facility on the Blue Ridge Parkway in North Carolina; $3,000,000 to continue rehabilitation work at Cuyahoga National Park, and $430,000 to initiate rehabilitation of 26 Williams Street within the Dayton Aviation NHP.

Also included is $600,000 for cabin rehabilitation at the Delaware Water Gap NRA; $956,000 to complete critical rehabilitation work at Frederick Douglass NHS; $2,000,000 for rehabilitation work at George Washington Carver NM, and $400,000 for maintenance needs along the George Washington Memorial Parkway in Virginia.

The Committee has provided $2,000,000 to continue conservation work at Gettysburg NMP; $350,000 to continue planning of a visitor facility at Homestead NHS, $225,000 for cultural and historic reports at Indiana Dunes NL, $6,000,000 for the Lincoln Library, $4,900,000 to complete construction of an administrative building at St. Croix NSR, and $300,000 for trails work at Stones River NB.

The Committee encourages the Carl Sandberg NHS to complete its master plan.

The Committee has included $3,000,000 for work at SW Pennsylvania Heritage Commission; $500,000 for restrooms, kiosk, and office space at Thomas Stone NHS; $765,000 for structural analysis and improvements at Kingsley Plantation House and Kitchen House at Timucuan Ecological & Historic Preserve; and $500,000 to continue Federal project planning for the Tuskegee Airmen NHS in Alabama. The Committee has included $500,000 for erosion control at Moccasin Bend NAD.

The Committee has included $1,000,000 for the Oklahoma City NM. These funds are subject to a change in authorization.

The Committee has not provided funds to initiate planning for new facilities at Saratoga NHS until the park is able to identify

non-facility alternatives to the operational issues associated with a dispersed park with non-contiguous properties.

The Committee has not provided $15,000,000 for security improvements at Lafayette Square. These funds will be provided in the transportation appropriations bill for fiscal year 2004.

Within available planning funds, the Committee directs the Service to prepare a heritage study for the newly authorized SW Campaign and Muscle Shoals areas. In addition $200,000 within available funds should be used to continue the Metacomet-Monadnock-Mattabesett trail feasibility study.

LAND AND WATER CONSERVATION FUND

(RESCISSION)

Appropriation enacted, 2003	−$30,000,000
Budget estimate, 2004	−30,000,000
Recommended, 2004	−30,000,000
Comparison:	
Appropriation, 2003	0
Budget estimate, 2004	0

The Committee recommends the rescission of $30,000,000 in the annual contract authority provided by 16 U.S.C. 4601–10a. This authority has not been used in years, and there are no plans to use it in fiscal year 2004.

LAND ACQUISITION AND STATE ASSISTANCE

(INCLUDING TRANSFERS OF FUNDS)

Appropriation enacted, 2003	$171,348,000
Budget estimate, 2004	238,634,000
Recommended, 2004	131,154,000
Comparison:	
Appropriation, 2003	−40,194,000
Budget estimate, 2004	−107,480,000

The Committee recommends $131,154,000 for land acquisition and State assistance, a decrease of $107,480,000 below the budget request and $40,194,000 below the enacted level. This amount includes $14,000,000 for land acquisition projects, $11,654,000 for acquisition management, $4,000,000 for emergencies and hardships and $4,000,000 for inholdings. Also included is $97,500,000 for the stateside program, including $2,500,000 for administration. The Committee has retained the current allocation formula for stateside grants.

Bill language is included under the Park Service land acquisition account dealing with unobligated balances for South Florida Restoration. This is explained in detail under the "Everglades" heading in park operations.

The Committee recommends the following distribution of Federal land acquisition funds:

Project	*Amount*
Land Acquisition Projects	$14,000,000
Acquisition Management	11,654,000
Emergencies and Hardships	4,000,000
Inholdings	4,000,000
Total	33,654,000

Any funds provided for Santa Monica Mountains National Recreation Area should be matched with non-Federal monies. This means new land or new dollars dedicated to protection of park lands within the recreation area's boundaries. By June 30th of each year, the Service should certify the level of non-Federal contributions to land acquisition at this site. The Service is encouraged to review non-Federal appraisals in certifying the non-Federal contribution.

UNITED STATES GEOLOGICAL SURVEY

The United States Geological Survey was established by an act of Congress on March 3, 1879 to provide a permanent Federal agency to conduct the systematic and scientific "classification of the public lands, and examination of the geological structure, mineral resources, and products of the National domain". The USGS is the Federal Government's largest earth-science research agency, the Nation's largest civilian mapmaking agency, and the primary source of data on the Nation's surface and ground water resources. Its activities include conducting detailed assessments of the energy and mineral potential of the Nation's land and offshore areas; investigating and issuing warnings of earthquakes, volcanic eruptions, landslides, and other geologic and hydrologic hazards; research on the geologic structure of the Nation; studies of the geologic features, structure, processes, and history of other planets of our solar system; topographic surveys of the Nation and preparation of topographic and thematic maps and related cartographic products; development and production of digital cartographic data bases and products; collection on a routine basis of data on the quantity, quality, and use of surface and ground water; research in hydraulics and hydrology; the coordination of all Federal water data acquisition; the scientific understanding and technologies needed to support the sound management and conservation of our Nation's biological resources; and the application of remotely sensed data to the development of new cartographic, geologic, and hydrologic research techniques for natural resources planning and management, surveys, investigations, and research.

SURVEYS, INVESTIGATIONS, AND RESEARCH

Appropriation enacted, 2003	$919,272,000
Budget estimate, 2004	895,505,000
Recommended, 2004	935,660,000
Comparison:	
Appropriation, 2003	+16,388,000
Budget estimate, 2004	+40,155,000

The amounts recommended by the Committee compared with the budget estimates by activity are shown in the following table:

(dollars in thousands)

	FY 2003 Enacted	FY 2004 Request	Recommended	Recommended versus Enacted	Recommended versus Request
United States Geological Survey					
Surveys, Investigations, and Research					
Mapping, Remote Sensing, and Geographic Investigations					
Cooperative topographic mapping	81,120	74,108	80,827	-293	+6,719
Land remote sensing	35,711	34,039	34,039	-1,672	---
Geographic analysis and monitoring	16,374	12,335	15,355	-1,019	+3,020
Subtotal, National Mapping Program	133,205	120,482	130,221	-2,984	+9,739
Geologic Hazards, Resource and Processes					
Geologic hazards assessments	74,990	72,776	73,767	-1,223	+991
Geologic landscape and coastal assessments	78,698	79,430	78,830	+132	-600
Geologic resource assessments	79,479	69,369	78,838	-641	+9,469
Subtotal, Geologic Hazards, Resource & Processes	233,167	221,575	231,435	-1,732	+9,860
Water Resources Investigations					
Hydrologic monitoring, assessments and research					
Ground water resources program	5,410	6,529	6,529	+1,119	---
National water quality assessment	63,217	63,818	63,818	+601	---
Toxic substances hydrology	13,437	11,065	13,484	+47	+2,419
Hydrologic research and development	15,386	13,723	16,223	+837	+2,500
National streamflow information program	14,217	14,356	14,356	+139	---
Hydrologic networks and analysis	25,088	26,069	29,732	+4,644	+3,663
Subtotal, Hydrologic monitoring, assessments and research	136,755	135,560	144,142	+7,387	+8,582
Federal-State program	64,433	64,536	64,536	+103	---
Water resources research institutes	5,963	---	6,500	+537	+6,500
Subtotal, Water Resources Investigations	207,151	200,096	215,178	+8,027	+15,082

(dollars in thousands)

	FY 2003 Enacted	FY 2004 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Biological Research					
Biological research and monitoring	132,133	134,036	134,563	+2,430	+527
Biological information management and delivery	22,787	20,700	24,397	+1,610	+3,697
Cooperative research units	14,896	14,139	14,389	-507	+250
Subtotal, Biological Research	169,816	168,875	173,349	+3,533	+4,474
Science support	85,177	91,529	91,529	+6,352	---
Facilities	90,756	92,948	93,948	+3,192	+1,000
Total, United States Geological Survey	919,272	895,505	935,660	+16,388	+40,155

The Committee recommends $935,660,000 for surveys, investigations, and research, an increase of $40,155,000 above the budget request and $16,388,000 above the fiscal year 2003 enacted level.

For the third year in a row the Committee has restored a number of high-priority research programs that were proposed for reduction or elimination. The Department has placed a high-priority on both cooperative programs and programs that are outsourced to the private sector. For the most part, the programs that are being proposed for reduction or elimination in fiscal year 2004 are the very programs that meet these criteria. More than any other Bureau in the Department, the Survey has been a leader in the development of cooperative programs and outsourcing its activities. The Committee believes that Bureaus that are successful in implementing these policies should be rewarded and not penalized.

National Mapping Program.—The Committee recommends $130,221,000 for the national mapping program, $9,739,000 above the budget request and $2,984,000 below the 2003 enacted level including increases above the budget request of $4,444,000 to restore data collection activities through partnerships and contracts with the private sector, $1,250,000 for cooperative topographic mapping to expand and enhance initial National Map implementation through partnerships (to extend the geographic coverage and enhance data integration activities related to these implementation sites), $2,770,000 for research activities under geographic analysis and monitoring, $500,000 for the Tennessee GIS mapping project, and $775,000 as a science support adjustment.

The Committee supports the Survey in its efforts to implement the National Map. This strategic project will establish a digital database that will provide up-to-date, consistent, reliable geospatial information and make these data easily accessible to a wide range of users. Building upon the historic investment of geographic data from the base topographic maps, the National Map is being designed to serve as the Nation's new topographic map, while also reducing redundant data being collected by multiple levels of government.

The Nation's digital infrastructure is playing an ever-expanding role in the U.S. economy. Many private sector companies have built successful businesses on value-added products made from government investments in geospatial data. Geospatial data are also used in economic and community development, land and natural resource management, ensuring public safety during times of both natural (wildfires, floods, earthquakes) and human-induced disasters, and is the foundation for studying and solving geographically based problems. Tremendous economic and productivity enhancements occur throughout the Nation as industries utilize these new technologies.

The Survey has taken major steps to refocus and realign its activities to ensure the realization of the National Map. The Committee commends the Survey's efforts to restructure its mapping workforce so that resources can be available for building the National Map in partnership with other Federal agencies, State and local governments, the private sector, and universities. Partnership funds for State and local governments are a high priority because these funds are often leveraged three and four fold, allowing the

National Map to be created more rapidly, with more partners, and at lower cost to the Federal government.

The Survey's EROS Data Center is the repository of the world's largest collection of satellite imagery and is designated as a "National Critical Infrastructure" for purposes of homeland security. USGS archived data are critical to Federal, State, and local governments for protecting the homeland, natural disaster assessments, and understanding global climate change. With emerging technologies, the volume of collected, archived, and distributed data at the electronic data center (EDC) is growing exponentially. Accordingly, the Committee supports the USGS EDC requirement to convert its archived remote sensing data from outdated storage media to disk-based storage. Such a conversion will accommodate extremely high growth rates and provide access to users more efficiently and at lower cost. Further, the Committee supports the implementation of a continuity of operations capability for the EDC utilizing "remote mirroring" technology, which will eliminate a single point of failure for data storage infrastructure and ensure full recovery with zero data loss from any potential outage.

Geologic Hazards, Resources and Processes.—The Committee recommends $231,435,000 for geologic hazards, resources, and processes, $9,860,000 above the budget request and $1,732,000 below the 2003 enacted level, including increases above the budget request of $1,900,000 to restore funding for the advanced national seismic system, $750,000 to continue the study into the impact of global dust events, $500,000 for the Great Lakes geologic mapping project, $1,000,000 for the cooperative geologic mapping program, $2,000,000 to continue the implementation of the national coastal program consistent with the recommendations of the National Academy of Sciences, $1,300,000 for aggregate and industrial minerals, $9,122,000 to restore mineral research and assessments, and decreases of $4,000,000 for Everglades research and $2,712,000 as a science support adjustment.

The Committee strongly disagrees with the proposed reduction in the Survey's mineral resources program. Minerals and mineral products are important to the U.S. economy with processed minerals accounting for over $370 billion to the economy in 2002. Mineral commodities are essential to both national security and infrastructure development. Mineral resources research and assessments are a core responsibility of the survey. Since the 1996 review by the National Academy, the Survey's mineral program has refocused its efforts to address better the Nation's need for more and better information regarding the regional, national, and global availability of mineral resources. For these reasons the Committee has restored the proposed cuts to this high-priority program.

Water Resources Investigations.—The Committee recommends $215,178,000 for water resources investigations, $15,082,000 above the budget request and $8,027,000 above the 2003 enacted level, including increases above the budget request of $6,500,000 to restore funding for the Water Resources Research Institutes, $2,419,000 to restore funding for the toxic substances hydrology program, $600,000 to continue work at Lake Ponchartrain and $900,000 for the Long Term Estuary Group (LEAG) in Louisiana, $500,000 for the continuation of the Spokane Valley/Rathdrum Val-

ley Aquifer study begun last year, $500,000 for the Chesapeake Bay program, and $3,663,000 as a science support adjustment.

The Committee has provided $900,000 for development and deployment of new instruments and studies in the lower Mississippi River. This effort is to be a collaborative relationship within the Long-Term Estuary Assessment Group (LEAG). Within this funding level $550,000 is to be provided to other LEAG partners and $350,000 is for the USGS work to fulfill LEAG objectives. The Committee requests that the USGS provide a report by January 31, 2004, detailing a five-year plan (2002–2006) for USGS involvement in LEAG. The report should describe the proposed work and show how it relates to the Survey's national program priorities. It should define the resources required to implement the plan through 2006.

The Committee has provided $600,000 for water-quality studies within the Lake Ponchartrain basin. Within these funds, the Survey should provide sufficient funds to continue operation of new flow and water quality sensors deployed in the basin with the funds provided in fiscal year 2003. The USGS should develop its plans collaboratively with Southeastern Louisiana University to assure that the proposed work addresses local problems affecting the Lake Pontchartrain basin and its stakeholders and is relevant to the national mission of the USGS.

Biological Research.—The Committee recommends $173,349,000 for biological research, $4,474,000 above the budget request and $3,533,000 above the 2003 enacted level including increases above the budget request of $2,800,000 to restore the interagency cooperative fire science program, $500,000 for amphibian research, $1,000,000 for chronic wasting disease, $600,000 for Great Lakes research and operations, $400,000 for Great Lakes vessel operations, $400,000 for the new fish and wildlife cooperative research unit established in fiscal year 2003 at the University of Nebraska, and $500,000 for manatee research in support of the U.S. Fish and Wildlife Service recovery efforts, and a decrease of $1,726,000 as a science support adjustment.

Within the funding increase provided in the budget request for the National Biological Information Infrastructure (NBII), $500,000 is allocated for the Tennessee node and $500,000 is allocated for the Northeast node in New York.

The Committee has realigned the Gap Analysis Program by shifting $3,900,000 from the biological research and monitoring subactivity into the biological information management and delivery subactivity. This realignment should result in management efficiencies for this high-priority program.

Science Support.—The Committee recommends $91,529,000 for science support, the same as the budget request and $6,352,000 above the 2003 enacted level.

Facilities.—The Committee recommends $93,948,000 for facilities, $1,000,000 above the budget request and $3,192,000 above the 2003 enacted level. The increase above the budget request is for the Tunison laboratory for Atlantic Salmon restoration research.

The Committee is aware that the budget request may not contain sufficient funding for rent for some of the Survey's science centers. The Committee finds this unacceptable and expects that rent for all science centers will be covered within the funds provided to the

Survey in its fiscal year 2004 appropriation without jeopardizing ongoing science programs.

MINERALS MANAGEMENT SERVICE

The Minerals Management Service is responsible for collecting, distributing, accounting and auditing revenues from mineral leases on Federal and Indian lands. In fiscal year 2004, MMS expects to collect and distribute about $4 billion from more than 78,000 active Federal and Indian leases.

The MMS also manages the offshore energy and mineral resources on the Nation's Outer Continental Shelf. To date, the OCS program has been focused primarily on oil and gas leasing. Over the past several years, MMS has been exploring the possible development of other marine mineral resources, especially sand and gravel.

With the passage of the Oil Pollution Act of 1990, MMS assumed increased responsibility for oil spill research, including the promotion of increased oil spill response capabilities, and for oil spill financial responsibility certifications of offshore platforms and pipelines.

ROYALTY AND OFFSHORE MINERALS MANAGEMENT

Appropriation enacted, 2003	$264,477,000
Budget estimate, 2004	264,446,000
Recommended, 2004	264,446,0000
Comparison:	
Appropriation, 2003	−31,000
Budget estimate, 2004	0

The amounts recommended by the Committee compared with the budget estimates by activity are shown in the following table:

(dollars in thousands)

	FY 2003 Enacted	FY 2004 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Royalty and Offshore Minerals Management					
OCS Lands					
Leasing and environmental program	37,521	37,245	37,245	-276	---
Resource evaluation	26,831	25,708	25,708	-1,123	---
Regulatory program	50,774	50,402	50,402	-372	---
Information management program	22,991	25,851	25,851	+2,860	---
Subtotal, OCS Lands	138,117	139,206	139,206	+1,089	---
Royalty Management					
Compliance and asset management	48,493	46,264	46,264	-2,229	---
Revenue and operations	34,407	34,117	34,117	-290	---
Indian allottee refunds	15	15	15	---	---
Subtotal, Royalty Management	82,915	80,396	80,396	-2,519	---
General Administration					
Executive direction	2,023	2,062	2,062	+39	---
Policy and management improvement	4,075	4,150	4,150	+75	---
Administrative operations	16,540	16,827	16,827	+287	---
General support services	20,807	21,805	21,805	+998	---
Subtotal, General Administration	43,445	44,844	44,844	+1,399	---
Subtotal (gross)	264,477	264,446	264,446	-31	---
Use of receipts	-100,230	-100,230	-100,230	---	---
Total, Royalty and Offshore Minerals Management	164,247	164,216	164,216	-31	---

The Committee recommends $264,446,000 for royalty and offshore minerals management, the same as the budget request and $31,000 below the 2003 enacted level, of which $100,230,000 is derived from receipts.

OIL SPILL RESEARCH

Appropriation enacted, 2003	$6,065,000
Budget estimate, 2004	7,105,000
Recommended, 2004	7,105,000
Comparison:	
Appropriation, 2003	+1,040,000
Budget estimate, 2004	0

The Committee recommends $7,105,000 to be derived from the Oil Spill Liability Trust Fund, to conduct oil spill research and financial responsibility and inspection activities associated with the Oil Pollution Act of 1990, Public Law 101–380. The Committee recommendation is equal to the budget request and $1,040,000 above the fiscal year 2003 level.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

The Office of Surface Mining Reclamation and Enforcement (OSM), through its regulation and technology account, regulates surface coal mining operations to ensure that the environment is protected during those operations and that the land is adequately reclaimed once mining is completed. The OSM accomplishes this mission by providing grants to those States that maintain their own regulatory and reclamation programs and by conducting oversight of State programs. Further, the OSM administers the regulatory programs in the States that do not have their own programs and on Federal and tribal lands.

Through its abandoned mine land (AML) reclamation fund account, the OSM provides environmental restoration at abandoned coal mines using tonnage-based fees collected from current coal production operations. In their unreclaimed condition these abandoned sites may endanger public health and safety or prevent the beneficial use of land and water resources.

REGULATION AND TECHNOLOGY

Appropriation enacted, 2003	$104,681,000
Budget estimate, 2004	106,699,000
Recommended, 2004	106,699,000
Comparison:	
Appropriation, 2003	+2,018,000
Budget estimate, 2004	0

The amounts recommended by the Committee compared with the budget estimates by activity are shown in the following table:

(dollars in thousands)

	FY 2003 Enacted	FY 2004 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Regulation and Technology					
Environmental restoration	161	163	163	+2	---
Environmental protection	78,644	79,463	79,463	+819	---
Technology development and transfer	12,511	12,749	12,749	+238	---
Financial management	482	491	491	+9	---
Executive direction	12,610	13,558	13,558	+948	---
Subtotal, Regulation and Technology	104,408	106,424	106,424	+2,016	---
Civil penalties	273	275	275	+2	---
Total, Regulation and Technology	104,681	106,699	106,699	+2,018	---

The Committee recommends $106,699,000 for Regulation and technology, including the use of $275,000 in civil penalty collections as requested, and $2,018,000 above the 2003 level.

ABANDONED MINE RECLAMATION FUND

Appropriation enacted, 2003	$190,498,000
Budget estimate, 2004	174,469,000
Recommended, 2004	194,469,000
Comparison:	
Appropriation, 2003	+3,971,000
Budget estimate, 2004	+20,000,000

The amounts recommended by the Committee compared with the budget estimates by activity are shown in the following table:

(dollars in thousands)

	FY 2003 Enacted	FY 2004 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Abandoned Mine Reclamation Fund					
Environmental restoration	173,561	157,137	177,137	+3,576	+20,000
Technology development and transfer	4,137	4,184	4,184	+47	---
Financial management	6,139	6,260	6,260	+121	---
Executive direction	6,661	6,888	6,888	+227	---
Total, Abandoned Mine Reclamation Fund	190,498	174,469	194,469	+3,971	+20,000

The Committee recommends $194,469,000 for the abandoned mine reclamation fund, an increase of $20,000,000 above the request and $3,971,000 above the 2003 funding level. The Committee recognizes the great amount of reclamation work that remains to be done and has increased funding above the request for this program. The Committee has continued the authority for the Appalachian clean streams initiative at $10,000,000 and the emergency funding and authorities as in fiscal year 2003, and discontinued the special authority for Maryland.

BUREAU OF INDIAN AFFAIRS

The Bureau of Indian Affairs was created in 1824. Its mission is founded on a government-to-government relationship and trust responsibility that results from treaties with Native groups. The Bureau delivers services to over one million Native Americans through 12 regional offices and 83 agency offices. In addition, the Bureau provides education programs to Native Americans through the operation of 117 day schools, 54 boarding schools, and 14 dormitories. The Bureau administers more than 45 million acres of tribally owned land, and 10 million acres of individually owned land and over 309,000 acres of Federally owned land, which is held in trust status.

OPERATION OF INDIAN PROGRAMS

Appropriation enacted, 2003	$1,845,246,000
Budget estimate, 2004	1,889,735,000
Recommended, 2004	1,902,106,000
Comparison:	
Appropriation, 2003	+56,860,000
Budget estimate, 2004	+12,371,000

The amounts recommended by the Committee compared with the budget estimates by activity are shown in the following table:

(dollars in thousands)

	FY 2003 Enacted	FY 2004 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Operation of Indian Programs					
Tribal Budget System					
Tribal Priority Allocations					
Tribal government	386,421	390,494	391,614	+5,193	+1,120
Human services	149,970	148,588	148,588	-1,382	---
Education	49,839	49,991	49,991	+152	---
Public safety and justice	1,373	1,244	1,244	-129	---
Community development	40,461	40,467	40,467	+6	---
Resources management	61,117	63,029	63,029	+1,912	---
Trust services	58,004	58,373	58,373	+369	---
General administration	25,296	25,503	25,503	+207	---
Subtotal, Tribal Priority Allocations	772,481	777,689	778,809	+6,328	+1,120
Other Recurring Programs					
Education					
School operations					
Forward-funded	445,073	458,524	458,524	+13,451	---
Other school operations	67,489	69,991	69,991	+2,502	---
Subtotal, School operations	512,562	528,515	528,515	+15,953	---
Continuing education	42,838	39,206	39,206	-3,632	---
Subtotal, Education	555,400	567,721	567,721	+12,321	---
Resources management	42,324	34,342	41,572	-752	+7,230
Subtotal, Other Recurring Programs	597,724	602,063	609,293	+11,569	+7,230

(dollars in thousands)

	FY 2003 Enacted	FY 2004 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Non-Recurring Programs					
Community development	2,235	---	---	-2,235	---
Resources management	32,850	36,287	36,587	+3,737	+300
Trust services	37,400	37,256	37,256	-144	---
Subtotal, Non-Recurring Programs	72,485	73,543	73,843	+1,358	+300
Total, Tribal Budget System	1,442,690	1,453,295	1,461,945	+19,255	+8,650
BIA Operations					
Central Office Operations					
Tribal government	3,133	2,653	3,153	+20	+500
Human services	901	907	907	+6	---
Community development	869	875	875	+6	---
Resources management	3,465	3,488	3,488	+23	---
Trust services	8,766	5,317	5,317	-3,449	---
General administration					
Education program management	2,393	2,413	2,413	+20	---
Education personnel services	2,116	2,134	2,134	+18	---
Other general administration	47,936	81,574	76,574	+28,638	-5,000
Subtotal, General administration	52,445	86,121	81,121	+28,676	-5,000
Subtotal, Central Office Operations	69,579	99,361	94,861	+25,282	-4,500

(dollars in thousands)

	FY 2003 Enacted	FY 2004 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Regional Office Operations					
Tribal government	1,327	1,345	1,345	+18	---
Human services	3,141	3,192	3,192	+51	---
Community development	847	857	857	+10	---
Resources management	5,414	5,474	5,474	+60	---
Trust services	24,225	24,435	24,435	+210	---
General administration	28,851	29,178	29,178	+327	---
Subtotal, Regional Office Operations	63,805	64,481	64,481	+676	---
Special Programs and Pooled Overhead					
Education	16,366	16,254	16,254	-112	---
Public safety and justice	162,306	171,147	174,647	+12,341	+3,500
Community development	8,576	1,061	5,782	-2,794	+4,721
Resources management	1,299	1,306	1,306	+7	---
General administration	80,625	82,830	82,830	+2,205	---
Subtotal, Special Programs and Pooled Overhead	269,172	272,598	280,819	+11,647	+8,221
Total, BIA Operations	402,556	436,440	440,161	+37,605	+3,721
Total, Operation of Indian Programs	1,845,246	1,889,735	1,902,106	+56,860	+12,371

The Committee recommends $1,902,106,000 for the operation of Indian programs, $12,371,000 above the budget request and $56,860,000 above the 2003 enacted level.

Tribal Priority Allocations.—The Committee recommends $778,809,000 for tribal priority allocations, $1,120,000 above the budget request and $6,328,000 above the fiscal year 2003 enacted level. The increase above the budget request is to provide base funding for six new tribes.

Other Recurring Programs.—The Committee recommends $609,293,000 for other recurring programs, $7,230,000 above the budget request and $11,569,000 above the fiscal year 2003 enacted level including increases above the budget request of $4,000,000 for the restoration of timber-fish-wildlife program of which $920,000 is for the mass marking of hatchery fish as required by Public Law 108–7, $500,000 for shellfish management as required by the courts in the Bolt decision, $1,000,000 for Chippewa/Ottawa treaty fisheries to be allocated to the tribes based on the allocation in House Report 108–10, $630,000 for Lake Roosevelt management, $600,000 to restore the wetlands/waterfowl (circle of flight) program, and $500,000 to restore funding for the inter-tribal bison program.

The Committee fully supports the President's education reform efforts and agrees with the Department that tribes that want to manage their own schools should be given that opportunity. Therefore, the Committee has agreed to the inclusion of $3,000,000 for start-up administrative costs, and overhead as incentives for tribal school boards to begin to assume responsibility for the remaining schools that are still being managed by the Bureau. Based on this initiative, a separate fund would be established, similar to the Indian Self Determination Fund, to enable the conversion of Bureau operated schools without compromising funding for tribally operated schools.

The Committee notes with approval the past participation of the Department of the Interior in the Washington Semester Indian Program (WINS), a collaborative effort whereby American University provides education, housing, meals, and other academic and social activities for participating American Indian/Alaska Native (AI/AN) students and places these students in a funded internship program. WINS, located in Washington, D.C., serves the educational and economic development needs of the AI/AN community by providing opportunities for AI/AN students to obtain academically supervised internships and supporting rigorous coursework designed to serve as the foundation for long-term career planning and development. The Committee believes that the WINS program is an excellent way to advance the goals of Executive Order 13270, which directs all Federal agencies to take steps to enhance access to Federal opportunities and resources for AI/AN students from tribal colleges and other post-secondary institutions. The Committee believes that there is great merit to expanding the WINS program and strongly urges the Department in fiscal year 2004, as part of its Three-Year plan pursuant to Executive Order 13270, to expand the number of internship slots it makes available for the program and to accommodate participants in a second-year internship program.

Non Recurring Programs.—The Committee recommends $73,843,000 for non recurring programs, $300,000 above the budget request and $1,358,000 above the fiscal year 2003 enacted level. The increase above the budget request is for water management planning and predevelopment for the Seminole tribe to address water quality programs as part of Everglades restoration efforts.

Central Office Operations.—The Committee recommends $94,861,000 for central office operation, $4,500,000 below the budget request and $25,282,000 above the fiscal year 2003 enacted level, including an increase above the budget request of $500,000 to restore funding to the branch of acknowledgement and a decrease of $5,000,000 for ADP central program management.

The Committee is aware of the significant information technology needs of the Bureau both from the perspective of managing their day-to-day operations and for the need to continue to move forward on its trust reform efforts. This reduction to the significant increase proposed in the budget request is a result of the current fiscal and budget situation and should not be viewed as a repudiation of the Bureau's information technology initiative. The Committee appreciates that the Bureau is taking a Bureau-wide comprehensive approach to its information technology needs.

Regional Office Operations.—The Committee recommends $64,481,000 for regional office operations, the same as the budget request and $676,000 above the fiscal year 2003 enacted.

Special Programs and Pooled Overhead.—The Committee recommends $280,819,000 for special programs and pooled overhead, $8,221,000 above the budget request and $11,647,000 above the fiscal year 2003 enacted level including increases above the budget request of $3,500,000 for detention center operations for facilities that are constructed by the Department of Justice but operated by the Bureau, $3,000,000 for the United Tribes Technical College, $521,000 for the national ironworkers training program, and $1,200,000 for the Crownpoint Institute of Technology.

The Committee is concerned about the growing number of tribes with an existing reservation in one State that are attempting to claim reservation rights that would allow them to engage in gaming operations in States where they have no reservation or trust land status. For example, the Seneca-Cayuga tribe of Oklahoma is attempting to open a gaming operation in the State of New York. Trust status for gaming purposes on non-contiguous lands requires that a tribe engage in a rigorous approval process requiring approval by the Governor of an affected State as well as input and support from the local community. The Committee expects the Department of the Interior and the National Indian Gaming Commission to implement fully the existing rules and regulations governing these types of gaming operations.

Bill Language.—Bill language is included under operation of Indian programs establishing a separate fund similar to the Indian Self Determination Fund to enable the conversion of Bureau operated schools without compromising funding for tribally operated schools.

CONSTRUCTION

Appropriation enacted, 2003	$345,988,000
Budget estimate, 2004	345,154,000
Recommended, 2004	345,154,000
Comparison:	
Appropriation, 2003	−834,000
Budget estimate, 2004	0

The amounts recommended by the Committee compared with the budget estimates by activity are shown in the following table:

(dollars in thousands)

	FY 2003 Enacted	FY 2004 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Construction					
Education	293,795	292,634	292,634	-1,161	---
Public safety and justice	5,013	5,044	5,044	+31	---
Resources management	38,918	39,162	39,162	+244	---
General administration	2,168	2,181	2,181	+13	---
Construction management	6,094	6,133	6,133	+39	---
Total, Construction	345,988	345,154	345,154	-834	---

The Committee recommends $345,154,000 for construction, the same as the budget request and $834,000 below the fiscal year 2003 enacted level.

Education.—The Committee recommends $292,634,000 for education construction, the same as the budget request and $1,161,000 below the fiscal year 2003 enacted level. The funding for replacement school construction is sufficient to build seven replacement schools.

Public Safety and Justice.—The Committee recommends $5,044,000 for public safety and justice, the same as the budget request and $31,000 above the fiscal year 2003 enacted.

Resources Management.—The Committee recommends $39,162,000 for resources management, the same as the budget request and $244,000 above the fiscal year 2003 enacted.

General Administration.—The Committee recommends $8,314,000 for general administration, the same as the budget request and $52,000 above the fiscal year 2003 enacted.

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

(INCLUDING TRANSFER OF FUNDS)

Appropriation enacted, 2003	$60,552,000
Budget estimate, 2004	51,375,000
Recommended, 2004	60,551,000
Comparison:	
Appropriation, 2003	−1,000
Budget estimate, 2004	+9,176,000

The Committee recommends $60,551,000 for Indian land and water claim settlements and miscellaneous payments to Indians, $9,176,000 above the budget request and $1,000 below the 2003 enacted level. Funding includes $629,000 for White Earth, $252,000 for Hoopa-Yurok, $21,467,000 for the Ute settlement, $143,000 for Pyramid Lake, $33,000 for Rocky Boys, $123,000 for the Schiviwtz Band, $9,884,000 for Santo Domingo Pueblo, $8,052,000 for Colorado Ute, $10,000,000 for Arkansas Riverbed, and $9,968,000 for the North Boundary Settlement Agreement of which $4,968,000 is derived by transfer from the U.S. Fish and Wildlife Service land acquisition account.

Bill Language.—Language is included providing $9,968,000 for payment to the Quinault Indian Nation for the North Boundary Settlement Agreement of which $4,968,000 is derived by transfer from prior year appropriations to the U.S. the Fish and Wildlife Service land acquisition account.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

Appropriation enacted, 2003	$5,457,000
Budget estimate, 2004	6,497,000
Recommended, 2004	6,497,000
Comparison:	
Appropriation, 2003	+1,040,000
Budget estimate, 2004	0

The Committee recommends $6,497,000 for the Indian guaranteed loan program account, the same as the budget request and $1,040,000 above the fiscal year 2003 enacted level.

DEPARTMENTAL OFFICES

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

The Office of Insular Affairs (OIA) was established on August 4, 1995 through Secretarial Order No. 3191, which also abolished the former Office of Territorial and International Affairs. The OIA has important responsibilities to help the United States government fulfill its responsibilities to the four U.S. territories of Guam, American Samoa, U.S. Virgin Islands and the Commonwealth of the Northern Marianas Islands (CNMI) and also the three freely associated States: the Federated States of Micronesia (FSM), the Republic of the Marshall Islands (RMI) and the Republic of Palau. The permanent and trust fund payments to the territories and the compact nations provide substantial financial resources to these governments.

The existing authorities for permanent funding for the Compacts of free association with the FSM and the RMI expire in fiscal year 2003 although these two nations and the U.S. government have agreed to terms to extend the financial portions of the compacts. This requires new authorizing legislation, yet to be finalized. This Committee recommendation assumes that the new authorization will be completed on time and will provide funding for certain activities which in recent years were funded from annual accounts.

Appropriation enacted, 2003	$75,903,000
Budget estimate, 2004	71,343,000
Recommended, 2004	74,343,000
Comparison:	
Appropriation, 2003	−1,560,000
Budget estimate, 2004	+3,000,000

The amounts recommended by the Committee compared with the budget estimates by activity are shown in the following table:

(dollars in thousands)

	FY 2003 Enacted	FY 2004 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Assistance to Territories					
Territorial Assistance					
Office of Insular Affairs	5,261	6,321	6,321	+1,060	---
Technical assistance	13,374	7,561	10,561	-2,813	+3,000
Maintenance assistance fund	2,285	2,300	2,300	+15	---
Brown tree snake	2,335	2,350	2,350	+15	---
Insular management controls	1,481	1,491	1,491	+10	---
Coral reef initiative	497	500	500	+3	---
Subtotal, Territorial Assistance	25,233	20,523	23,523	-1,710	+3,000
American Samoa					
Operations grants	22,950	23,100	23,100	+150	---
Northern Marianas					
Covenant grants	27,720	27,720	27,720	---	---
Total, Assistance to Territories	75,903	71,343	74,343	-1,560	+3,000

The Committee recommends $74,343,000 for assistance to territories, $1,560,000 below the fiscal year 2003 level and $3,000,000 above the budget request.

Territorial Assistance.—The Committee recommends $23,523,000 for territorial assistance, $1,710,000 below the fiscal year 2003 level and $3,000,000 above the budget request. Increases to the budget request include $2,000,000 for urgent water system rehabilitation needed in the CNMI and $1,000,000 for technical assistance, which should focus on financial management or economic development problems of all the territories.

American Samoa.—The Committee recommends $23,100,000 for American Samoa as requested, an increase of $150,000 above the 2003 level.

Northern Mariana Islands/Covenant grants.—The Committee recommends $27,720,000 for CNMI covenant grants as requested and enacted in 2003, and the Committee directs the Office of Insular Affairs to implement the allocation in the budget request. This includes $11,000,000 for CNMI construction, $580,000 for disaster assistance, $5,000,000 for court mandated infrastructure improvements in the U.S. Virgin Islands, $1,000,000 for the CNMI law enforcement initiative, and $10,140,000 for American Samoa construction. The Committee directs the OIA to work with the governments of the CNMI, Guam, Palau, FSM and RMI, as well as with representatives of the Prior Service Benefits Board of Directors, to establish a funding mechanism through appropriate pension or social security systems, which would replace the prior service trust fund for the former employees of the Trust Territories.

Guam.—The Committee notes that the new financial arrangements for the compacts will include the payment of $15,000,000 per year, split between Guam, Hawaii, and the CNMI, to compensate governments for the impact of migration from the compact nations.

COMPACT OF FREE ASSOCIATION

Appropriation enacted, 2003	$20,926,000
Budget estimate, 2004	16,125,000
Recommended, 2004	16,354,000
Comparison:	
Appropriation, 2003	−4,572,000
Budget estimate, 2004	+229,000

The amounts recommended by the Committee compared with the budget estimates by activity are shown in the following table:

(dollars in thousands)

	FY 2003 Enacted	FY 2004 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Compact of Free Association					
Compact of Free Association - Federal services.....	7,306	2,734	2,734	-4,572	---
Mandatory payments - program grant assistance.....	12,000	12,000	12,000	---	---
Enewetak support.....	1,620	1,391	1,620	---	+229
Total, Compact of Free Association.....	20,926	16,125	16,354	-4,572	+229

The Committee recommends $16,354,000 for the compact of free association, $229,000 above the request and $4,572,000 below the 2003 level. The Committee notes that this appropriation assumes that the new financial titles to the Compacts of Free Association will be signed into law before the end of fiscal year 2003. The new compact provisions provide additional financial assistance, and, over time, provide for the FSM and the RMI to fund trust funds, which will eventually provide substantial resources for important government functions.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

Appropriation enacted, 2003	$71,957,000
Budget estimate, 2004	97,140,000
Recommended, 2004	79,027,000
Comparison:	
Appropriation, 2003	+7,070,000
Budget estimate, 2004	– 18,113,000

The amounts recommended by the Committee compared with the budget estimates by activity are shown in the following table:

(dollars in thousands)

	FY 2003 Enacted	FY 2004 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Departmental Management					
Departmental direction	13,318	13,524	13,524	+206	---
Management and coordination	26,283	30,322	28,917	+2,634	-1,405
Hearings and appeals	8,145	8,280	8,080	-65	-200
Central services	23,375	27,070	27,070	+3,695	---
Bureau of Mines workers compensation/unemployment	836	4,108	836	---	-3,272
Financial management system migration project	---	13,836	---	---	-13,836
Public lands volunteers	--	---	600	+600	+600
Total, Departmental Management	71,957	97,140	79,027	+7,070	-18,113

The Committee recommends $79,027,000 for departmental management, a decrease of $18,113,000 below the budget request and an increase of $7,070,000 above the 2003 enacted level. Changes from the budget request include an increase of $600,000 for the transfer of the Public Lands Volunteers Program from the National Park Service, and decreases of $200,000 for promoting management excellence, $800,000 for strategic human capital management planning, $405,000 for the Office of Planning and Performance, $200,000 for collaborative action/dispute resolution, $3,272,000 for DOI workers compensation costs, and $13,836,000 for the financial management system migration project. Departmental programs that are denied requested increases in this appropriation should not be augmented with staffing and funds from individual bureaus or any other source to achieve the requested level of activity.

Given the budget constraints for fiscal year 2004, the Committee encourages the Department and the Office of Management and Budget to take a critical look at the amount of funding being spent to track and measure program performance. The Committee believes that much of that funding would be better used for critical agency programs that directly benefit the American public.

The Committee is reluctantly taking the IT Security reductions proposed in the budget request, despite the fact that these reductions will not result in the reported savings in fiscal year 2004. The Committee is also concerned that the reductions were differentially applied to bureaus in the Department. The Department should report to the Committee by March 1, 2004, on how and when these savings will be achieved and the impact on bureau programs in fiscal year 2004.

The Committee has not provided the requested amount to begin the conversion of DOI bureaus to a new financial accounting system due to budget constraints.

The Committee has provided the requested increase for Departmental law enforcement. These funds are provided with the understanding that detailed bureau personnel will be returned to their original positions in the bureaus.

The Committee is concerned that the Department has not complied with language in the report accompanying the 2003 appropriations bill that directed that any unbudgeted funding requirements for airport operations at Midway Atoll National Wildlife Refuge be derived from departmental management funds. The Committee understands that a short-term contract for the operation of the airport has been secured. The Committee expects the Department and the U.S. Fish and Wildlife Service to terminate operation of the airport at the end of this contract if full funding from benefiting agencies and private entities for the operation of the airport is not available.

The Committee is concerned that the Department's Office of Aircraft Safety (OAS) has not provided sufficient support to the U.S. Fish and Wildlife Service in replacing survey aircraft that are operating under safety waivers. The replacement of these aircraft with new or refurbished aircraft that meet the weight requirements for low level survey flights and have sufficient range for performing long distance surveys in remote areas should be a high priority for OAS. The Committee directs OAS to match the funding provided for aircraft replacement in the FWS budget with OAS replacement

funds. The OAS and FWS should report annually to the Committee on progress in replacing these aircraft.

The Committee further directs OAS to report on the progress made in addressing the negative findings from the recent GAO report, including progress on the strategic plan being developed by OAS. The Committee expects OAS to consider options for recovering the full replacement cost, with inflationary increases, for all new aircraft as they enter the fleet, including the option of allowing individual bureaus to manage independently their aircraft fleets. Additionally, the Committee expects bureaus that currently operate aircraft to adequately budget for the replacement of existing aircraft.

WORKING CAPITAL FUND

The Committee recommends the cancellation of $20,000,000 in unobligated balances (as identified by the Inspector General) from the working capital fund.

Over the past several years, the Committee has raised concerns about the oversight and management of the Working Capital Fund as well as noticeable increases in assessments to the bureaus either through the Working Capital Fund, reimbursable support agreements or other mandates from the Administration or the Department. In addition, the Committee believes that the Department is in violation of Section 305 of the Appropriations Act, which requires Committee notification of assessments not detailed in the budget.

Last year, the Committee asked the Inspector General to review the Working Capital Fund. While this review was underway, the Committee did its own review of reimbursable support agreements and other mandates.

The Inspector General report disclosed areas of concern including, but not limited to, a $20 million surplus that was unknown to the Department; the over and under charging of customers due to a system that cannot track costs and revenues by products and services; and no standardized billing process. The Inspector General also reported that the Working Capital Fund continues to function as three separate organizations using three separate billing methods, despite the fact that consolidation to achieve efficiencies was the chief reason the Committee agreed in 1999 to merge the three separate service centers into the Working Capital Fund.

The Committee agrees with the Inspector General's concerns that the Department is not utilizing the two authorized reserve accounts for accrued annual leave and equipment replacement. The Committee is concerned that the Department feels that it has the authority to establish four other reserves. The Committee has included bill language under administrative provisions, which prohibits the establishment of other reserves without Committee approval.

The GAO reports that the Working Capital Fund does not provide comprehensive reports to the bureaus that identify which services are mandatory or optional, the amount of the services being provided, or the methodology used to charge the bureaus. The Committee directs that such comprehensive reports be developed and

made available to each bureau and the Committee at the beginning of each fiscal year.

The Committee directs the Department to implement fully the nine recommendations made by the Inspector General and report to the Committee by February 1, 2004 on specific timetables for compliance.

The Committee is also concerned about the possible overuse of reimbursable support agreements and other mandates. These are difficult fiscal times and there have been many expenses that the bureaus have had to absorb including pay, fixed expenses and costs associated with Homeland Security needs that have not been reimbursed by the Administration. The Committee cautions the Department not to impose additional assessments on the bureaus without advance justification and funding through the budget process.

The Committee has carried for years bill language, which requires that the Department not impose assessments against programs, budget activities or subactivities without prior approval from the Committee. Because the Department has not enforced this provision, the Committee has rewritten the language to avoid any ambiguity.

To summarize, bill language is included under Departmental Management Administrative Provisions, which prohibits the establishment of any additional reserve funds other than the two authorized by law. The Committee has modified reprogramming guidelines to make clear that the Department may not charge bureaus above the amounts listed in the budget justification or institute any additional assessments without formal approval. These revised guidelines are contained in the front of this report. The Committee has revised a long-standing provision carried in Title III dealing with notification of assessments to include charges or billings of any kind, without regard to whether or not the action benefits the individual bureaus. The Committee expects the Department to comply fully with the letter and the spirit of the law.

PAYMENTS IN LIEU OF TAXES

Appropriation enacted, 2003	$218,570,000
Budget estimate, 2004	200,000,000
Recommended, 2004	225,000,000
Comparison:	
Appropriation, 2003	+6,430,000
Budget estimate, 2004	+25,000,000

Payments in Lieu of Taxes (PILT) provides for payments to local units of government containing certain federally owned lands. These payments are designed to supplement other Federal land receipt sharing payments that local governments may be receiving. The recipients may use payments received for any governmental purpose.

The Committee recommends $225,000,000 for PILT, an increase of $25,000,000 above the budget request and $6,430,000 above the fiscal year 2003 level.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

Appropriation enacted, 2003	$47,462,000
Budget estimate, 2004	50,374,000
Recommended, 2004	50,374,000
Comparison:	
Appropriation, 2003	+2,912,000
Budget estimate, 2004	0

The Committee recommends $50,374,000 for the Office of the Solicitor, the same as the budget request and $2,912,000 above the fiscal year 2003 enacted level.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

Appropriation enacted, 2003	$36,003,000
Budget estimate, 2004	39,049,000
Recommended, 2004	39,049,000
Comparison:	
Appropriation, 2003	+3,046,000
Budget estimate, 2004	0

The Committee recommends $39,049,000 for the Office of the Inspector General, the same as the budget request and $3,046,000 above the fiscal year 2003 enacted level.

OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS

FEDERAL TRUST PROGRAMS

The Office of Special Trustee for American Indians (OST) was established by the American Indian Trust Fund Management Reform Act of 1994 (Public Law 103–412). The Special Trustee is charged with general oversight of Indian trust asset reform efforts Department-wide to ensure proper and efficient discharge of the Secretary's trust responsibilities to Indian Tribes and individual Indians. The Office of the Special Trustee was created to ensure that the Department of the Interior establishes appropriate policies and procedures, develops necessary systems, and takes affirmative actions to reform the management of Indian trust funds. In carrying out the management and oversight of the Indian trust funds, the Secretary has a responsibility to ensure that trust accounts are properly maintained, invested and reported in accordance with the American Indian Trust Fund Management Reform Act of 1994, Congressional action, and other applicable laws.

The Special Trustee for American Indians also has responsibility for the related financial trust functions including deposit, investment, and disbursement of trust funds. The Department has responsibility for what may be the largest land trust in the world. Indian trust lands today encompass approximately 56 million acres of land—over 10 million acres belonging to individual Indians and nearly 45 million acres owned by Indian Tribes. On these lands, Interior manages over 100,000 leases for individual Indians and Tribes. Leasing, use permits, sale revenues, and interest of approximately $226 million per year are collected for approximately 230,000 individual Indian money accounts, and about $530 million per year is collected for about 1,400 tribal accounts per year. In ad-

dition, the trust manages approximately $2.8 billion in tribal funds and $400 million in individual Indian funds.

Appropriation enacted, 2003	$140,359,000
Budget estimate, 2004	274,641,000
Recommended, 2004	219,641,000
Comparison:	
Appropriation, 2003	+79,282,000
Budget estimate, 2004	−55,000,000

The Committee recommends $219,641,000 for the office of special trustee for American Indians, $55,000,000 below the budget request and $79,282,000 above the fiscal year 2003 enacted level.

Executive Direction.—The Committee recommends $1,294,000 for executive direction the same as the budget request and $244,000 below the 2003 enacted.

Operation and Support.—The Committee recommends $52,424,000 for operations and support, the same as the budget request and $919,000 below the 2003 enacted level.

Trust Accountability.—The Committee recommends $51,970,000 for trust accountability, the same as the budget request and $6,346,000 above the 2003 enacted level.

Field Operations.—The Committee recommends $24,324,000 for field operations, the same as the budget request and $15,168,000 above the 2003 enacted level.

Trust Services.—The Committee recommends $14,629,000 for trust services, the same as the budget request and $172,000 below the 2003 enacted level.

Historical Accounting.—The Committee recommends $75,000,000 for historical accounting, a decrease of $55,000,000 below the budget request and an increase of $65,844,000 above the 2003 enacted level.

The Committee approved the Department's proposed reorganization of the trust functions for the Bureau of Indian Affairs and Office of Special Trustee for American Indians by letter dated December 10, 2002. The Committee urges the Department to move as expeditiously as possible in implementing this reorganization so that trust reform can continue to move forward.

Bill Language.—After six years of litigation in the *Cobell* v. *Norton* class action law suit, the Committee has appropriated hundreds of millions of dollars in litigation related activities. These funds could have been better used to fund health and education programs in Indian country or directed towards reforming the outdated trust systems in the Department.

The Committee still faces the likelihood of appropriating hundreds of millions of dollars, or possibly billions, for a historical accounting. The result of this process will likely provide more and more money to accountants and lawyers with little benefit for the individual account holders. To date, not a single dollar has reached the Indian people.

The Committee's concern is reinforced by the results of the recent Ernst and Young report on the historical accounting of the five named plaintiffs and their predecessors, and other studies that indicate the likely error rate for the more than 300,000 individual Indian money accounts is not significant. These studies also provide insight into the Department's ability to conduct an historical accounting based on a sound statistical methodology.

The Committee believes that this contentious litigation has prevented any rational resolution regarding the individual Indian money accounts. Accordingly, the Committee has included a legislative solution that would benefit Indian country and the United States by providing a prompt, fair, and just resolution to these longstanding claims.

The Secretary would have the authority to resolve any claims through a voluntary settlement process with holders of individual Indian money accounts. All other accounting claims would be resolved using a sound statistical sampling methodology. Based on this statistical sampling, the Secretary would estimate a rate of past accounting error and apply that error rate to each account. This would conclusively resolve all claims regarding an account, subject to judicial review. Individual account holders would have the right to appeal account adjustments to the Court of Appeals for the District of Columbia. The Secretary would have four years to complete this accounting and would be required to report to the Congress annually.

This process is similar to accounting solutions implemented elsewhere to solve complicated situations. Absent such a solution, all participants will suffer through years of continued litigation and millions of dollars will continue to be spent on a process that doesn't help Indian country.

INDIAN LAND CONSOLIDATION

Appropriation enacted, 2003	$7,928,000
Budget estimate, 2004	20,980,000
Recommended, 2004	20,980,000
Comparison:	
Appropriation, 2003	+13,052,000
Budget estimate, 2004	0

The Committee recommends $20,980,000 for Indian land consolidation the same as the budget request and $13,052,000 above the fiscal year 2003 enacted level.

NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

The purpose of the Natural Resource Damage Assessment Fund is to provide the basis for claims against responsible parties for the restoration of injured natural resources. Assessments ultimately will lead to the restoration of injured resources and reimbursement for reasonable assessment costs from responsible parties through negotiated settlements or other legal actions. Operating on a "polluter pays" principle, the program anticipates recovering over $44 million in receipts in fiscal year 2003, with the vast majority to be used for the restoration of injured resources. The program works to restore sites ranging in size from small town landfills to the Exxon Valdez oil spill of 1989 in Alaska.

Prior to fiscal year 1999, this account was included under the United States Fish and Wildlife Service appropriation. The account was moved to the Departmental Offices appropriation because its functions relate to several different bureaus within the Department of the Interior.

Appropriation enacted, 2003	$5,501,000
Budget estimate, 2004	5,633,000
Recommended, 2004	5,633,000
Comparison:	
Appropriation, 2003	+132,000
Budget estimate, 2004	0

The Committee recommends $5,633,000, the budget request, for the natural resource damage assessment fund, an increase of $132,000 above the fiscal year 2003 level.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

The Committee recommends continuing several provisions carried in previous bills as follows. Sections 101 and 102 provide for emergency transfer authority with the approval of the Secretary. Section 103 provides for warehouse and garage operations and for reimbursement for those services. Section 104 provides for vehicle and other services. Section 105 provides for uniform allowances. Section 106 provides for twelve-month contracts. Sections 107 through 110 prohibit the expenditure of funds for Outer Continental Shelf (OCS) leasing activities in certain areas. These OCS provisions are addressed under the Minerals Management Service in this report. Section 111 limits the investment of Federal funds by tribes and tribal organizations to obligations of the United States or obligations insured by the United States. Section 112 prohibits the National Park Service from reducing recreation fees for non-local travel through any park unit. Section 113 permits the transfer of funds between the Bureau of Indian Affairs and the Office of Special Trustee for American Indians.

Section 114 provides for the renewal of grazing permits under the Federal Land Policy and Management Act of 1976 as amended until the Department completes its environmental analysis.

Section 115 continues a provision allowing the hiring of administrative law judges to address the Indian probate backlog.

Section 116 continues a provision permitting the redistribution of tribal priority allocation and tribal base funds to alleviate funding inequities.

Section 117 continues a provision requiring the allocation of Bureau of Indian Affairs postsecondary schools funds consistent with unmet needs.

Section 118 continues a provision limiting the use of the Huron Cemetery in Kansas City to religious purposes.

Section 119 continues a provision permitting the conveyance of the Twin Cities Research Center of the former Bureau of Mines for the benefit of the National Wildlife Refuge System.

Section 120 continues a provision authorizing a cooperative agreement with the Golden Gate National Parks Association.

Section 121 continues a provision permitting the Bureau of Land Management to retain funds from the sale of seeds and seedlings.

Section 122 continues a provision permitting the sale of improvements and equipment at the White River Oil Shale Mine in Utah and the retention and use of those funds by the Bureau of Land Management and the General Services Administration.

Section 123 continues a provision authorizing the Secretary of the Interior to use helicopter or motor vehicles to capture and transport horses and burros at the Sheldon and Hart National Wildlife Refuges.

Section 124 authorizes federal funds for Shenandoah Valley Battlefield NHD and Ice Age NST to be transferred to a State, local government, or other governmental land management entity for acquisition of lands.

Section 125 continues a provision prohibiting the closure of the underground lunchroom at Carlsbad Caverns NP, NM.

Section 126 continues a provision preventing the demolition of a bridge between New Jersey and Ellis Island.

Section 127 continues a provision prohibiting the posting of signs at Canaveral National Seashore as clothing optional areas if it is inconsistent with county ordinance.

Section 128 continues a provision limiting compensation for the Special Master and Court Monitor appointed by the Court in Cobell v. Norton to 200 percent of the highest Senior Executive Service rate of pay.

Section 129 continues a provision allowing the Secretary to pay private attorney fees for employees and former employees incurred in connection with Cobell v. Norton.

Section 130 continues a provision dealing with the U.S. Fish and Wildlife Service's responsibilities for mass marking of salmonid stocks.

Section 131 continues a provision permitting the transfer of Departmental Management funds for operational needs at the Midway Atoll National Wildlife Refuge airport.

Section 132 continues a provision prohibiting the use of funds to study or implement a plan to drain or reduce water levels in Lake Powell.

Section 133 amends section 122 of Division F of Public Law 108–7 to allow schools that are not funded by the Bureau of Indian Affairs to participate in the tribal school demonstration program with the understanding that only construction funds and no funding for school operations or facilities operations and maintenance will be provided to these schools.

Section 134 requires the Secretary of the Interior to report to the Committee within 180 days of enactment on the educational facilities of the Eastern Band of Cherokee Indians and land availability for new or replacement facilities.

Section 135 provides for a land exchange at the Mojave National Preserve.

Section 136 establishes the Blue Ridge National Heritage Area.

Section 137 establishes a resolution process regarding individual Indian money account claims. Claims would be resolved either through a voluntary settlement process with account holders, or by using a sound statistical methodology to estimate a rate of past accounting error, which would be applied to each account. In no case would there be any downward adjustment to any account and account holders would have the right to appeal any account adjustment to the Court of Appeals for the District of Columbia.

Section 138 limits the use of funds for the Klamath Fishery Management Council. The Council has overstepped its legislative mandate by advocating policy positions that are outside the scope of its authority.

Section 139 permits the U.S. Fish and Wildlife Service to use funds to encourage public participation in Service programs and for contracts for employment-related legal services.

TITLE II—RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

The U.S. Forest Service manages 192 million acres of public lands for multiple use Nationwide, including lands in 44 States and Puerto Rico, and cooperates with States, other Federal agencies, Tribes and others to sustain the Nation's forests and grasslands. The Forest Service administers a wide variety of programs, including forest and rangeland research, State and private forestry assistance, wildfire suppression and fuels reduction, cooperative forest health programs, and human resource programs. The National Forest System (NFS) includes 155 National forests, 20 National grasslands, 20 National recreation areas, a National tallgrass prairie, 5 National monuments, and 6 land utilization projects. The NFS is managed for multiple use, including timber production, recreation, wilderness, minerals, grazing, fish and wildlife habitat management, and soil and water conservation.

The Committee notes that February 1, 2005 will be the centennial of the transfer of the forest reserves from the General Land Office in the Department of the Interior to the newly named, U.S. Forest Service in the Department of Agriculture. At its inception, President Theodore Roosevelt convened the Joint Conservation Congress to provide guidance to the Forest Service as it formed the multiple use mission which continues to guide it today. The Committee recognizes this historic past, and encourages the Forest Service to continue its plans to commemorate appropriately this centennial with a forward-looking process utilizing the historic sites so relevant in the development of the agency mission. During fiscal year 2004, the Committee expects the Administration to establish a consensus-based approach analogous to that original session to discuss and help determine a vision and strategic plan, on a cooperative basis with the American public, for the management of the Nation's forests and rangelands over the next century. The Forest Service shall keep the Committee informed in a timely manner of plans to accomplish this, resource needs which may become apparent, and a strategy to involve a wide array of the public and partners to help determine future goals for the national forest system and the role of the Forest Service in the Nation's natural resource and conservation fabric. The Committee expects that the Forest Service, along with its partners, will treat the centennial as an important milestone deserving appropriate celebration and recognition.

FOREST AND RANGELAND RESEARCH

Forest and rangeland research and development sponsors basic and applied scientific research. This research provides both credible and relevant knowledge about forests and rangelands and new technologies that can be used to sustain the health, productivity, and diversity of private and public lands to meet the needs of present and future generations. Research is conducted across the U.S. through six research stations, the Forest Products Laboratory, and the International Institute of Tropical Forestry in Puerto Rico as well as cooperative research efforts with many of the Nation's

universities. The Committee stresses that this research and development should support all of the Nation's forests and rangelands and that technology transfer and practical applications are vital.

Appropriation enacted, 2003	$250,049,000
Budget estimate, 2004	252,170,000
Recommended, 2004	267,230,000
Comparison:	
Appropriation, 2003	+17,181,000
Budget estimate, 2004	+15,060,000

The Committee recommends $267,230,000 for forest and rangeland research, $15,060,000 above the budget request and $17,181,000 above the 2003 funding level. This funding level includes a transfer of $6,200,000 from the NFS appropriation for the forest inventory and analysis (FIA) program as well as $3,100,000 for partial payment of fixed cost increases. The Committee does not accept the proposed budget; allocations are presented relative to the final fiscal year 2003 enacted levels.

The Committee has consolidated funding for the FIA program and also provided bill language clarifying the precise level for this program under this heading. FIA funding within the research account is $49,428,000, which includes a transfer of $6,200,000 from the inventory and monitoring activity within the NFS account and a program increase of $2,000,000. Additional FIA funding consolidation is also recommended within the State and private forestry account as discussed under that heading. That account includes a total of $9,000,000 for the forest resource information and analysis activity of the FIA program, bringing the overall total for the Federal contribution to the FIA program to $58,448,000. The Committee encourages States and commercial users to help cost-share the program.

The overall allocation maintains the fiscal year 2003 enacted research projects except the Morgantown, WV and Baltimore, MD increases are discontinued and the funding for the International Arid Lands Consortium has been consolidated under the State and private forestry heading. Funding for the projects added in fiscal year 2003 should be: $500,000 for the Joe Skeen Institute for Rangeland Research, NM, $500,000 for global climate change research in the northeast, $1,500,000 for the advanced housing research consortium, $1,500,000 for adelgid and other insects research in the east, $2,000,000 for sudden oak death research, and $528,000 for the PNW administrative alignment (which should hereafter be part of the PNW station base). The Committee also has included increases of $1,300,000 for invasive species research described in the request, $300,000 for hemlock wooly adelgid research at Coweeta, NC, $300,000 for technology transfer at Coweeta, NC, $300,000 for Cumberland plateau silviculture research through the Bent Creek project, NC, and $1,500,000 for the southern pine beetle initiative. The Committee directs that $1,000,000 be provided for forestry related aspects of the biotechnology initiative at Western Carolina University.

STATE AND PRIVATE FORESTRY

Through cooperative programs with State and local governments, forest industry, conservation organizations, and non-industrial private forest landowners, the Forest Service supports the protection

and management of the nearly 500 million acres of non-Federal forests in the country. Technical and financial assistance is offered to improve wildland fire management and protect communities from wildfire; control insects and disease; improve harvesting and processing of forest products; conserve environmentally important forests; and enhance stewardship of urban and rural forests. The Forest Service provides special expertise and disease suppression for all Federal and tribal lands, as well as cooperative assistance with the States for State and private lands.

Appropriation enacted, 2003	$284,712,000
Budget estimate, 2004	315,823,000
Recommended, 2004	290,758,000
Comparison:	
Appropriation, 2003	+6,047,000
Budget estimate, 2004	−25,065,000

The amounts recommended by the Committee compared with the budget estimates by activity are shown in the following table:

(dollars in thousands)

	FY 2003 Enacted	FY 2004 Request	Recommended	Recommended versus Enacted	Recommended versus Request
State and Private Forestry					
Forest Health Management					
Federal lands forest health management	50,047	44,963	56,000	+5,953	+11,037
Cooperative lands forest health management	30,836	25,088	47,000	+16,164	+21,912
Emerging pest and pathogens fund	---	11,968	---	---	-11,968
Subtotal, Forest Health Management	80,883	82,019	103,000	+22,117	+20,981
Cooperative Fire Assistance					
State fire assistance	25,486	25,385	36,000	+10,514	+10,615
Volunteer fire assistance	5,007	5,043	5,100	+93	+57
Subtotal, Cooperative Fire Assistance	30,493	30,428	41,100	+10,607	+10,672
Cooperative Forestry					
Forest stewardship	32,012	65,609	32,683	+671	-32,926
Forest Legacy	68,380	90,809	45,575	-22,805	-45,234
Urban and Community Forestry	35,999	37,893	36,000	+1	-1,893
Economic action programs	26,268	---	17,400	-8,868	+17,400
Forest resource information and analysis	4,964	4,006	9,000	+4,036	+4,994
Subtotal, Cooperative Forestry	167,623	198,317	140,658	-26,965	-57,659
International program	5,713	5,059	6,000	+287	+941
Total, State and Private Forestry	284,712	315,823	290,758	+6,046	-25,065

The Committee recommends $290,758,000 for State and private forestry, $25,065,000 below the budget request and $6,047,000 above the 2003 funding level. All funding for this appropriation should follow the fiscal year 2003 enacted levels unless otherwise directed.

Forest Health Management.—The Committee recommends $103,000,000 for forest health management, $20,981,000 above the request and $22,117,000 above the enacted level. The Committee emphasizes its concern with forest health in the broad sense and has added bill language to clarify that forest health activities may include treatments to restore and rehabilitate forests damaged by pests or invasive plants. The Committee once again rejects the request for an emerging pest fund that came with unrealistic restrictions. Instead, the Committee has added this funding to the base program. This should fully fund the slow-the-spread gypsy moth program and provide additional resources for work to control and manage the Asian long-horned beetle, emerald ash borer and other pests in urban settings and adelgids in the east, as well as various mountain pine beetles throughout the Rockies and the west. The previous funding within this activity for the FIA program ($2,810,000) has been transferred to the forest resource information and analysis program as described below. Funding is not provided for the Vermont forest health cooperative program funded in fiscal year 2003. The Committee is concerned about invasive exotic pests, which have proven to have huge impacts on American forests and trees. Some funds may be retained at headquarters in order to respond to new, urgent pest problems. The Forest Service should expand its joint early detection network with the APHIS to cover more ports and more pests, and work with the research program and the international program to expand cooperative projects overseas, especially in eastern Asia, to deal with forest pests.

The Committee has added $10,000,000 for southern pine beetle forest health activities, including forest rehabilitation, disease prevention, and education. This consists of $3,000,000 within the Federal lands activity and $7,000,000 within the cooperative lands activity for help with State and private forests. The Committee expects that the Forest Service will establish a priority setting system to direct southern pine beetle initiative funds to the most urgent areas, as well as performance criteria which favor areas with proven success. Use of this funding should be closely coordinated with the complementary allocation within research and development. In addition, the Committee is very concerned about the condition of forests in the mountains of southern California and expects this area to be given special consideration with both Federal and cooperative forest health funding. Discreet allocations for this urgent situation are also provided within State fire assistance and hazardous fuels.

The recommendation of $56,000,000 for Federal lands forest health management, includes the 2003 enacted funding (minus the FIA transfer of $1,405,000) plus $1,447,000 for fixed cost increases, $3,000,000 for the southern pine beetle initiative described above, and a general increase of $2,911,000. The recommendation of $47,000,000 for cooperative lands forest health management, includes the 2003 enacted funding (minus the FIA transfer of $1,405,000) plus $585,000 for fixed cost increases, $7,000,000 for

the southern pine beetle initiative described above, and a general increase of $9,984,000.

Cooperative Fire Protection.—The Committee recommends $41,100,000 for cooperative fire protection in the State and private forestry account, $10,672,000 above the request and $10,607,000 above the 2003 funding level. The Committee has included an increase of $10,514,000 above the enacted level for State fire assistance. Within this increase is $5,000,000 to cost-share treatments in the mountains of southern California, especially on State and private lands near the San Bernardino NF, where a terrible pest outbreak has created an extremely dangerous situation. Other funding for the southern California situation is provided for work on Federal lands within the wildland fire management account. The remainder of the increase for State fire assistance above the fiscal year 2003 level includes $485,000 for fixed cost increases and a program increase of $5,029,000, which should focus on national fire plan activities. No special allocation is provided for the Cook Inlet Tribal Council. The recommendation includes $5,100,000 for volunteer fire assistance, an increase of $93,000 above the enacted level. The Committee also notes that the cooperative fire portion of the national fire plan within the wildland fire management account includes a total of $51,000,000 for State fire assistance and $8,240,000 for volunteer fire assistance.

Cooperative Forestry.—The Committee recommends $140,658,000 for cooperative forestry, $57,659,000 below the budget request and $26,965,000 below the 2003 funding level.

Forest Stewardship.—The Committee recommends $32,683,000 for forest stewardship, $32,926,000 below the request and $671,000 above the enacted level. The proposed new initiatives are not funded with discretionary appropriations. Instead, the Committee has put healthy forest initiative funding increases within the forest health management, State fire assistance, and hazardous fuels activities. The Committee notes the large infusion of new mandatory funding from the Farm Security and Rural Investment Act of 2002, which includes $25,000,000 in 2003 and $20,000,000 in 2004 for the Forest Land Enhancement program. The Committee expects that the Forest Service and the State foresters will collaborate to use these funds for the purposes of the healthy forests initiative. The Committee directs the Forest Service to include in its subsequent budget justifications a clear exposition, within the discussion on cooperative forestry, of plans for integrating this mandatory funding with other important cooperative forestry appropriations. Within the allocation for forest stewardship, the Committee continues funding of $500,000 for watershed activities in the New York City watershed and $750,000 for the Chesapeake Bay program but other earmarks added in fiscal year 2003 are discontinued.

Forest Legacy Program.—The Committee recommends $45,575,000 for the forest legacy program, $45,234,000 below the request and $22,805,000 below the enacted level. The allocation also includes an additional $5,000,000 from prior year funds; several previously designated projects have either failed or received funding from other sources. The Committee recommends the following distribution of funds:

State	Project name	FY04 request	Committee recommendation
AL	Mobile Tensaw Delta	$3,300,000	$3,300,000
CA	Dofflemeyer Ranch	2,500,000	2,500,000
CA	Six Rivers to the Sea	1,350,000	1,350,000
CT	Peaceful Hill	200,000	200,000
CT	Nipmuck	350,000	350,000
DE	Green Horizons	2,000,000	2,000,000
GA	Rocky Creek at Broxton Rocks	1,500,000	1,500,000
IA	Canyons	290,000	290,000
ID	St. Joe Basin/Mica Creek Phase I	3,000,000	3,000,000
IL	Byron Rock River	1,200,000	1,200,000
IN	Shawnee Hills	3,150,000	2,000,000
MA	Belmont Springs	1,400,000	1,400,000
MA	Bush Hill	227,000	227,000
ME	Machias River Project Phase I	2,000,000	2,000,000
MN	Lester River	500,000	500,000
NC	Cool Springs	1,500,000	1,500,000
NH	Pillsbury/Sunapee Highlands	2,530,000	2,530,000
NJ	Upper Delaware River Watershed	5,500,000	5,125,000
NM	Lagunas Bonitas	3,000,000	3,000,000
RI	Great Grass Pond	28,000	328,000
SC	Cooper River Corridor	10,000,000	4,000,000
TN	Ray Gettelfinger (Rugby)	1,000,000	1,000,000
UT	Chalk Creek/South Fork	2,700,000	800,000
UT	Cedar Project	1,550,000	1,550,000
VA	Dragon Run	3,000,000	3,000,000
VA	The Cove	1,125,000	1,125,000
WA	Raging River Forest Headwaters	1,000,000	1,000,000
	Other requested projects	30,782,000	
	Project Subtotal	86,982,000	46,775,000
	Admin, Acq Mgment & AON Planning	3,827,000	3,800,000
	Use of prior year funds		−5,000,000
	Total	90,809,000	45,575,000

The Committee has examined the forest legacy program closely and has evaluated the progress being made on the management problems described last year. The Forest Service has made substantial progress but it is too soon to determine if reforms are being effectively implemented. The Committee directs the Forest Service to continue with the reforms begun last year. The Committee remains particularly concerned about potential problems with cost-share contributions being obscured and with proper appraisal for interests in lands. The Committee is committed to maintaining public access to lands protected with public funds. The Committee believes it is imperative that a transparent project selection process be maintained, and that funding be favored for projects of national significance. Funding for new States is not provided because the forest legacy program has grown too quickly and should not be expanded until a proven record of accomplishment is established. The Committee notes that there is already over $100,000,000 in previously appropriated funds for forest legacy projects which have not been expended to date.

Urban and Community Forestry.—The Committee recommends $36,000,000 for urban and community forestry, $1,893,000 below the request and $1,000 above the 2003 funding level. This recommendation includes $700,000 to support the northeastern Pennsylvania community forestry program but other previous Congressional allocations are discontinued. The Committee directs the Forest Service to devise a new and different funding allocation method

for this program. The existing system discriminates against States with large urban areas and directs funds to States with many tiny communities, and it has no performance based allocation criteria. The Committee directs the new methodology used by the Forest Service to consider State population and metropolitan area statistics, consider the increased demand for assistance to large urban centers, as well as devise performance criteria which help determine State allocations. The Committee also directs that the new allocation methodology should include competitive funding for nationally or regionally significant projects. The Committee directs the Forest Service to notify the House and Senate Committees on Appropriations, in writing, of this new allocation methodology prior to allocating fiscal year 2004 funds. The Committee feels that, after 11 years, this program no longer needs to require certain specific staffing levels by a State as a condition to getting a grant, and the Forest Service and the State foresters should evaluate whether or not minimum State allocations should be continued.

Economic Action Programs.—The Committee recommends $17,400,000 for economic action programs, $8,868,000 below the 2003 level. This program was not included in the request. Within the economic action program the Committee recommends the following distribution of funds:

[In thousands of dollars]

Program component	2003 enacted	Committee recommendation
Economic recovery base program	$4,967	$5,000
Rural development base program	3,974	4,700
Forest products, conservation & recycling	1,291	1,300
Wood in transportation	993	0
Programs subtotal	11,225	11,000
Special projects:		
Alabama rural economic action	0	600
Arid Lands Research Consortium	298	400
Cradle of Forestry conserv. ed, NC	586	650
Gonzaga Univ. Inland NW Natural Resources Center, WA	894	625
KY mine waste reforestation	993	750
Lake Tahoe erosion control grants, CA NV	2,484	1,000
Education & Research Consortium of Western NC	0	1,000
Rural forestry technology for State of WA	596	625
Woody biomass applications, SUNY Syracuse, NY	0	750
Wood Education & Resource Center, WV	2,681	0
Other items	6,511	0
Subtotal special projects	15,043	6,400
Total economic action	26,268	17,400

The Committee disagrees with the Administration's proposal to eliminate entirely the economic action programs. These cost-share efforts provide vital capacity building for rural communities, which can greatly aid forest dependent communities. This forestry capacity building is important as it complements the national fire plan and the healthy forest initiative. The conservation education funding for the Cradle of Forestry is for the Education and Research Consortium of Western North Carolina, of which $250,000 is for the Pisgah Forest Institute and $400,000 is for the Cradle of Forestry, USDA Forest Service. The funds for the Education and Re-

search Consortium of Western NC are for a new, Pisgah Forest Institute, national earth and environmental education initiative to teach educators by using several regional forest locations as labs for instruction.

Forest Resource Information and Analysis.—The Committee recommends $9,000,000 for forest resource information and analysis, $4,994,000 above the request and $4,036,000 above the 2003 enacted level. This includes transfers of $1,405,000 from both the Federal and cooperative forest health accounts, and a program increase of $1,304,000 for this activity. This consolidates all FIA activities in this activity, and in one account within the research and development account. These funds should be used in partnership with the State foresters and others to enhance the forest inventory and analysis program, which is managed within the forest research and development branch. The funds should be used to accelerate the inventory cycle time.

International Program.—The Committee recommends $6,000,000 for the international program, $941,000 above the request and $287,000 above the fiscal year 2003 funding level. The Committee is encouraged by the successful partnerships in the international program and the growing importance of maintaining expertise in this arena.

NATIONAL FOREST SYSTEM

Within the National Forest System, which covers 192 million acres, there are 51 Congressionally designated areas, including 20 National recreation areas, and 7 National scenic areas. The NFS includes a substantial amount of the Nation's softwood inventory. In fiscal year 2002 over 208,000 acres of national forest vegetation was managed through timber sale activities, which produced 1.7 billion board feet of timber products. Nearly 8,800 farmers and ranchers pay for permits to graze cattle, horses, sheep and goats on 90 million acres of grassland, open forests, and other forage-producing acres of the National forest system. The NFS includes over 133,000 miles of trails and 23,000 developed facilities, including 4,389 campgrounds, 58 major visitor centers, and about one-half of the Nation's ski-lift capacity. Wilderness areas cover 35 million acres, nearly two-thirds of the wilderness in the contiguous 48 States. The Forest Service also has major habitat management responsibilities for more than 3,000 species of wildlife and fish, and 10,000 plant species and provides important habitat and open space for over 400 threatened or endangered species. Half of the Nation's big game habitat and coldwater fish habitat, including salmon and steelhead, is located on National forest system lands and waters. In addition, in the 16 western States, where the water supply is sometimes critically short, about 55 percent of the total annual yield of water is from National forest system lands.

Appropriation enacted, 2003	$1,353,444,000
Budget estimate, 2004	1,369,573,000
Recommended, 2004	1,400,792,000
Comparison:	
Appropriation, 2003	+47,348,000
Budget estimate, 2004	+31,219,000

The amounts recommended by the Committee compared with the budget estimates by activity are shown in the following table:

(dollars in thousands)

	FY 2003 Enacted	FY 2004 Request	Recommended	Recommended versus Enacted	Recommended versus Request
National Forest System					
Land management planning	71,726	70,868	73,929	+2,203	+3,061
Inventory and monitoring	174,216	177,796	173,496	-720	-4,300
Recreation, heritage and wilderness	252,542	254,941	262,282	+9,740	+7,341
Wildlife and fish habitat management	132,936	134,794	138,325	+5,389	+3,531
Grazing management	40,584	43,180	46,871	+6,287	+3,691
Forest products	263,628	268,019	273,504	+9,876	+5,485
Vegetation and watershed management	189,703	192,606	198,387	+8,684	+5,781
Minerals and geology management	52,293	54,065	54,065	+1,772	---
Landownership management	92,411	91,692	95,337	+2,926	+3,645
Law enforcement operations	80,275	80,628	83,612	+3,337	+2,984
Valles Caldera National Preserve	3,130	984	984	-2,146	---
Total, National Forest System	1,353,444	1,369,573	1,400,792	+47,348	+31,219

The Committee recommends $1,400,792,000 for the National forest system, $31,219,000 above the budget request and $47,348,000 above the 2003 funding level.

Land Management Planning.—The Committee recommends $73,929,000 for land management planning, $3,061,000 above the request and $2,203,000 above the 2003 level. The Committee remains concerned that forest plans need to be updated, but that management activities should not be unduly delayed further due to process-oriented litigation dealing with the age of a forest plan. Bill language in Title III addresses this situation.

Inventory and Monitoring.—The Committee recommends $173,496,000 for inventory and monitoring, $4,300,000 below the request, and $720,000 below the 2003 level. The Committee notes that $6,200,000 has been transferred to the research and development appropriation account for FIA activities, which were previously funded under this heading. Within the allocation, the Committee has included $500,000 for watershed assessments and adaptive management activities at the Lake Tahoe Basin, and $180,000 for the National Forests of North Carolina for inventories of potentially harvestable plants. The Committee notes that bill language is included in Title III amending and extending the pilot forest botanical product harvest program established in fiscal year 2000 but never implemented. The Committee recommends that botanists and other inventory specialists help implement this program so it can actually be started to aid sustainable management of plant resources.

Recreation, Heritage and Wilderness.—The Committee recommends $262,282,000 for recreation heritage and wilderness, $7,341,000 above the request and $9,740,000 above the 2003 level. Volunteer work and contributions by the recreation community are impressive and accordingly the Committee has provided funding increases in support of these efforts. Within the increase, the Committee has included $100,000 for the Colville NF, WA, for an EIS on the 49 Degrees North Ski Hill, and $150,000 for the Finger Lakes NF, NY, for an EIS covering potential building for visitor services.

The Committee directs continued funding above the request, and reporting requirements, for national scenic and historic trails as in fiscal year 2003, including $1,500,000 for trails where the Forest Service has prime responsibility and $400,000 for trails where the Forest Service shares responsibility. In addition, the Forest Service should maintain a full time Pacific Crest Trail (PCT) manager, provide funds to work with the Pacific Crest Trail Association, and aid PCT trail relocation reviews. The Forest Service should make every effort to work with volunteer groups, which contribute work, time, and money to enhance Federal resources.

The Committee is particularly concerned about the situation affecting outfitting and guide operations on national forest system wilderness areas in the High Sierra range on the Inyo and Sierra National Forests, CA. Outfitting and guide operations provide an important service to the public. The Forest Service should work to assure that these activities are managed at sustainable levels to achieve an appropriate balance of recreation opportunities for both the guided and non-guided public. The Forest Service should use an appropriate amount of the funding increase for recreation and

wilderness to support and continue outfitter and guide operations on these two forests for the benefit of the public. Forest managers should work closely with the outfitters and others to see that permits are renewed as fast as possible and that public use of wilderness is not diminished. Bill language is included within Administrative provisions to require a report which will aid the outfitter and guide permitting process on these two national forests.

The Committee appreciates the efforts of the Bureau of Land Management (BLM) and the Forest Service to assess the current status of access to the lands that they manage. The Committee feels strongly that the agencies should continue to take proactive steps to provide adequate public access for recreation. Therefore, the Committee directs the BLM and the Forest Service to submit to the Committee, by May 30, 2004, a coordinated strategic plan which indicates how the agencies will: (1) inventory and identify the ownership of roads, trails, access points and existing public rights-of-way within their units; (2) identify a priority list of perpetual access easements needed to provide adequate permanent legal access to enhance the recreation potential of public lands; and (3) establish a process and timeline for developing up-to-date recreational access plans for individual forest and public land units.

Wildlife and Fish Habitat Management.—The Committee recommends $138,325,000 for wildlife and fish habitat management, an increase of $3,531,000 above the request and $5,389,000 above the 2003 level. Included in the increase above the request is $150,000 to continue the threatened, endangered and sensitive species inventory work on the National Forests in North Carolina; the remainder is for fixed costs.

Grazing Management.—The Committee recommends $46,871,000 for grazing management, $3,691,000 above the request and $6,287,000 above the 2003 funding level. The Committee has provided this large increase to help the forests get on track with NEPA work required for updating allotment management plans and for providing important rangeland project inventories. Within Title III—General Provisions, the Committee has included bill language which provides continuity for permitees while these environmental assessments are being completed.

Forest Products.—The Committee recommends $273,504,000 for forest products, $5,485,000 above the request and $9,876,000 above the 2003 funding level. The increase includes a $300,000 increase to the base program on the National Forests in North Carolina. The Committee encourages the Forest Service to use the expanded stewardship end-result contracting authority as an important tool to help manage and improve forestland. As the service expands this implementation, it should keep track of these projects and report regularly to the Congress, and the Service should include provisions for independent, outside second party monitoring.

Vegetation and Watershed Management.—The Committee recommends $198,387,000 for vegetation and watershed management, $5,781,000 above the budget request and $8,684,000 above the 2003 funding level. The increase above the request includes $1,000,000 for watershed recovery efforts on the Wayne NF, OH, $1,000,000 for priority forest improvement work on the Colville NF, WA, $300,000 for noxious weed work in eastern Washington, $200,000 to complete the Waldo Lake, OR, scientific watershed as-

sessment, and $600,000 for watershed improvement activities in the Lake Tahoe Basin. Managers on the Colville NF are encouraged to use categorical exclusions for projects using this new funding.

Minerals and Geology Management.—The Committee recommends $54,065,000 for minerals and geology management as requested, an increase of $1,772,000 above the 2003 funding level.

Land Ownership Management.—The Committee recommends $95,337,000 for land ownership management, $3,645,000 above the request and $2,926,000 above the 2003 funding level. The Committee provides this increase because of the huge operational backlog and shortfall in this program area, which provides vital, basic public service. The Committee expects the Forest Service to maintain the full-time lands team to work on the Pacific Crest Trail project and other similar projects.

Law Enforcement Operations.—The Committee recommends $83,612,000 for law enforcement operations, $2,984,000 above the budget request and $3,337,000 above the 2003 funding level. This funding allocation should maintain funding at the fiscal year 2003 levels for the Daniel Boone National Forest, KY, and the Mark Twain NF, MO.

Other.—The Committee has provided $984,000 as requested for management of the Valles Caldera National Preserve, NM, but notes that if there are specific infrastructure needs, such funding should be requested under the capital improvement and maintenance appropriation and compete with other Forest Service projects.

The Committee directs that overall funding for Land Between the Lakes NRA (KY and TN) be no less than $8,400,000. The Forest Service should determine the appropriate funding mix from all accounts, not just the NFS appropriation.

The Committee recommendation includes the full funding requested by the Administration for the Quincy Library Group project in California.

Challenge Cost Share Program.—The Committee remains concerned that the Forest Service has allowed the partnership activities of the Challenge Cost Share program and similar efforts to languish. The Committee directs the Forest Service to continue implementing the instructions provided in fiscal year 2003 for these activities, including incorporating such work into the budget, by budget line item, and displaying this in subsequent budget justifications.

WILDLAND FIRE MANAGEMENT

Appropriation enacted, 2003	$2,006,968,000
Budget estimate, 2004	1,541,775,000
Recommended, 2004	1,624,632,000
Comparison:	
Appropriation, 2003	−382,336,000
Budget estimate, 2004	+82,857,000

The Committee recommends $1,624,632,000 for wildland fire management, $82,857,000 above the budget request and $382,336,000 below the 2003 funding level (which included $636,000,000 to repay partially previous emergency fire suppression expenditures). The Committee recognizes the serious situation concerning wildland fire management and the need for a sustained

commitment of resources and talent throughout the Nation to implement the National fire plan. This effort requires an integrated approach utilizing skills across the entire spectrum of the agency and from many partners, especially the States.

The national fire plan directed by the Congress and agreed to by the Administration and the Nation's governors includes four major areas of focus, as well as the need for accountability and research and development for all aspects. The Administration's budget request recognizes only two aspects, fighting fires and reducing hazardous fuels; the request nearly ignores the other two critical aspects: restoration and rehabilitation, and community assistance. The Committee has used the scarce resources available to support these latter aspects, as well as insist on adequate accountability and support for research and development for this multi-billion dollar endeavor.

Bill Language.—The Committee has continued bill language from fiscal year 2003, which provides expanded contracting and cooperative agreement authorities that facilitate wildfire management and hazardous fuels reduction activities, especially in the wildland-urban interface. The Committee has also included bill language allowing the transfer between the Department of Agriculture and the Department of the Interior of up to $12,000,000 to facilitate joint projects. The Committee remains very concerned that the Knutson-Vandenberg (KV) reforestation fund has been used to fund emergency fire suppression operations and that these funds have not been repaid. The Committee expects the Administration to make a good faith effort to repay the KV-fund so that vital reforestation and land improvement activities are not put at jeopardy.

Wildfire Preparedness.—The Committee recommends $698,000,000 for wildfire management preparedness, an increase of $88,253,000 above the request and $20,004,000 above the enacted level. The Committee notes that the Forest Service with Congressional encouragement reprogrammed $66,000,000 into this account from the suppression activity, in order to maintain an adequate fire-fighting work force and initial attack capability. The Committee understands that it is imperative to maintain fire-fighting readiness so that initial attack has a greater chance of putting fires out while they are small, less destructive and less expensive to suppress. Accordingly, the Committee has realigned some of the fire suppression funding into the preparedness activity in order to help prevent run-away, large fire incidents which command so much emergency funding and are so destructive to the environment, property, and lives.

The Committee is concerned that the allocation of funds between preparedness and suppression operations may not maintain the levels of readiness needed for public safety that were established in fiscal years 2001 and 2002. The Committee believes that decisive action is necessary to manage escalating fire suppression costs. An important component of reducing such costs is maintaining initial attack capability so that more fires can be contained before they escape and cause serious loss of life and property as well as natural resource damage. Accordingly, the Committee directs the Forest Service to analyze current readiness levels to determine whether maintaining preparedness resources in the field at a level not less than that established in fiscal year 2002, will, based on the best

information available, result in lower overall firefighting costs. If the agency makes such a determination, the Committee directs the Forest Service to adjust the levels for preparedness and suppression funding accordingly and report on these adjustments to the House and Senate Committees on Appropriations. The Department should advise the House and Senate Committees on Appropriations in writing prior to their decision.

Wildfire Suppression Operations.—The Committee recommends $520,000,000 for wildfire suppression operations, $84,580,000 below the request but an increase of $168,036,000 above the non-emergency funding for this activity in fiscal year 2003.

The Committee remains concerned about rising suppression costs and the lack of incentives to consider costs during large-fire incidents. The Forest Service, along with the Department of the Interior, should be sure that cost containment is an important priority when suppressing wildland fires. Therefore, the Committee directs the Forest Service and the Department of the Interior to continue reports directed in fiscal year 2003, and also to contract with the National Academy of Public Administration to continue their work to help reform fire procurement procedures and develop joint planning with States and regions which are coordinated with Department of Homeland Security emergency procedures.

The Committee is encouraged by the Forest Service's use of a private contract with commercial providers of off-duty or trained personnel with law enforcement backgrounds to provide security services in firefighting camps. The Committee believes that a long-term contract for fire camp security services is desirable from an operational and cost perspective. Such a contract would go to an experienced commercial provider of such personnel, and it should include a base level deployable security team and additional on-call or standby security teams as needed in fire camps.

Other Wildfire Operations.—The Committee recommends $406,632,000 for other wildfire operations, an increase of $79,184,000 above the request and an increase of $65,624,000 above the fiscal year 2003 level. The Committee recommends the following distribution of funds for these vital portions of the national fire plan:

OTHER WILDFIRE OPERATIONS

[In thousands of dollars]

	Request	Committee recommendation
Hazardous Fuels	$231,392	$246,392
Rehabilitation and restoration	0	40,000
Fire Facilities Backlog	0	0
Research and Development	21,427	22,000
Joint Fire Science	8,000	8,000
State Fire Assistance	46,455	51,000
Volunteer Fire Assistance	8,240	8,240
Forest Health—Federal Lands	6,955	10,000
Forest Health—Cooperative Lands	4,979	15,000
Economic Action Programs	0	6,000
Subtotal—Other Wildfire Operations	327,448	406,632

The Committee has provided $246,392,000 for hazardous fuels reduction work, an increase of $15,000,000 above the budget re-

quest and an increase of $19,765,000 above the fiscal year 2003 level. The Committee has included an increase above the base of $5,000,000 for urgent treatments on the San Bernardino NF, CA, caused by drought and a catastrophic bark beetle outbreak. The overall allocation also continues the previous funding of $5,000,000 for the Community Forest Restoration Act and up to $15,000,000 for use on adjacent non-Federal lands when hazard reduction activities are planned on national forest system lands, and no less than $3,500,000 for work in Arizona.

The Committee has also restored $40,000,000 for the burned area rehabilitation and restoration program first proposed in fiscal year 2001. The Committee expects the Forest Service, in close partnership with the Department of the Interior, to continue the native plant program with at least $2,000,000. This expanded program is designed to go beyond emergency stabilization to include the reintroduction of native plants into these burned over areas before exotic species can gain a foothold, and to encourage rural industries to produce plant materials.

The Committee has provided $8,000,000 for the joint fire science program, the same as the enacted level. This program is producing important scientific and technical information, often in collaboration with the Nation's forestry schools, that is needed to support the large effort concerning hazardous fuels and other fire management issues. The Committee has also provided funding for research and development activities within the national fire plan.

The Committee has provided $51,000,000 for State fire assistance, $4,545,000 above the request and $4,748,000 above the enacted level. This funding is in addition to the $36,000,000 provided under the State and private forestry heading. The Committee has also included $8,240,000 for volunteer fire assistance as requested; this brings the volunteer fire funding to a total of $13,340,000. Other community assistance funding provided in support of the national fire plan is $6,000,000 for economic action programs; this funding was not requested by the Administration but it supports important forestry capacity building to help develop markets for wood products.

The Committee has provided $25,000,000 for the forest health portion of the national fire plan, including $10,000,000 for Federal lands and $15,000,000 for cooperative efforts with the States and others. This funding level is $13,066,000 above the request and $8,176,000 above the enacted level. This funding should be used in conjunction with the similar funding in State and private forestry to establish a more integrated approach to forest health, including prevention, and restoration and rehabilitation of forests and rangelands. The Committee expects the Forest Service to focus on major problems, such as southern pine beetles, western mountain bark beetles, adelgids, and other pests and pathogens, which harm forests and subsequently increase wildfire hazards.

CAPITAL IMPROVEMENT AND MAINTENANCE

Appropriation enacted, 2003	$548,450,000
Budget estimate, 2004	524,571,000
Recommended, 2004	560,473,000
Comparison:	
Appropriation, 2003	+12,023,000
Budget estimate, 2004	+35,902,000

The Committee recommends $560,473,000 for capital improvement and maintenance, $12,023,000 above the enacted level and $35,902,000 above the request.

The Committee agrees to the following distribution of funds:

[In thousands of dollars]

Activity or project	FY 2003 enacted	2004 budget request	Committee recommendation	Change from request
Facilities:				
Maintenance	$93,315	$97,942	$97,942	0
Capital improvement	85,441	102,934	93,993	−$8,941
Congressional priorities:				
Allegheny NF recreation projects, PA			975	975
Bradford RD office completion, PA			190	190
Cherokee NF, Chilhowee rec area I & II, TN			674	674
Cradle Forestry rehab & exhibits, NC			175	175
D. Boone NF, recreation improvements, KY			795	795
Nantahala NF Santeetlah Lake boat ramp improvements, NC			1,250	1,250
Nantahala NF Jackrabbit rec area, NC			1,030	1,030
Pisgah NF, Lake Powhatan cmpgrd rehab, NC			1,660	1,660
Pisgah NF, Mortimer Recreation Area, NC			200	200
San Bernardino NF sanitation rehab, CA			725	725
Southern Research Station, global change bldg p&d			500	500
Waldo Lake sanitation improvements, OR			450	450
Subtotal Congressional priorities	23,556	0	8,624	8,624
Subtotal Facilities	202,312	200,876	200,559	−317
Roads:				
Maintenance	152,361	160,568	157,000	−3,568
Capital improvement	70,538	84,790	79,000	−5,790
Caribbean NF emergency repairs, PR			525	525
Chattahooche NF Rich Mtn rd, GA			318	318
Coweeta research center improvements, NC			125	125
Lake Tahoe basin, rehab & decommissioning, CA NV			1,350	1,350
Mt. Hood NF, Cloud Cap & Hood River Meadows, OR			396	396
Subtotal Congressional priorities	8,445		2,714	2,714
Subtotal Roads	231,344	245,358	238,714	−6,644
Trails:				
Maintenance	36,426	42,592	39,000	−3,592
Capital improvement	29,969	35,745	33,000	−2,745
Congressional priorities:				
D. Boone NF, Cave Run & Laurel Lake horse trails, KY			500	500
Florida National scenic trail			500	500
Pacific Crest trail improvements, CA OR WA			850	850
Mount Yonah and Pinhoti Trails, GA			350	350
Subtotal Congressional priorities	2,831		2,200	2,200
Subtotal Trails	69,226	78,337	74,200	−4,137
Infrastructure Improvement:				
Fish passage barriers	4,968	0	7,000	7,000
Deferred Maintenance	40,600	0	40,000	40,000
Subtotal Infrastructure Improvement	45,568	0	47,000	47,000
Total	$548,450	$524,571	$560,473	$35,902

Facilities.—The Committee recommends $200,559,000 for facilities maintenance and capital improvement, $317,000 below the request and $1,753,000 below the fiscal year 2003 level. The Com-

mittee has fully funded the request for facility maintenance. The Committee has funded the capital improvement request but no funding is provided for the Rapid City, SD or Juneau/ANM, AK buildings. The recreation projects on the Allegheny NF, PA, include $150,000 to finish the Buckaloons campground, $400,000 to rehabilitate the Kiasatha campground, $300,000 to update the Red Bridge campground, and $125,000 for the Kinzua dam recreational pier. The recreation improvements on the Daniel Boone NF, KY, include $325,000 for the Cave Run-Caney site, $270,000 for the Natural Arch scenic area, and $200,000 for the wilderness gateway and canoe launch.

The Forest Service is encouraged to negotiate with the Air Force or the Inland Valley Development Agency to establish a lease for Building 3 (Norton) for the headquarters of the San Bernardino NF, CA.

Roads.—The Committee recommends $238,714,000 for road maintenance and capital improvement, $6,644,000 below the request and $7,370,000 above the fiscal year 2003 level. The Committee has maintained the road decommissioning authority at $15,000,000. Funds provided for emergency repairs on the Caribbean NF, PR, may be transferred to the national forest system appropriation as needed for environmental assessments required for this purpose. The Committee expects to continue to receive regular updates, and a continued display in the budget justification, on progress in addressing the huge backlog of deferred maintenance and repair, especially as it relates to the activities funded through the road and trails fund, the pilot conveyance authority and the infrastructure improvement funds provided in the conservation spending category.

Trails.—The Committee recommends $74,200,000 for trails maintenance and capital improvement, $4,137,000 below the request and $4,974,000 above the fiscal year 2003 level. Under the national forest system account specific directions are included for National scenic and historic trails operations.

Infrastructure Improvement.—The Committee has included $47,000,000 for infrastructure improvement, which was not requested this year, $1,432,000 above the fiscal year 2003 enacted level. This includes $40,000,000 for deferred maintenance, a decrease of $600,000 from the enacted level. The Committee also recommends $7,000,000 to continue the program to help remediate salmonid fish passage problems at road crossings. This funding should be allocated for priority projects in regions 6 and 5, and activities should be coordinated with States, other Federal agencies, watershed councils and others to help determine priority projects.

LAND ACQUISITION

Appropriation enacted, 2003	$132,945,000
Budget estimate, 2004	44,130,000
Recommended, 2004	29,288,000
Comparison:	
Appropriation, 2003	−103,657,000
Budget estimate, 2004	−14,842,000

The Committee recommends $29,288,000 for land acquisition, a decrease of $14,842,000 below the budget request and $103,657,000 below the enacted level. This amount includes $11,000,000 for land

acquisition projects, $14,914,000 for acquisition management, $1,374,000 for cash equalization, and $2,000,000 for inholdings.

The Committee is concerned with the expenditure of land acquisition management funds in the National Forest Service. The Committee directs the Forest Service to provide a detailed report by March 1, 2004 that includes all expenditures including overhead, salaries, appraisals, survey and other acquisition related costs paid for by acquisition management funds for the last three fiscal years. In addition, the report should include details of any other funding sources used to pay land acquisition management and support costs.

The Committee agrees to the following distribution of funds:

Project	*Amount*
Land Acquisition Projects	$11,000,000
Acquisition Management	14,914,000
Cash Equalization	1,374,000
Inholdings	2,000,000
Total	29,288,000

ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL ACTS

Appropriation enacted, 2003	$1,062,000
Budget estimate, 2004	1,069,000
Recommended, 2004	1,069,000
Comparison:	
Appropriation, 2003	+7,000
Budget estimate, 2004	0

The Committee recommends $1,069,000 for acquisition of lands for National forests, special acts, as requested. These funds are used pursuant to several special acts, which authorize appropriations from the receipts of specified National forests for the purchase of lands to minimize erosion and flood damage to critical watersheds needing soil stabilization and vegetative cover.

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

Appropriation enacted, 2003	$232,000
Budget estimate, 2004	234,000
Recommended, 2004	234,000
Comparison:	
Appropriation, 2003	+2,000
Budget estimate, 2004	0

The Committee recommends $234,000 as requested for acquisition of lands to complete land exchanges under the Act of December 4, 1967 (16 U.S.C. 484a). Under the Act, deposits made by public school districts or public school authorities to provide for cash equalization of certain land exchanges can be appropriated to acquire similar lands suitable for National forest system purposes in the same State as the National forest lands conveyed in the exchanges.

RANGE BETTERMENT FUND

Appropriation enacted, 2003	$3,380,000
Budget estimate, 2004	3,000,000
Recommended, 2004	3,000,000
Comparison:	
Appropriation, 2003	−380,000
Budget estimate, 2004	0

The Committee recommends $3,000,000, as requested, for the range betterment fund, to be derived from grazing receipts from the National forests (Public Law 94–579, as amended) and to be used for range rehabilitation, protection, and improvements including seeding, reseeding, fence construction, weed control, water development, and fish and wildlife habitat enhancement in 16 western States.

GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND RANGELAND RESEARCH

Appropriation enacted, 2003	$91,000
Budget estimate, 2004	92,000
Recommended, 2004	92,000
Comparison:	
Appropriation, 2003	+1,000
Budget estimate, 2004	0

The Committee recommends $92,000, the budget estimate, for gifts, donations and bequests for forest and rangeland research, an increase of $1,000 above the fiscal year 2003 level. Authority for the program is contained in Public Law 95–307 (16 U.S.C. 1643, section 4(b)). Amounts appropriated and not needed for current operations may be invested in public debt securities. Both the principal and earnings from the receipts are available to the Forest Service.

MANAGEMENT OF NATIONAL FOREST LANDS FOR SUBSISTENCE USES

Appropriation enacted, 2003	$5,506,000
Budget estimate, 2004	5,535,000
Recommended, 2004	5,535,000
Comparison:	
Appropriation, 2003	+29,000
Budget estimate, 2004	0

The Committee recommends $5,535,000, the same as the request and $29,000 above the enacted level, for the management of national forest lands for subsistence uses in Alaska.

ADMINISTRATIVE PROVISIONS, FOREST SERVICE

The Committee has retained administrative provisions contained in previous years. The Committee has provided for a program of $2,000,000 for the Youth Conservation Corps. The Committee has also continued the authority for transfers to the National Forest Foundation and the National Fish and Wildlife Foundation. The Committee is encouraged by these partnership efforts. The Committee is allowing $300,000 in administrative funds to be used by the National Forest Foundation for one more year despite the Administration's request to end this support. The Committee has also continued the wildland fire transfer authority, which allows use of funds from other accounts available to the Forest Service during wildfire emergencies when other wildfire emergency funds are not available. The Committee expects the Administration to prepare promptly supplemental budget requests when they transfer funds from other appropriations during wildfire emergencies.

The Committee is very concerned by the recent announcement by the Department of Labor that it intends to reduce the allocation of Title V Older Worker Employment funds for the Forest Service. The June 5, 2003 announcement proposed a funding level of

$20,500,000, approximately a 25 percent reduction below current staffing levels for this long-standing and successful partnership. Such an allocation would dramatically reduce the number of senior citizens in the National Forest System and would significantly affect services to the public. The Committee urges the Labor Department to reconsider this proposal as it completes its fiscal year 2003 funding plans for the Older Workers Employment program.

The Committee is very concerned about the Forest Service implementation of the Administration's "Competitive Sourcing" initiative. This issue is discussed in general terms in the front of this report and bill language is included under Title III—General Provisions limiting the use of funds for competitive sourcing to those currently underway. In particular, the Committee is concerned that the Department of Agriculture has moved much too quickly, spent large sums which should have gone for resource programs, and has paid inadequate attention to a previous Committee directive on this issue. House Report 107–564, which was supported by the statement of the managers for the Omnibus Appropriations Act for 2003 (House Report 108–10), specifically directed the Forest Service to re-do the Field Decisions Leadership Initiative which had directed specific, annual reductions in FTEs. The Committee understands that the Forest Service has continued on its proposed path, despite the proposal being rejected by the Congress, and expects to expend $10 million during fiscal year 2003 on direct contracts for competitive sourcing studies. Furthermore, the Committee understands that all forests and most contracting officers are heavily impacted by this work effort at a time when they should concentrate their attentions to responding to the disruption caused by last year's severe fiscal situation when most available funds were borrowed for emergency firefighting.

Another Committee concern deals with the issue of primary and ancillary duties of the Federal workforce of this land managing agency. Many of these employees perform their primary job, which may include several unrelated tasks, for most of the year, but during the wildland fire season they are shifted into wildfire related activities. All outsourcing studies need to take a government-wide perspective so potential adverse impacts to the government's emergency response capability are fully considered.

In addition to these issues, concerns have been raised to the Committee about the affect this competitive sourcing initiative may have on employment levels in rural economies, particularly in the west.

The Forest Service should follow the bill-wide instructions presented in the front of this report, and in addition, should update the "Forest Service Strategy for Improving Organization Efficiency" so it reflects this direction and does not follow any arbitrary targets for outsourcing studies. The Committee directs the Forest Service to provide the House and Senate Committees on Appropriations quarterly reports detailing competitive sourcing expenditures and activities, including costs of contracts and costs of agency personnel time, by budget line item, and include explanations of the resource programs which are not being implemented due to this increase in indirect costs. The Forest Service should provide local, public notice at least 30 days before beginning competitive sourcing studies,

which could reduce staffing by less than 65 persons in any single, rural office.

DEPARTMENT OF ENERGY

CLEAN COAL TECHNOLOGY

(DEFERRAL)

The Committee recommends the deferral of $86,000,000 in clean coal technology funding until fiscal year 2005. These funds are needed for the successful conclusion of existing clean coal projects but will not be required for obligation in fiscal year 2004.

The Committee has directly appropriated funding for the continued administration of this program and the follow-on clean coal power initiative under the fossil energy research and development account. It is important that these funds become a part of the recurring base budget for fossil energy research and development.

The Committee continues to support the U.S./China Energy and Environmental Center, which supports and assists the efforts of U.S. companies to promote the use of American clean energy technology in China. This technology will greatly reduce emissions and improve energy efficiency. Up to $1,000,000 in clean coal technology funding may be used for this purpose in fiscal year 2004.

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

Fossil energy research and development programs make prudent investments in long-range research and development that help protect the environment through higher efficiency power generation, advanced technologies and improved compliance and stewardship operations. These activities safeguard our domestic energy security. This country will continue to rely on traditional fuels for the majority of its energy requirements for the foreseeable future, and the activities funded through this account ensure that energy technologies continue to improve with respect to emissions reductions and control and energy efficiency.

Fossil fuels, especially coal, are this country's most abundant and lowest cost fuels for electric power generation. They are why this country enjoys the lowest cost electricity of any industrialized economy. The prospects for technology advances for coal and other fossil fuels are just as bright as those for alternative energy sources such as solar, wind, and geothermal. The power generation technology research funded under this account has the goal of developing virtually pollution-free power plants within the next 15 or 20 years and doubling the amount of electricity produced from the same amount of fuel.

Appropriation enacted, 2003	$620,837,000
Budget estimate, 2004	514,305,000
Recommended, 2004	609,290,000
Comparison:	
Appropriation, 2003	−11,547,000
Budget estimate, 2004	+94,985,000

The amounts recommended by the Committee compared with the budget estimates by activity are shown in the following table:

	(dollars in thousands)				
	FY 2003 Enacted	FY 2004 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Fossil Energy Research and Development					
Clean coal power initiative	149,025	130,000	130,000	-19,025	---
Fuels and Power Systems					
Central Systems					
Innovations for existing plants	22,056	22,000	22,000	-56	---
Advanced Systems					
Integrated gasification combined cycle	44,360	51,000	51,000	+6,640	---
Combustion systems including hybrid	10,332	---	5,000	-5,332	+5,000
Turbines	16,889	13,000	13,000	-3,889	---
Subtotal, Advanced Systems	71,581	64,000	69,000	-2,581	+5,000
Subtotal, Central Systems	93,637	86,000	91,000	-2,637	+5,000
Sequestration R&D					
Greenhouse gas control	39,939	62,000	40,800	+861	-21,200
Fuels					
Transportation fuels and chemicals	21,956	5,000	21,500	-456	+16,500
Solid fuels and feedstocks	5,961	---	6,060	+99	+6,060
Advanced fuels research	3,279	---	3,000	-279	+3,000
Subtotal, Fuels	31,196	5,000	30,560	-636	+25,560
Advanced Research					
Coal utilization science	8,941	9,000	9,000	+59	---
Materials	8,941	12,000	12,000	+3,059	---
Technology crosscut	11,078	9,500	11,500	+422	+2,000
University coal research	2,981	5,000	3,000	+19	-2,000
HBCUs, education and training	993	2,000	1,000	+7	-1,000
Subtotal, Advanced Research	32,934	37,500	36,500	+3,566	-1,000

(dollars in thousands)

	FY 2003 Enacted	FY 2004 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Distributed Generation Systems - Fuel Cells					
Advanced research	3,477	10,000	10,000	+6,523	---
Systems development	9,935	6,000	9,000	-935	+3,000
Vision 21-hybrids	13,412	5,000	13,000	-412	+8,000
Innovative concepts	33,779	23,500	35,500	+1,721	+12,000
Novel generation	3,005	2,500	2,500	-505	---
Subtotal, Distributed Generation Systems - Fuel Cells	63,608	47,000	70,000	+6,392	+23,000
Subtotal, Fuels and Power Systems	261,314	237,500	268,860	+7,546	+31,360
Gas					
Natural Gas Technologies					
Exploration and production	23,298	14,000	19,480	-3,818	+5,480
Gas hydrates	9,438	3,500	5,500	-3,938	+2,000
Infrastructure	8,991	---	9,000	+9	+9,000
Emerging processing technology applications	2,663	6,555	---	-2,663	-6,555
Effective environmental protection	2,623	2,500	2,500	-123	---
Subtotal, Gas	47,013	26,555	36,480	-10,533	+9,925
Petroleum - Oil Technology					
Exploration and production supporting research	23,248	2,000	17,200	-6,048	+15,200
Reservoir life extension/management	8,941	5,000	7,000	-1,941	+2,000
Effective environmental protection	9,836	8,000	8,000	-1,836	---
Subtotal, Petroleum - Oil Technology	42,025	15,000	32,200	-9,825	+17,200
Cooperative R&D	8,186	6,000	8,000	-186	+2,000
Fossil energy environmental restoration	9,652	9,715	9,715	+63	---
Import/export authorization	2,981	2,750	2,750	-231	---
Headquarters program direction	18,777	22,700	22,700	+3,923	---
Energy Technology Center program direction	68,452	70,085	70,085	+1,633	---
Clean coal program direction	---	---	15,000	+15,000	+15,000
General plant projects	6,954	3,000	3,000	-3,954	---

(dollars in thousands)

	FY 2003 Enacted	FY 2004 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Advanced metallurgical processes	5,961	10,000	10,000	+4,039	---
Use of prior year balances	---	-14,000	---	---	+14,000
Transfer from SPR petroleum account	---	-5,000	---	---	+5,000
National Academy of Sciences program review	497	---	500	+3	+500
Total, Fossil Energy Research and Development	620,837	514,305	609,290	-11,547	+94,985

The Committee recommends $609,290,000 for fossil energy research and development, an increase of $94,985,000 above the budget request and a decrease of $11,547,000 below the fiscal year 2003 level. The increase above the budget request is due, in part, to the fact that the budget assumed the use of $19,000,000 in prior year funds that are not available and did not include $15,000,000 for administration of the clean coal power initiative and its predecessor programs. Changes to the budget request are detailed below.

Clean Coal Power Initiative.—The Committee recommends $130,000,000, the budget request for the clean coal power initiative. The Committee is concerned that the $20,000,000 reduction to this program may delay achievement of program goals and asks the Department and the Administration to consider carefully a substantial increase for the program in fiscal year 2005.

Fuels and Power Systems.—The Committee recommends $268,860,000 for fuels and power systems including an increase of $5,000,000 for advanced systems/combustion systems including hybrids to replace the pressurized fluidized bed program. In sequestration research, there is a decrease of $21,200,000 including decreases of $8,000,000 for the ongoing fossil energy climate change programs and $13,200,000 for the proposed National climate change technology initiative. In transportation fuels and chemicals, increases include $6,000,000 for syngas membrane technology and $10,500,000 for the ultra clean fuels program. In solid fuels and feedstock, increases include $1,000,000 for premium carbon products, $3,000,000 for advanced separation technology, $2,000,000 for coal-derived jet fuels, and $60,000 for program support. In advanced fuels research there is an increase of $3,000,000 including $2,000,000 for the C–1 chemistry program. In advanced research, there is an increase of $2,000,000 in technology crosscut for the focus area for computational energy science and decreases of $2,000,000 for university coal research and $1,000,000 for historically black colleges and universities education and training. In distributed generation systems there is an increase of $23,000,000 including increases of $3,000,000 for fuel cell systems development to continue the molten carbonate program including the hybrid program, $8,000,000 for the vision 21 hybrids program to continue solid oxide fuel cell development including the hybrid program, and $12,000,000 for innovative systems to continue solid state energy conversion alliance programs.

Natural Gas Technologies.—The Committee recommends $36,480,000 for natural gas technologies. In exploration and production, there is a net increase of $5,480,000 including increases of $10,000,000 for advanced drilling, completion and stimulation, $4,000,000 for advanced diagnostics and imaging systems, $2,000,000 for National laboratory/industry partnerships, $1,200,000 for stripper well revitalization, $500,000 for technology transfer, $1,500,000 for Deep Trek, and $140,000 for program support, and a decrease of $13,860,000 for sustainable supply. The Committee notes that all of the existing programs support sustainable supply. Other increases include $2,000,000 for the gas hydrates program and $9,000,000 in natural gas infrastructure including $2,000,000 for storage technology and $7,000,000 for delivery reliability. There is also a decrease of $6,555,000 in emerging

processing technology for research on producing hydrogen from natural gas.

Oil Technology.—The Committee recommends $32,200,000 for oil technology. In exploration and production supporting research, increases include $2,000,000 for advanced drilling, completion and stimulation, $5,000,000 for advanced diagnostics and imaging systems, $2,000,000 for National laboratory/industry partnerships, $5,000,000 for reservoir efficiency processes, $1,000,000 for cooperative research with Russia, and $200,000 for program support. There is also an increase of $2,000,000 for the reservoir life extension program.

Other.—The Committee recommends increases of $2,000,000 for cooperative research and development, $15,000,000 for administration of the clean coal power initiative and its predecessor programs (to be divided appropriately between headquarters program direction and field office (National Energy Technology Laboratory) program direction), $14,000,000 because prior year funds (as proposed for us by the Administration to offset 2004 requirements) are not available, $5,000,000 because funds are not available to transfer from the Strategic Petroleum Reserve petroleum account and $500,000 for ongoing program reviews by the National Academy of Sciences.

The Committee agrees to the following:

1. The Committee recognizes the importance of research competitions involving university students as a cost effective strategy, and expects the Department to incorporate this strategy in its fossil energy fuel cells research programs and other important research areas. The Department should establish such university competitions to stimulate private sector research, innovation, and technology deployment to enhance the accomplishments of mission-essential, core technology goals.

2. The Administration's recently announced "Future Gen" program is an interesting concept, but it needs to be fully justified in future budgets before it can be considered for funding by the Committee. The funding for this program cannot come at the expense of other import fossil energy research and development programs.

3. Funds for administration of the remaining clean coal technology projects and the new clean coal power initiative projects need to remain in the base budget for fossil energy research and development. The $15,000,000 recommended by the Committee should be appropriately divided between headquarters and field office (NETL) program direction.

4. Oil and natural gas research is critical to improving current technology and ensuring the best use of our domestic oil and gas reserves. These research areas need more serious consideration in future budgets.

5. The Russia technology program should include the expansion of seismic data from four Arctic basins, the identification of potential reservoir classes where technologies could add the greatest volumes of economically recoverable oil, and the development of operational practices for production, transportation, and export that adhere to international standards.

6. In general plant projects, $2,000,000 is provided for NETL and $1,000,000 is for the Albany, OR research center.

7. The proposed use of prior year funds and the transfer of Strategic Petroleum Reserve account funds to offset fossil energy research and development requirements in fiscal year 2004 are not agreed to. Congress rescinded the SPR account funds in fiscal year 2003.

8. The National Climate Change Technology Initiative is not recommended for funding. NCCTI should be more clearly defined. The concerns expressed in the recent National Academies review should be addressed and the program should be fully justified and funding requested in future budgets as a separate account in the Energy and Water appropriations bill.

9. Several programs funded in the energy conservation account need to be closely coordinated with fossil energy programs so that the highest priority energy research projects are funded. They include the cooperative programs with States and the energy efficiency science initiative. Half of the funding for the energy efficiency science initiative is managed by fossil energy, as legislated in the fiscal year 2003 Interior and Related Appropriations Act, so that the highest priority energy research projects are funded. This same direction applies to the mining industry of the future program, the industrial gasification program and the reciprocating engines program.

10. The $500,000 for the National Academy of Sciences review of programs should remain in the base for a continuing annual review by the Academy of programs, using the Academy's matrix, to measure the relative benefits expected to be achieved and to inform decision making on what programs should be continued, expanded, scaledback, or eliminated.

NAVAL PETROLEUM AND OIL SHALE RESERVES

The Naval Petroleum and Oil Shale Reserves are managed by the Department of Energy to achieve the greatest value and benefit to the Government. In fiscal year 1998, NPR–1 (Elk Hills) was sold as mandated by the National Defense Authorization Act for fiscal year 1996. That Act also directed the Department to conduct a study of the remaining properties—3 Naval Oil Shale Reserves and NPR–2 and NPR–3. The National Defense Authorization Act for fiscal year 1998 directed the transfer of two of the oil shale reserves (NOSR–1 and NOSR–3) to the Department of the Interior. On January 14, 2000, the Department announced it would return a portion of the NOSR–2 property in Utah to the Ute Indian Tribe. Two properties remain under the jurisdiction of the Department of Energy. They are NPR–2 in Kern County, CA and NPR–3 in Natrona County, WY. The DOE continues to be responsible for routine operation and maintenance of NPR–3, management of the Rocky Mountain Oilfield Testing Center at NPR–3, lease management at NPR–2, and continuing environmental and remediation work at Elk Hills. For several years after the sale of Elk Hills, these programs were operated largely with prior year unobligated balances. Those balances were mostly exhausted by fiscal year 2003 and appropriations to the account were restored in that year.

Appropriation enacted, 2003	$17,715,000
Budget estimate, 2004	16,500,000
Recommended, 2004	20,500,000
Comparison:	
Appropriation, 2003	+2,785,000
Budget estimate, 2004	+4,000,000

The amounts recommended by the Committee compared with the budget estimates by activity are shown in the following table:

(dollars in thousands)

	FY 2003 Enacted	FY 2004 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Naval Petroleum and Oil Shale Reserves					
Oil Reserves					
Production and operations	---	9,101	12,101	+12,101	+3,000
Management	--	7,399	8,399	+8,399	+1,000
Naval petroleum reserves Nos. 1 & 2	5,391	---	---	-5,391	---
Naval petroleum reserve No. 3	6,805	---	---	-6,805	---
Program direction (headquarters)	5,519	---	---	-5,519	---
Total, Naval Petroleum and Oil Shale Reserves	17,715	16,500	20,500	+2,785	+4,000

The Committee recommends $20,500,000 for the operation of the naval petroleum and oil shale reserves, an increase of $4,000,000 above the budget request and $2,785,000 above the fiscal year 2003 level. The increase to the budget is to restore funding for the Rocky Mountain Oilfield Testing Center, including $3,000,000 for production and operations and $1,000,000 for management.

ELK HILLS SCHOOL LANDS FUND

Payment to the Elk Hills school lands fund was part of the settlement associated with the sale of Naval Petroleum Reserve Numbered 1. Under the settlement, payments to the fund are to be made over a period of seven years.

The Committee recommends $36,000,000 for the Elk Hills school lands fund, which is equal to amount available for fiscal year 2003. The Committee recommends that these funds be made available on October 1, 2004, rather than on October 1, 2003 as proposed in the budget. The Committee's recommendation is consistent with the payment of these funds in each of the past few years. This represents the sixth of seven payments to the fund, which was established as a part of the sale of the Elk Hills Naval Petroleum Reserve in California (to settle school lands claims by the State).

ENERGY CONSERVATION

The energy conservation program of the Department of Energy conducts cooperative research and development projects aimed at sustaining economic growth through more efficient energy use. Activities financed through this program focus on improving existing technologies and developing new technologies related to residential, commercial, industrial and transportation energy use. In fiscal year 2001, funds and programs were transferred from the building sector and industry sector research activities to establish a new distributed generation activity that addresses critical energy needs for next generation clean, efficient, fuel flexible technologies for industrial, commercial and institutional applications. These technologies use the waste heat energy rejected during electricity generation from microturbines, reciprocating engines, and fuel cells in the form of cooling, heating and power. This waste heat utilization is referred to as "combined heat and power". Also funded under the energy conservation heading are the Federal energy management program, which focuses on improving energy efficiency in Federal buildings, the low-income weatherization assistance program, and State energy program grants.

Appropriation enacted, 2003	$891,769,000
Budget estimate, 2004	875,793,000
Recommended, 2004	879,487,000
Comparison:	
Appropriation, 2003	−12,282,000
Budget estimate, 2004	+3,694,000

The amounts recommended by the Committee compared with the budget estimates by activity are shown in the following table:

(dollars in thousands)

	FY 2003 Enacted	FY 2004 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Energy Conservation					
Vehicle technologies	---	157,623	184,423	+184,423	+26,800
Fuel cell technologies	---	77,500	56,500	+56,500	-21,000
Weatherization and intergovernmental activities					
Weatherization assistance grants	---	288,200	225,000	+225,000	-63,200
State energy program grants	---	38,798	45,000	+45,000	+6,202
State energy activities	---	2,353	2,353	+2,353	---
Gateway deployment	---	27,609	35,109	+35,109	+7,500
Total, Weatherization and intergovernmental acivities	---	356,960	307,462	+307,462	-49,498
Distributed energy resources	---	51,784	64,284	+64,284	+12,500
Building technologies	---	52,563	58,963	+58,963	+6,400
Industrial technologies	---	64,429	97,729	+97,729	+33,300
Biomass and biorefinery systems R&D	---	8,808	---	---	-8,808
Federal energy management program	---	19,962	19,962	+19,962	---
National climate change technology initiative	---	9,500	---	---	-9,500
Program management	---	76,664	90,164	+90,164	+13,500
Building Technology, State and Community Sector					
Building research and standards					
Technology roadmaps and competitive R&D	2,342	---	---	-2,342	---
Residential buildings integration	12,397	---	---	-12,397	---
Commercial buildings integration	4,481	---	---	-4,481	---
Equipment, materials and tools	40,155	---	---	-40,155	---
Subtotal, Building research and standards	59,375	---	---	-59,375	---
Building Technology Assistance					
Weatherization assistance	223,537	---	---	-223,537	---
State energy program	44,708	---	---	-44,708	---

(dollars in thousands)

	FY 2003 Enacted	FY 2004 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Community partnerships	17,920	---	---	-17,920	---
Energy star program	4,173	---	---	-4,173	---
Subtotal, Building technology assistance	290,338	---	---	-290,338	---
Management and planning	14,001	---	---	-14,001	---
Subtotal, Building Technology, State and Community Sector	363,714	---	---	-363,714	---
Federal Energy Management Program					
Program activities	19,299	---	---	-19,299	---
Program direction	4,426	---	---	-4,426	---
Subtotal, Federal Energy Management Program	23,725	---	---	-23,725	---
Industry Sector					
Industries of the future (specific)	71,646	---	---	-71,646	---
Industries of the future (crosscutting)	58,228	---	---	-58,228	---
Management and planning	7,585	---	---	-7,585	---
Subtotal, Industry Sector	137,459	---	---	-137,459	---
Power Technologies					
Distributed generation technologies development	68,585	---	---	-68,585	---
Management and planning	1,609	---	---	-1,609	---
Subtotal, Power Technologies	70,194	---	---	-70,194	---
Transportation					
Vehicle technology R&D	163,212	---	---	-163,212	---
Fuels utilization R&D	20,052	---	---	-20,052	---
Materials technologies	37,157	---	---	-37,157	---
Technology deployment	15,995	---	---	-15,995	---
Management and planning	10,035	---	---	-10,035	---
Subtotal, Transportation	246,451	---	---	-246,451	---

(dollars in thousands)

	FY 2003 Enacted	FY 2004 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Policy and management	41,780	---	---	-41,780	---
National Academy of Sciences program review	497	---	---	-497	---
Cooperative programs with States	2,981	---	---	-2,981	---
Energy efficiency science initiative	4,968	---	---	-4,968	---
Total, Energy Conservation	891,769	875,793	879,487	-12,282	+3,694

The Committee recommends $879,487,000 for energy conservation, an increase of $3,694,000 above the budget request and a decrease of $12,282,000 below the fiscal year 2003 level. Changes to the budget request are detailed below.

Vehicle Technologies.—The Committee recommends $184,423,000 for vehicle technologies. There is an increase of $500,000 in innovative concepts for graduate automotive technology education and a decrease of $5,000,000 in hybrid and electric propulsion/energy storage for exploratory technology. In advanced combustion engine, increases include $9,000,000 for combustion and emissions control in light and heavy-duty vehicles, $6,000,000 for heavy truck engines, and $3,500,000 for off-highway vehicles. There is an increase of $1,600,000 in materials technology for the High Temperature Materials Laboratory. In fuels technology, increases include $9,400,000 for advanced petroleum based fuels, $3,000,000 for environmental impacts, and a net increase of $1,100,000 for non-petroleum fuels including increases of $500,000 for medium trucks, $600,000 for heavy trucks, and $800,000 for fueling infrastructure, and a decrease of $800,000 for renewable and synthetic fuels. In technology introduction, there are decreases of $800,000 for legislative and rulemaking activities, $500,000 for testing and evaluation, and $100,000 for advanced vehicle competitions. There is also a decrease of $900,000 for the biennial FreedomCAR peer review.

Fuel Cell Technologies.—The Committee recommends $56,500,000 for fuel cell technologies including decreases of $1,000,000 for transportation systems, $5,000,000 for stack component research, and $15,000,000 for technology validation/demonstrations.

Weatherization and Intergovernmental Activities.—The Committee recommends $307,642,000 for weatherization and intergovernmental activities including a decrease of $63,200,000 for weatherization assistance and increases of $6,202,000 for State energy programs and $7,500,000 for gateway deployment of which $2,000,000 is for Rebuild America, $4,000,000 is for clean cities, and $1,500,000 is for inventions and innovations.

Distributed Energy Resources.—The Committee recommends $64,284,000 for distributed energy resources including increases of $1,500,000 for industrial gas turbines, $6,000,000 for advanced reciprocating engines, $2,000,000 for advanced materials and sensors, and $3,000,000 for thermally activated technology.

Building Technologies.—The Committee recommends $58,963,000 for building technologies. There are decreases of $2,000,000 for residential buildings research (formerly Building America) and $500,000 for commercial buildings research. In emerging technologies, there are increases of $1,500,000 for lighting, $2,700,000 for space conditioning and refrigeration, $500,000 for appliances and emerging technology, and $3,200,000 for building envelope research of which $1,700,000 is for thermal insulation and building materials and $1,500,000 is for windows including electrochromics, which should be funded at the 2003 level. There is also an increase of $1,000,000 in equipment and analysis for appliance standards.

Industrial Technologies.—The Committee recommends $97,729,000 for industrial technologies. In industries of the future (specific) increases include $4,100,000 for forest and paper prod-

ucts, $3,400,000 for steel, $3,400,000 for aluminum, $2,100,000 for metalcasting, $1,700,000 for glass, $6,700,000 for chemicals, and $2,400,000 for mining. In industries of the future (crosscutting), increases include $7,500,000 to continue the black liquor gasification programs and $2,000,000 to continue the program on robotics to replace repetitive manufacturing tasks.

Biomass and Biorefinery Systems.—The Committee recommends no funding for biomass and biorefinery systems, a decrease of $8,808,000 below the budget request. These programs should be funded through the energy and water appropriations bill. The Committee has provided $7,500,000 in the industries of the future (crosscutting) program to continue black liquor gasification programs.

Federal Energy Management Program.—The Committee recommends $19,962,000, the budget request, for the Federal energy management program.

National Climate Change Technology Initiative.—The Committee recommends no funding for the National Climate Change Technology Initiative, a decrease of $9,500,000 below the budget request. This program is addressed briefly below and under the fossil energy research development account.

Program management.—The Committee recommends $90,164,000 for program management including increases of $500,000 for the National Academy of Sciences program review, $3,000,000 for cooperative programs on technology transfer from National Laboratories with the Energy and Research Consortium of the Western Carolinas, $5,000,000 for cooperative programs with States, and $5,000,000 for the energy efficiency science initiative.

Bill Language.—Bill Language is recommended earmarking $225,000,000 for the weatherization assistance program and $45,000,000 for State energy programs. These levels are slightly above the fiscal year 2003 levels for those programs.

The Committee agrees to the following:

1. The Committee continues to expect that several positions will be eliminated as a result of the consolidation of budget and administration functions in last year's reorganization.

2. The National Academy of Public Administration is conducting a continuing review of last year's reorganization and its recommendations should be implemented fully as soon as possible after receipt.

3. The budget justification for fiscal year 2005 should include the program specific table provided separately to the Committee for 2004. The official budget detail table should contain stub entries for sub-activities within each of the program areas. A few examples include, but are not limited to, each of the industries of the future (specific) and (crosscutting) programs, microcogeneration, advanced reciprocating engines, thermally activated technologies, and each of the major building, vehicle technology, and fuel cell areas. The Department should consult with the Committee on the budget presentation for fiscal year 2005 as soon as possible.

4. Vehicle combustion and emission control research should focus on continuing critical homogenous charge compression ignition programs.

5. The State Technologies Advancement Collaborative, a cooperative program between the States and the Department of Energy,

should be continued. The $5,000,000 provided for cooperative programs with States and $5,000,000 for the energy efficiency science initiative should be supplemented with other program funds where the States and the Department agree that this collaborative will effectively leverage program funds and reduce bureaucratic delay. One example of such a program is the Rebuild America program. The Department should report to the Committee no later than January 15, 2004, on what programs will be included as part of the collaborative in fiscal year 2004.

6. The cooperative programs with the States and the energy efficiency science initiative should be closely coordinated with the fossil energy research and development program to ensure the highest priority research needs across both the fossil energy and energy conservation accounts are addressed. Half of the funding for the energy efficiency science initiative is to be managed by fossil energy as legislated in the Interior Appropriations Act for fiscal year 2002. The mining industry of the future program, the industrial gasification program, and the reciprocating engines program should also be coordinated closely with fossil energy.

7. The National climate change technology initiative is not recommended for funding. NCCTI should be more clearly defined. The concerns expressed in the recent National Academies review should be addressed and the program should be fully justified and funding requested in future budgets as a separate account in the energy and water appropriations bill.

8. The $500,000 for the National Academy of Sciences review of programs should remain in the base for a continuing annual review by the Academy of programs, using the Academy's matrix, to measure the relative benefits expected to be achieved and to inform decision making on what programs should be continued, expanded, scaled-back, or eliminated.

9. Funding for the industries of the future programs have been only partially restored and the Committee expects the Department to work closely with industry to determine how best to use the limited funds.

ECONOMIC REGULATION

The economic regulation account funds the independent Office of Hearings and Appeals, which is responsible for all of the Department's adjudication processes except those that are the responsibility of the Federal Energy Regulatory Commission. The amount funded by this Committee is for those activities specific to this bill: mainly those related to petroleum overcharge cases. All other activities are funded on a reimbursable basis from the other elements of the Department of Energy. Prior to fiscal year 1997, this account also funded the Economic Regulatory Administration.

Appropriation enacted, 2003	$1,477,000
Budget estimate, 2004	1,047,000
Recommended, 2004	1,047,000
Comparison:	
Appropriation, 2003	−430,000
Budget estimate, 2004	0

The Committee recommends $1,047,000, the budget request, for economic regulation, a decrease of $430,000 below the 2003 level. The Committee expects the Department to complete the phasing

out of direct funding for the Office of Hearings and Appeals from the Interior bill no later than fiscal year 2005. The Committee continues to be concerned about the high cost of employees in this office and concerned that the casework, funded by the Interior and related agencies appropriation, has not been brought to a timely completion.

STRATEGIC PETROLEUM RESERVE

The Strategic Petroleum Reserve was created by the Energy Policy and Conservation Act of 1975 to provide the United States with adequate strategic and economic protection against disruptions in oil supplies. The SPR program was established as a 750 million-barrel capacity crude oil reserve with storage in large underground salt caverns at five sites in the Gulf Coast area. It is connected to major private sector distribution systems and maintained to achieve full drawdown rate capability within fifteen days of notice to proceed with drawdown. Storage capacity development was completed in September 1991, providing the capability to store 750 million barrels of crude oil in underground caverns and to be ready to deploy at the President's direction in the event of an emergency. As a result of the decommissioning of the Weeks Island site in 1999, the Reserve lost 70 million barrels of capacity. However, the Department reassessed the capacities of the remaining storage sites and estimates that those sites are currently capable of storing a total of 700 million barrels. During 1998, an inventory of 561 million barrels provided 60 days of net import protection. In 2003, 628 million barrels provide 54 days of net import protection. The decline in days of net import protection is the result of the growth of U.S. requirements for imported crude oil and the decline in domestic oil production.

Appropriation enacted, 2003	$171,732,000
Budget estimate, 2004	175,081,000
Recommended, 2004	175,081,000
Comparison:	
Appropriation, 2003	+3,349,000
Budget estimate, 2004	0

The Committee recommends $175,081,000, the budget request, for operation of the Strategic Petroleum Reserve, an increase of $3,349,000 above the fiscal year 2003 level.

NORTHEAST HOME HEATING OIL RESERVE

The acquisition and storage of heating oil for the Northeast began in August 2000 when the Department of Energy, through the Strategic Petroleum Reserve account, awarded contracts for the lease of commercial storage facilities and acquisition of heating oil. The purpose of the reserve is to assure home heating oil supplies for the Northeast States during times of very low inventories and significant threats to immediate supply of heating oil. The Northeast Home Heating Oil Reserve was established as a separate entity from the Strategic Petroleum Reserve on March 6, 2001. The 2,000,000 barrel reserve is stored in commercial facilities in New York Harbor, Rhode Island, and New Haven, Connecticut.

Appropriation enacted, 2003	$5,961,000
Budget estimate, 2004	5,000,000
Recommended, 2004	5,000,000
Comparison:	
Appropriation, 2003	−961,000
Budget estimate, 2004	0

The Committee recommends $5,000,000, the budget request, for the Northeast Home Heating Oil Reserve, a decrease of $961,000 below the fiscal year 2003 level.

The Congress created the Northeast Home Heating Oil Reserve to address heating oil shortages that have been experienced over the years during the winter heating season in the Northeast. To date, the reserve has never been used. While the Committee appreciates that the heating oil reserve is for addressing supply disruptions and not price spikes, it is concerned that the Department of Energy may be defining the term "supply disruption" too narrowly. Therefore, the Committee asks that the Department report to the House and Senate Committees on Appropriations on the circumstances under which the reserve will be used. The Department should submit the report no later than December 1, 2003, and it should provide various scenarios and the underlying assumptions for each of those scenarios.

ENERGY INFORMATION ADMINISTRATION

The Energy Information Administration is a quasi-independent agency within the Department of Energy established to provide timely, objective, and accurate energy-related information to the Congress, executive branch, State governments, industry, and the public. The information and analysis prepared by the EIA is widely disseminated and the agency is recognized as an unbiased source of energy information by government organizations, industry, professional statistical organizations and the public.

Appropriation enacted, 2003	$80,087,000
Budget estimate, 2004	80,111,000
Recommended, 2004	82,111,000
Comparison:	
Appropriation, 2003	+2,024,000
Budget estimate, 2004	+2,000,000

The Committee recommends $82,111,000 for the Energy Information Administration, an increase of $2,000,000 above the budget request and $2,024,000 above the fiscal year 2003 level. The increase above the request is to cover partially fixed cost increases and to make necessary data and analysis improvements to maintain the quality of EIA products.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

The provision of Federal health services to Indians is based on a special relationship between Indian tribes and the U.S. Government first set forth in the 1830s by the U.S. Supreme Court under Chief Justice John Marshall. Numerous treaties, statutes, constitutional provisions, and international law have reconfirmed this relationship. Principal among these is the Snyder Act of 1921, which

provides the basic authority for most Indian health services provided by the Federal Government to American Indians and Alaska Natives. The Indian Health Service (IHS) provides direct health care services in 36 hospitals, 58 health centers, 4 school health centers, and 44 health stations. Tribes and tribal groups, through contracts with the IHS, operate 13 hospitals, 161 health centers, 3 school health centers, and 249 health stations (including 170 Alaska Native village clinics). The IHS, tribes and tribal groups also operate 11 regional youth substance abuse treatment centers and 2,252 units of staff quarters.

Appropriation enacted, 2003	$2,475,916,000
Budget estimate, 2004	2,502,393,000
Recommended, 2004	2,556,082,000
Comparison:	
Appropriation, 2003	+80,166,000
Budget estimate, 2004	+53,689,000

The amounts recommended by the Committee compared with the budget estimates by activity are shown in the following table:

(dollars in thousands)

	FY 2003 Enacted	FY 2004 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Indian Health Services					
Clinical Services					
IHS and tribal health delivery					
Hospital and health clinic programs	1,211,988	1,194,600	1,266,523	+54,535	+71,923
Dental health program	99,633	105,566	105,817	+6,184	+251
Mental health program	50,297	53,959	53,959	+3,662	---
Alcohol and substance abuse program	136,849	139,975	139,975	+3,126	---
Contract care	475,022	493,046	478,046	+3,024	-15,000
Subtotal, Clinical Services	1,973,789	1,987,146	2,044,320	+70,531	+57,174
Preventive Health					
Public health nursing	39,616	43,112	43,112	+3,496	---
Health education	10,991	11,940	11,940	+949	---
Community health representatives program	50,444	51,633	51,633	+1,189	---
Immunization (Alaska)	1,546	1,580	1,580	+34	---
Subtotal, Preventive Health	102,597	108,265	108,265	+5,668	---
Urban health projects	31,323	31,568	32,014	+691	+446
Indian health professions	31,114	35,417	31,158	+44	-4,259
Tribal management	2,390	2,406	2,406	+16	---
Direct operations	60,176	56,607	61,471	+1,295	+4,864
Self-governance	5,553	10,250	5,714	+161	-4,536
Contract support costs	268,974	270,734	270,734	+1,760	---
Medicare/Medicaid Reimbursements					
Hospital and clinic accreditation (Est. collecting)	(449,985)	(567,620)	(567,620)	(+117,635)	---
Total, Indian Health Services	2,475,916	2,502,393	2,556,082	+80,166	+53,689

The Committee recommends $2,556,082,000 for Indian health services, an increase of $53,689,000 above the budget request and $80,166,000 above the fiscal year 2003 level. Changes to the budget request are discussed below.

Hospitals and Clinics.—The Committee recommends an increase of $71,923,000 for hospital and health clinic programs, including increases of $31,317,000 to restore base program funding, $30,170,000 to restore the budget assessments for management and information savings, $6,436,000 for increased payments to the Department of Health and Human Services for the unified financial management system, $2,500,000 for the Indian health care improvement fund, and $1,500,000 to complete the phase-in of new staffing at the Lawton, OK hospital.

Dental Health.—The Committee recommends an increase of $251,000 for dental health to expand the volunteer program.

Contract Health Care.—The Committee recommends a decrease of $15,000,000 below the budget request for contract health care services, which leaves an increase of more than $3,000,000 for these services in fiscal year 2004.

Urban Health Programs.—The Committee recommends an increase of $446,000 for urban health programs to restore the "management savings" assessment proposed in the budget request.

Indian Health Professions.—The Committee recommends a decrease of $4,259,000 for Indian health professions, which continues the program level provided in fiscal year 2003.

Direct Operations.—The Committee recommends an increase of $4,864,000 for direct operations, which continues the fiscal year 2003 program level.

Self-Governance.—The Committee recommends a decrease of $4,536,000 for self-governance, which continues the fiscal year 2003 program level.

The Committee agrees to the following:

1. The Committee has not agreed with the unrealistic management and information savings proposed in the budget, which could only be achieved at the expense of critical, ongoing health services and the Committee urges the Department to refrain from proposing such reductions in the future.

2. The funding increase for the Lawton, OK hospital staffing completes the phase-in of new staffing and operations costs, which was begun last year.

3. Any costs paid by the Indian Health Service to any entity within the Department of Health and Human Services should be fully justified and explained in the budget request. The Service should not be required to "absorb" any increases in such costs.

4. The Committee should be kept fully informed of consolidation efforts in HHS that affect the Indian Health Service. Given the fact that the Indian Health Service's staffing is far from adequate, the Committee does not agree with FTE reductions for the Service. The current proposal to consolidate human resources functions has not been sufficiently explained or justified. Indeed, the Department has been unable to identify the costs to the Service of the consolidation for fiscal years 2003 or 2004. The Service should not pay any bills to the Department for the consolidation of human resources functions without Committee approval through the reprogramming process. The cost to the Service of the consolidation should not ex-

ceed what it currently costs to operate human resources functions within the Indian Health Service.

5. Funds for the pharmacy residency program remain in the base for fiscal year 2004.

6. The fiscal year 2001 direction on the use of loan repayment program funding should continue to be followed in fiscal year 2004.

7. The Service should consider expanding the use of Joslin diabetes programs using the increase provided separately for special diabetes program funding.

Bill language is recommended, under Title III—General Provisions, continuing the demonstration program of the Cheyenne River Sioux Tribe in South Dakota, which provides bonus payments to health professionals. The Committee has not received a report on the effectiveness of this program even though the Service was required to submit one by April 1, 2004.

INDIAN HEALTH FACILITIES

The need for new Indian health care facilities has not been fully quantified but it is safe to say that many billions of dollars would be required to renovate existing facilities and construct all the needed new hospitals and clinics. Safe and sanitary water and sewer systems for existing homes and solid waste disposal needs currently are estimated to amount to over $876 million for those projects that are considered to be economically feasible.

Appropriation enacted, 2003	$373,745,000
Budget estimate, 2004	387,269,000
Recommended, 2004	392,560,000
Comparison:	
Appropriation, 2003	+18,815,000
Budget estimate, 2004	+5,291,000

The amounts recommended by the Committee compared with the budget estimates by activity are shown in the following table:

(dollars in thousands)

	FY 2003 Enacted	FY 2004 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Indian Health Facilities					
Maintenance and improvement	49,507	47,331	49,507	---	+2,176
Sanitation facilities	93,217	114,175	94,175	+958	-20,000
Construction facilities	81,585	69,947	92,062	+10,477	+22,115
Facilities and environmental health support	132,254	139,522	139,522	+7,268	---
Equipment	17,182	16,294	17,294	+112	+1,000
Total, Indian Health Facilities	373,745	387,269	392,560	+18,815	+5,291

The Committee recommends $392,560,000 for Indian health facilities, an increase of $5,291,000 above the budget request and $18,815,000 above the fiscal year 2003 level. Changes to the budget request include increases of $2,176,000 for maintenance and improvement, $1,000,000 for equipment, and $22,115,000 for hospital and clinic construction, and a decrease of $20,000,000 for sanitation facilities construction.

The Committee agrees to the following distribution of hospital and clinic construction funds:

Project	2004 request	Committee recommendation	Difference
Pinon, AZ clinic	$21,573,000	$19,577,000	−$1,996,000
Red Mesa, AZ clinic	30,000,000	30,000,000	
St. Paul, AK clinic	0	6,520,000	6,520,000
Metlakatla, AK clinic	14,511,000	9,205,000	−5,306,000
Sisseton, SD clinic	3,863,000	17,960,000	14,097,000
Eagle Butte, SD clinic		2,800,000	2,800,000
Bethel, AK staff quarters		5,000,000	5,000,000
Dental units		1,000,000	1,000,000
Total	$69,947,000	$92,062,000	$22,115,000

The Committee agrees to the following:

1. The funding recommended for the Bethel, St. Paul, and Metlakatla, AK projects and for the Pinon, AZ clinic will complete those construction projects. The funding recommended for the Eagle Butte, SD clinic is for design.

2. The maintenance program funding increase needs to remain in the base budget for 2004 and beyond. Further increases will be necessary as existing facilities get older and as more hospitals and clinics are built and expanded.

3. The increase for equipment should be focused on replacing outdated analog medical devices with digital medical devices and telemedicine equipment and should remain in the base budget. Further increases will be necessary as existing equipment becomes outdated and as more hospitals and clinics are built and expanded.

4. The Service should continue to work on needed improvements to the facilities priority system so that the full range of need for facilities in Indian country is given appropriate consideration.

5. The methodology used to distribute facilities funding should address the fluctuating annual workload and maintain parity among IHS areas and tribes as the workload shifts.

6. Funds for sanitation facilities for new and renovated housing should be used to serve housing provided by the Bureau of Indian Affairs Housing Improvement Program, new homes and homes renovated to like-new condition. Onsite sanitation facilities may also be provided for homes occupied by the disabled or sick who have physician referrals indicating an immediate medical need for adequate sanitation facilities at home.

7. Sanitation funds should not be used to provide sanitation facilities for new homes funded by the housing programs of the Department of Housing and Urban Development. The HUD should provide any needed funds to the IHS for that purpose.

8. The IHS may use up to $5,000,000 in sanitation funding for projects to clean up and replace open dumps on Indian lands pursuant to the Indian Lands Open Dump Cleanup Act of 1994.

Bill language is included to complete the Bethel, AK staff quarters project. Fiscal year 2004 is the final year of a four-year commitment to this construction project.

OTHER RELATED AGENCIES

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

The dispute between the Hopi and Navajo tribes is centuries-old. The Hopi trace their origin on the land back to the Anasazi race whose presence is recorded back to 1150 A.D. Later in the 16th century Navajo settlement led to the isolation of the Hopi Reservation as an island within the area occupied by the Navajo reservation. In 1882, President Arthur issued an Executive Order which granted the Hopi a 2.5 million acre reservation to be occupied by the Hopi and such other Indians as the Secretary of the Interior saw fit to resettle there. Intertribal problems arose between the Navajo tribe and the Hopi tribe revolving around the question of the ownership of the land as well as cultural differences between the two tribes. Efforts to resolve these conflicts were not successful and led Congress to pass legislation in 1958 which authorized a lawsuit to determine ownership of the land. When attempts at mediation of the dispute as specified in an Act passed in 1974 failed, the district court in Arizona partitioned the Joint Use Area equally between the Navajo and Hopi tribes under a decree that has required the relocation of members of both tribes. Most of those to be relocated are Navajo living on the Hopi Partitioned Land.

At this time approximately 190 households remain to be relocated, of which 16 are full-time residents on the Hopi Partitioned Land. A total of 3,328 families have been relocated from the Hopi Partitioned Land.

Appropriation enacted, 2003	$14,397,000
Budget estimate, 2004	13,532,000
Recommended, 2004	13,532,000
Comparison:	
Appropriation, 2003	−865,000
Budget estimate, 2004	0

The Committee recommends $13,532,000 for salaries and expenses of the Office of Navajo and Hopi Indian Relocation, the same as the budget request and $865,000 below the 2003 enacted level.

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

Appropriation enacted, 2003	$5,454,000
Budget estimate, 2004	5,250,000
Recommended, 2004	5,250,000
Comparison:	
Appropriation, 2003	−204,000
Budget estimate, 2004	0

The Committee recommends $5,250,000 for the Institute of American Indian and Alaska Native Culture and Arts Develop-

ment, the same as the budget request and $204,000 below the 2003 enacted level.

SMITHSONIAN INSTITUTION

The Smithsonian Institution is unique in the Federal establishment. Established by the Congress in 1846 to carry out the trust included in James Smithson's will, it has been engaged for over 150 years in the "increase and diffusion of knowledge among men" in accordance with the donor's instructions. For some years, it used only the funds made available by the trust. Then, before the turn of the century, it began to receive Federal appropriations to conduct some of its activities. With the expenditure of both private and Federal funds over the years, it has grown into one of the world's great scientific, cultural, and intellectual organizations. It operates magnificent museums, outstanding art galleries, and important research centers. Its collections are among the best in the world. Its traveling exhibits bring beauty and information throughout the country.

The Smithsonian attracted approximately 25,000,000 visitors in 2002 to its museums, galleries, and zoological park. Additional millions also view Smithsonian traveling exhibitions, which appear across the United States and abroad, and the annual Folklife Festival. As custodian of the National Collections, the Smithsonian is responsible for more than 140 million art objects, natural history specimens, and artifacts. These collections are displayed for the enjoyment and education of visitors and are available for research by the staff of the Institution and by hundreds of visiting students, scientists, and historians each year. Other significant study efforts draw their data and results directly from terrestrial, marine, and astrophysical observations at various Smithsonian installations.

The Smithsonian complex presently consists of 15 exhibition buildings in Washington, DC and New York City in the fields of science, history, technology and art; a zoological park in Washington, DC and an animal conservation and research center in Front Royal, Virginia; the new Steven F. Udvar-Hazy Center, the companion facility to the National Air and Space Museum opening in December at Dulles International Airport; the Anacostia Museum, which performs research and exhibit activities in the District of Columbia; a preservation, storage and air and spacecraft display facility in Suitland, Maryland; a natural preserve in Panama and one on the Chesapeake Bay; an oceanographic research facility in Fort Pierce, Florida; astrophysical stations in Cambridge, Massachusetts and Mt. Hopkins, Arizona and elsewhere; and supporting administrative, laboratory, and storage areas.

SALARIES AND EXPENSES

Appropriation enacted, 2003	$446,096,000
Budget estimate, 2004	476,553,000
Recommended, 2004	489,748,000
Comparison:	
Appropriation, 2003	+43,652,000
Budget estimate, 2004	+13,195,000

The amounts recommended by the Committee compared with the budget estimates by activity are shown in the following table:

(dollars in thousands)

	FY 2003 Enacted	FY 2004 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Smithsonian Institution					
Salaries and Expenses					
Museum and research institutes	222,173	217,786	218,186	-3,987	+400
Program support and outreach	35,731	36,788	36,788	+1,057	---
Administration	53,625	64,687	64,687	+11,062	---
Facilities services	148,667	182,436	182,436	+33,769	---
Offsetting reduction, FY 2003	---	-12,795	---	---	+12,795
Offsetting reduction, FY 2004	---	-12,349	-12,349	-12,349	---
Rescission of prior year unobligated funds	-14,100	---	---	+14,100	---
Total, Salaries and Expenses	446,096	476,553	489,748	+43,652	+13,195

The Committee recommends $489,748,000 for salaries and expenses, an increase of $13,195,000 above the budget request and $43,652,000 above the enacted level. The Committee has included the $12,795,000 increase to the base in fiscal year 2003 and the $400,000 base increase for the National Zoological Park.

FACILITIES CAPITAL

Appropriation enacted, 2003	$98,779,000
Budget estimate, 2004	89,970,000
Recommended, 2004	93,970,000
Comparison:	
Appropriation, 2003	−4,809,000
Budget estimate, 2004	+4,000,000

The Committee recommends $93,970,000 for facilities capital, a decrease of $4,809,000 below the enacted level and $4,000,000 above the budget request. This account combines the former construction and repair, restoration and alteration of facilities accounts; bill language is recommended to permit the merger of funds from the former accounts into this new account.

ADMINISTRATIVE PROVISIONS, SMITHSONIAN INSTITUTION

Bill language is included under Administrative Provisions, granting the Smithsonian authority to conduct a voluntary separation incentive program similar to the program established under section 1313(a) of the Homeland Security Act of 2002.

NATIONAL GALLERY OF ART

The National Gallery of Art is one of the world's great galleries. Its magnificent works of art are displayed for the benefit of millions of visitors from across this Nation and from other nations. The National Gallery of Art serves as an example of a successful cooperative endeavor between private individuals and institutions and the Federal Government. The many special exhibitions shown in the Gallery and then throughout the country bring great art treasures to Washington and the Nation. In 1999, the Gallery opened a sculpture garden, which provides a wonderful opportunity for the public to have an outdoor artistic experience in a lovely, contemplative setting.

SALARIES AND EXPENSES

Appropriation enacted, 2003	$76,717,000
Budget estimate, 2004	88,849,000
Recommended, 2004	88,849,000
Comparison:	
Appropriation, 2003	+12,132,000
Budget estimate, 2004	0

The amounts recommended by the Committee compared with the budget estimates by activity are shown in the following table:

(dollars in thousands)

	FY 2003 Enacted	FY 2004 Request	Recommended	Recommended versus Enacted	Recommended versus Request
National Gallery of Art					
Salaries and Expenses					
Care and utilization of art collections	27,739	29,927	29,927	+2,188	---
Operation and maintenance of buildings and grounds	16,599	21,757	21,757	+5,158	---
Protection of buildings, grounds and contents	17,729	19,717	19,717	+1,988	---
General administration	14,650	17,448	17,448	+2,798	---
Total, Salaries and Expenses	76,717	88,849	88,849	+12,132	---

The Committee recommends $88,849,000, the budget request, for salaries and expenses of the National Gallery of Art, an increase of $12,132,000 above the fiscal year 2003 level.

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

Appropriation enacted, 2003	$16,125,000
Budget estimate, 2004	11,600,000
Recommended, 2004	11,600,000
Comparison:	
Appropriation, 2003	−4,525,000
Budget estimate, 2004	0

The Committee recommends $11,600,000, the budget request, for repair, restoration and renovation of buildings at the National Gallery of Art, a decrease of $4,525,000 below the fiscal year 2003 level.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

The John F. Kennedy Center for the Performing Arts is a living memorial to the late President Kennedy and is the National Center for the Performing Arts. The Center consists of over 1.5 million square feet of usable floor space with visitation averaging 10,000 on a daily basis.

OPERATIONS AND MAINTENANCE

Appropriation enacted, 2003	$16,204,000
Budget estimate, 2004	16,560,000
Recommended, 2004	16,560,000
Comparison:	
Appropriation, 2003	+356,000
Budget estimate, 2004	0

The Committee recommends $16,560,000 for operations and maintenance, the same as the budget request and $356,000 above the 2003 enacted level.

CONSTRUCTION

Appropriation enacted, 2003	$17,486,000
Budget estimate, 2004	16,000,000
Recommended, 2004	16,000,000
Comparison:	
Appropriation, 2003	−1,486,000
Budget estimate, 2004	0

The Committee recommends $16,000,000 for construction, the same as the budget request and $1,486,000 below the enacted 2003 level.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

SALARIES AND EXPENSES

The Woodrow Wilson International Center for Scholars is a unique institution with a special mission to serve as a living memorial to President Woodrow Wilson. The Center performs this mandate through its role as an international institute for advanced study as well as a facilitator for discussions among scholars, public officials, journalists and business leaders from across the country on major long-term issues facing America and the world.

Appropriation enacted, 2003	$8,433,000
Budget estimate, 2004	8,604,000
Recommended, 2004	8,604,000
Comparison:	
Appropriation, 2003	+171,000
Budget estimate, 2004	0

The Committee recommends $8,604,000 for salaries and expenses, the same as the budget request and $171,000 above the 2003 enacted level.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

Appropriation enacted, 2003	$115,732,000
Budget estimate, 2004	117,480,000
Recommended, 2004	117,480,000
Comparison:	
Appropriation, 2003	+1,748,000
Budget estimate, 2004	0

The amounts recommended by the Committee compared with estimates by activity are shown in the following table:

(dollars in thousands)

	FY 2003 Enacted	FY 2004 Request	Recommended	Recommended versus Enacted	Recommended versus Request
National Endowment for the Arts					
Grants and Administration					
Grants					
Direct grants	46,964	47,121	47,121	+157	---
Challenge America grants	16,889	10,200	10,200	-6,689	---
State partnerships					
State and regional	24,641	24,723	24,723	+82	---
Underserved set-aside	6,668	6,691	6,691	+23	---
Challenge America grants	---	6,800	6,800	+6,800	---
Subtotal, State partnerships	31,309	38,214	38,214	+6,905	---
Subtotal, Grants	95,162	95,535	95,535	+373	---
Program support	1,296	1,304	1,304	+8	---
Administration	19,274	20,641	20,641	+1,367	---
Total, Arts	115,732	117,480	117,480	+1,748	---

The Committee recommends $117,480,000 for the National Endowment for the Arts, an increase of $1,748,000 above the 2003 enacted level and equal to the budget request when the Challenge America Arts Fund is included. The funding increase above the enacted level is to offset partially fixed cost increases. The Committee has continued to include the Challenge America Arts Fund within the NEA appropriation as in fiscal year 2003, for a total of $17,000,000. The Challenge America grants include $6,800,000 for the State partnership portion and $10,200,000 for the grants portion. The Committee expects that the NEA will continue its recent progress with outreach to more areas of the nation and for underserved populations, and will include enhancements to arts education and youth involvement. The Committee has not provided funding for an office move, so the Committee expects to see a supplemental budget request if the General Services Administration proceeds with such an action and additional funds are required.

Bill language is once again recommended under Title III—General Provisions, retaining provisions in last year's bill regarding restrictions on individual grants, subgranting, and seasonal support (Sec. 309); and authority to solicit and invest funds (Sec. 310); priority for rural and underserved communities, priority for grants that encourage public knowledge, education, understanding, and appreciation of the arts, designation of a category for grants of national significance, and a 15-percent cap on the total amount of grant funds directed to any one State (Sec. 311).

NATIONAL ENDOWMENT FOR THE HUMANITIES

The National Endowment for the Humanities (NEH) was created in 1965 to encourage and support National progress in the humanities. The NEH provides, through a merit-based review process, grants in support of education, research, document and artifact preservation, and public service in the humanities.

GRANTS AND ADMINISTRATION

Appropriation enacted, 2003	$108,919,000
Budget estimate, 2004	135,878,000
Recommended, 2004	120,878,000
Comparison:	
Appropriation, 2003	+11,959,000
Budget estimate, 2004	−15,000,000

The amounts recommended by the Committee compared with the budget estimates by activity are shown in the following table:

(dollars in thousands)

	FY 2003 Enacted	FY 2004 Request	Recommended	Recommended versus Enacted	Recommended versus Request
National Endowment for the Humanities					
Grants and Administration					
Grants					
Federal/State partnership	31,622	31,829	31,829	+207	---
Preservation and access	18,782	18,905	18,905	+123	---
Public programs	13,029	13,114	13,114	+85	---
Research programs	12,978	13,063	13,063	+85	---
Education programs	12,542	12,624	12,624	+82	---
Program development	394	397	397	+3	---
We The People Initiative grants	---	23,000	9,500	+9,500	-13,500
Subtotal, Grants	89,347	112,932	99,432	+10,085	-13,500
Administrative Areas					
Administration	19,572	20,946	20,946	+1,374	---
We The People Initiative administration	---	2,000	500	+500	-1,500
Total, Grants and administration	108,919	135,878	120,878	+11,959	-15,000

The Committee recommends $120,878,000 for grants and administration, $11,959,000 above the 2003 level and $15,000,000 below the budget request. The Committee has included a total of $10,000,000 of the $25,000,000 requested for the new "We the People" American history initiative. The allocation also includes $1,374,000 to partially off-set increases to fixed costs of administration. The Committee has not provided funding for an office move, so the Committee expects to see a supplemental budget request if the General Services Administration proceeds with such an action and additional funds are required.

MATCHING GRANTS

Appropriation enacted, 2003	$16,017,000
Budget estimate, 2004	16,122,000
Recommended, 2004	16,122,000
Comparison:	
Appropriation, 2003	+105,000
Budget estimate, 2004	0

The Committee recommends $16,122,000 for matching grants as requested, an increase of $105,000 above the fiscal year 2003 level.

COMMISSION OF FINE ARTS

The Commission of Fine Arts was established in 1910 to meet the need for a permanent body to advise the government on matters pertaining to the arts, and particularly, to guide the architectural development of Washington, DC. Over the years the Commission's scope has been expanded to include advice on areas such as plans for parks, public buildings, location of National monuments and development of public squares. As a result, the Commission annually reviews approximately 500 projects. In fiscal year 1988 the Commission was given responsibility for the National Capital Arts and Cultural Affairs program.

SALARIES AND EXPENSES

Appropriation enacted, 2003	$1,216,000
Budget estimate, 2004	1,422,000
Recommended, 2004	1,422,000
Comparison:	
Appropriation, 2003	+206,000
Budget estimate, 2004	0

The Committee recommends $1,422,000 for salaries and expenses of the Commission of Fine Arts as requested, an increase of $206,000 over the enacted funding level. This increase partially offsets fixed cost increases. The Committee encourages the Commission to work with Federal agencies, including the National Capital Planning Commission, and the District of Columbia government when those entities are designing new facilities, especially anti-terrorism related structures.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

Appropriation enacted, 2003	$6,954,000
Budget estimate, 2004	5,000,000
Recommended, 2004	7,000,000
Comparison:	
Appropriation, 2003	+46,000
Budget estimate, 2004	+2,000,000

The National Capital Arts and Cultural Affairs program was established in Public Law 99–190 to support artistic and cultural programs in the Nation's Capital. The Committee recommends $7,000,000, an increase of $46,000 above the 2003 level and $2,000,000 above the budget request.

ADMINISTRATIVE PROVISION

The Committee once again rejects the administration's proposal to alter drastically this successful program. Accordingly, to prevent the further waste of agency staff time and resources on such initiatives, the Committee has continued bill language from last year. This provision prevents any funds to be expended to examine proposals to alter the National Capital Arts and Cultural Affairs program except funds provided to the Office of Management and Budget, which may spend its own funds on this matter if the office continues to feel such changes are worth pursuing despite repeated, clear, Congressional disapproval.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

The National Historic Preservation Act of 1966 established the Advisory Council on Historic Preservation. The Advisory Council was reauthorized as part of the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333). The Council's mandate is to further the National policy of preserving historic and cultural resources for the benefit of present and future generations. The Council advises the President and Congress on preservation matters and provides consultation on historic properties threatened by Federal action.

Appropriation enacted, 2003	$3,643,000
Budget estimate, 2004	4,100,000
Recommended, 2004	4,100,000
Comparison:	
Appropriation, 2003	+457,000
Budget estimate, 2004	0

The Committee recommends $4,100,000 for salaries and expenses of the Advisory Council on Historic Preservation as requested, an increase of $457,000 above the 2003 level. The funding increase is to offset partially fixed cost increases and continue ongoing programs.

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

The National Capital Planning Act of 1952 designated the National Capital Planning Commission as the central planning agency for the Federal government in the National Capital Region. The three major functions of the Commission are to prepare and adopt the Federal elements of the National Capital Comprehensive Plan, prepare an annual report on a five-year projection of the Federal Capital Improvement Program, and review plans and proposals submitted to the Commission.

Appropriation enacted, 2003	$7,206,000
Budget estimate, 2004	8,230,000
Recommended, 2004	7,730,000
Comparison:	
Appropriation, 2003	+524,000
Budget estimate, 2004	−500,000

The Committee recommends $7,730,000, for salaries and expenses of the National Capitol Planning Commission, a decrease of $500,000 below the budget request and an increase of $524,000 above the enacted level. The Committee discourages funding the proposal for a new study on railroad locations unless the Department of Homeland Security or other Federal security agencies require such an effort. The Committee encourages the security agencies to consider and fund such important planning needs on a broad, multi-year basis. The Committee welcomes the involvement of the NCPC in such efforts, but major commitments of staff time should be contributed on a reimbursable basis.

UNITED STATES HOLOCAUST MEMORIAL MUSEUM

HOLOCAUST MEMORIAL MUSEUM

In 1980 Congress passed legislation creating a 65 member Holocaust Memorial Council with the mandate to create and oversee a living memorial/museum to victims of holocausts. The museum opened in April 1993. Construction costs for the museum came solely from donated funds raised by the U.S. Holocaust Memorial Museum Campaign and appropriated funds were used for planning and development of programmatic components, overall administrative support, and annual commemorative observances. Since the opening of the museum, appropriated funds have been provided to pay for the ongoing operating costs of the museum as authorized by Public Law 102–529 and Public Law 106–292.

Appropriation enacted, 2003	$38,412,000
Budget estimate, 2004	39,997,000
Recommended, 2004	39,997,000
Comparison:	
Appropriation, 2003	+1,585,000
Budget estimate, 2004	0

The Committee recommends $39,997,000 for the Holocaust Memorial Museum, the same as the budget request and $1,585,000 above the 2003 enacted level.

PRESIDIO TRUST

PRESIDIO TRUST FUND

Appropriation enacted, 2003	$21,188,000
Budget estimate, 2004	20,700,000
Recommended, 2004	20,700,000
Comparison:	
Appropriation, 2003	−488,000
Budget estimate, 2004	0

The Committee recommends $20,700,000 for the Presidio trust fund, the same as the budget request and $488,000 below the 2003 enacted level.

TITLE III—GENERAL PROVISIONS

Section 301 continues a provision providing for public availability of information on consulting services contracts.

Section 302 continues a provision prohibiting activities to promote public support or opposition to legislative proposals.

Section 303 continues a provision providing for annual appropriations unless expressly provided otherwise in this Act.

Section 304 continues a provision limiting the use of personal cooks, chauffeurs or servants.

Section 305 revises a provision regarding the Committee's concern that agencies funded in the Interior and Related Agencies appropriations bill have not rigorously complied with the previous prohibition on program assessments. To ensure compliance with the intent of this provision, the Committee has revised the text of this section to require that assessments, charges and billings levied against any program, budget activity, subactivity, or project be presented to and approved by the Committees on Appropriations. This requirement includes, but is not limited to, working capital fund charges, billings under intra-agency reimbursable support agreements, and any charges or deductions, reserves or holdbacks from program funding to support governmentwide, departmental, agency, or bureau administrative functions or headquarters, regional or central office operations.

Each department, agency and bureau should clearly delineate proposed assessments, charges or billings in annual budget justifications. For fiscal year 2004, any anticipated assessments, charges or billings not so presented must be submitted to the Committees for consideration within 30 days of the date of enactment of this Act. Any additional fiscal year 2004 assessments, charges or billings proposed after this initial report must be promptly submitted through the established reprogramming procedures printed in the front of this report.

Section 306 continues a provision limiting the sale of giant sequoia.

Section 307 continues a limitation on accepting and processing applications for patents and on the patenting of Federal lands; permits processing of grandfathered applications; and permits third-party contractors to process grandfathered applications.

Section 308 continues a provision limiting payments for contract support costs in past years to the funds available in law and accompanying report language in those years for the Bureau of Indian Affairs and the Indian Health Service.

Section 309 continues provision specifying reforms and limitations dealing with the National Endowment for the Arts.

Section 310 continues a provision permitting the collection and use of private funds by the National Endowment for the Arts and the National Endowment for the Humanities.

Section 311 continues direction to the National Endowment for the Arts on funding distribution.

Section 312 continues a limitation on completing and issuing the five-year program under the Forest and Rangeland Renewable Resources Planning Act.

Section 313 continues a provision prohibiting the use of funds to support government-wide administrative functions unless they are

justified in the budget process and approved by the House and Senate Appropriations Committees.

Section 314 prohibits the use of funds for GSA Telecommunication Centers.

Section 315 permits the Secretaries of Agriculture and Interior to limit competition for watershed restoration project contracts under the "Jobs in the Woods" program.

Section 316 continues a provision which permits the Forest Service to use the roads and trails fund for backlog maintenance and priority forest health treatments.

Section 317 continues a provision limiting the use of answering machines during core business hours except in case of emergency and requires an option of talking to a person. The American taxpayer deserves to receive personal attention from public servants.

Section 318 continues a provision carried last year regulating the export of western redcedar from National forest system lands in Alaska.

Section 319 continues a provision prohibiting the Forest Service from using projects under the recreation fee demonstration program to supplant existing concessions.

Section 320 continues a provision clarifying the Forest Service land management planning revision requirements.

Section 321 continues a provision limiting preleasing, leasing and related activities within the boundaries of National monuments.

Section 322 extends the Forest Service Conveyances Pilot Program.

Section 323 continues for 2004 and thereafter a provision providing authority for the staff of Congressionally established foundations to use GSA contract airfare rates and Federal government hotel accommodation rates when on official business.

Section 324 continues, with minor technical changes, a provision providing the Secretary of the Interior and the Secretary of Agriculture the authority to enter into reciprocal agreements with foreign nations concerning the personal liability of firefighters.

Section 325 continues a provision, as amended in the 2003 supplemental Appropriations Act, dealing with processing expired grazing permits by the Bureau of Land Management and the Forest Service.

Section 326 continues a provision authorizing a demonstration program for the Cheyenne River Sioux Tribe, which permits the Eagle Butte service unit to pay higher salaries and bonuses to attract health professionals, if they can do so at no additional cost. The tribe has reported that part-time contract employees currently are costing more than it would cost the tribe to hire full-time permanent employees under this demonstration program.

Section 327 continues a provision prohibiting the transfer of funds to other agencies other than provided in this Act.

Section 328 continues a legislative provision limiting funds for oil or gas leasing or permitting on the Finger Lakes National Forest, NY.

Section 329 continues a provision limiting the use of funds for the planning, design, or construction of Pennsylvania Avenue in front of the White House.

Section 330 continues a provision which authorizes the Secretary of the Interior and the Secretary of Agriculture to give consider-

ation to rural communities, local and non-profit groups, and disadvantaged workers in entering into contracts for hazardous fuel and watershed projects.

Section 331 continues a provision which limits the use of funds for filing of declaration of takings or condemnations. This provision does not apply to the Everglades National Park Protection and Environmental Act.

Section 332 extends the Recreation Fee Demonstration program for two years.

Section 333 extends hereafter existing procurement authorities for the Land Between the Lakes NRA, KY and TN.

Section 334 amends and extends the pilot program for the harvest of botanical products on Forest Service lands.

Section 335 limits the use of funds for competitive sourcing studies to those already initiated in fiscal years 2002 and 2003. An in-depth report should be submitted by each agency no later than March 1, 2004, detailing the results of completed studies, including schedules, plans, and cost estimates for future outsourcing competitions.

RESCISSIONS

Pursuant to clause 3(f)(2), rule XIII of the Rules of the House of Representatives, the following table is submitted describing the rescissions recommended in the accompanying bill:

Department and activity	*Amounts recommended for rescission*
Department of the Interior: Land and Water Conservation Fund (contract authority)	$30,000,000

TRANSFERS OF FUNDS

Pursuant to clause 3(f)(2), rule XIII of the Rules of the House of Representatives, the following table is submitted describing the transfers of funds provided in the accompanying bill.

APPROPRIATION TRANSFERS RECOMMENDED IN THE BILL

Account from which transfer is to be made	Amount	Account to which transfer is to be made	Amount
United States Fish and Wildlife Service, Land Acquisition.	$4,968,000	Bureau of Indian Affairs, Indian Land and Water Claim Settlements and Miscellaneous Payments to Indians.	$4,968,000
National Park Service, Land Acquisition and State Assistance.	5,000,000	United States Fish and Wildlife Service, Resource Management.	5,000,000
National Park Service, Land Acquisition and State Assistance.	Indefinite	U.S. Army Corps of Engineers, Construction, General.	Indefinite

CHANGES IN APPLICATION OF EXISTING LAW

Pursuant to clause 3, rule XIII of the Rules of the House of Representatives, the following Statements are submitted describing the effect of provisions in the accompanying bill, which directly or indirectly change the application of existing law. In most instances these provisions have been included in prior appropriations Acts.

The bill provides that certain appropriations items remain available until expended or extends the availability of funds beyond the fiscal year where programs or projects are continuing in nature

under the provisions of authorizing legislation but for which that legislation does not specifically authorize such extended availability. This authority tends to result in savings by preventing the practice of committing funds at the end of the fiscal year.

The bill includes, in certain instances, limitations on the obligation of funds for particular functions or programs. These limitations include restrictions on the obligation of funds for administrative expenses, travel expenses, the use of consultants, and programmatic areas within the overall jurisdiction of a particular agency.

The Committee has included limitations for official entertainment or reception and representation expenses for selected agencies in the bill.

Language is included in the various parts of the bill to continue ongoing activities of those Federal agencies, which require annual authorization or additional legislation which to date, has not been enacted.

Language is included under Bureau of Land Management, Management of lands and resources, permitting the use of receipts from the Land and Water Conservation Act of 1965; providing funds to the National Fish and Wildlife Foundation under certain conditions; permitting the use of fees from communication site rentals; limiting the use of funds for destroying wild horses and burros; and permitting the collection of fees for processing mining applications and for certain public land uses; permitting the use of these fees for program operations, and providing for a Youth Conservation Corp.

Language is included under Bureau of Land Management, Wildland fire management, permitting the use of funds from other accounts for firefighting; permitting the use of funds for lodging and subsistence of firefighters; permitting the acceptance and use of funds for firefighting; permitting the use of grants, contracts and cooperative agreements for hazardous fuels reduction, including cost-sharing and local assistance; permitting reimbursement to the Fish and Wildlife Service and the National Marine Fisheries Service for consultation activities under the Endangered Species Act; permits the use of firefighting funds for the leasing of properties or the construction of facilities; providing for the transfer of funds between the Department of the Interior and the Department of Agriculture; and providing funds for support of Federal emergency response actions.

Language is included under Bureau of Land Management, Central hazardous materials fund, providing that sums received from a party for remedial actions shall be credited to the account, and defining non-monetary payments.

Language is included under Bureau of Land Management, Oregon and California grant lands, authorizing the transfer of receipts to the Treasury.

Language is included under Bureau of Land Management, Forest ecosystems health and recovery fund, permitting the use of salvage timber receipts.

Language is included under Bureau of Land Management, Service charges, deposits, and forfeitures, allowing the use of funds on any damaged public lands.

Language is included under Bureau of Land Management, Administrative provisions, permitting the payment of rewards for information on violations of law on Bureau lands; providing for cost-sharing arrangements for printing services; and permitting the use of fees offsetting the cost of mining law administration.

Language is included under United States Fish and Wildlife Service, Resource management, allowing for the maintenance of the herd of long-horned cattle on the Wichita Mountains Wildlife Refuge. Without this language, the long-horned cattle would have to be removed from the refuge. Language also is included providing for the Natural Communities Conservation Planning program and for a Youth Conservation Corps; limiting funding for certain Endangered Species Act listing programs; permitting payment for information or rewards in the law enforcement program; and earmarking funds for contaminant analysis.

Language is included under United States Fish and Wildlife Service, Land acquisition, prohibiting the use of project funds for overhead expenses.

Language is included under United States Fish and Wildlife Service, Landowner incentive program, providing matching grants to States and territories.

Language is included under United States Fish and Wildlife Service, Stewardship grants, providing for grants for private conservation efforts.

Language is included under United States Fish and Wildlife Service, State and tribal wildlife grants, specifying the distribution formula and planning and cost-sharing requirements and requiring that funds unobligated after two years be reapportioned.

Language is included under United States Fish and Wildlife Service, Administrative provisions, providing for repair of damage to public roads; providing options for the purchase of land not to exceed $1; providing for installation of certain recreation facilities; and permitting the maintenance and improvement of aquaria and other facilities, the acceptance of donated aircraft, and cost-shared arrangements for printing services. Language also is included limiting the use of funds for establishing new refuges.

Language is included under National Park Service, Operation of the National park system, allowing road maintenance service to trucking permittees on a reimbursable basis. This provision has been included in annual appropriations Acts since 1954. Language also is included providing for a Youth Conservation Corps program, and permitting reimbursement to the Park Police for special events under limited circumstances.

Language is included under National Park Service, National recreation and preservation, prohibiting the use of cooperative agreements and any form of cash grant for the rivers, trail, and conservation assistance program.

Language is included under National Park Service, Historic preservation fund, providing grants for Save America's Treasures to be matched by non-Federal funds; individual projects are only eligible for one grant and are subject to prior approval; and funds for Federal projects are available by transfer to individual agencies.

Language is included under National Park Service, construction, limiting salaries to no more than 160 FTE's for the Denver Service Center; requiring approval of new facilities in excess of $5,000,000;

and conditioning moneys available for modified water deliveries project.

Language is included under National Park Service, Land and water conservation fund, rescinding $30,000,000 in contract authority.

Language is included under National Park Service, Land acquisition and State assistance, permitting the use of funds to assist the State of Florida with Everglades restoration; making the use of funds for Everglades contingent on certain conditions; limiting the use of funds to establish a contingency fund for State grants; and redirecting previously appropriated grants to the State of Florida for environmental projects for the South Florida Restoration Initiative.

Language is included under National Park Service, Administrative provisions, preventing the implementation of an agreement for the redevelopment of the southern end of Ellis Island; limiting the use of funds for the United Nation's Biodiversity Convention; permitting the use of funds for workplace safety needs; and authorizing reimbursable agreements in advance of receipt of funds.

Language is included under U.S. Geological Survey, Surveys, investigations and research, providing for two-year availability of funds for biological research and for the operations of cooperative research units; prohibiting the conduct of new surveys on private property without permission; and requiring cost sharing for cooperative topographic mapping and water resource data collection activities.

Language is included under U.S. Geological Survey, Administrative provisions, permitting contracting for certain mapping and surveys; permitting construction of facilities; permitting acquisition of land for certain uses; allowing payment of expenses for the National Committee on Geology; permitting payments to interstate compact negotiators; permitting the use of certain contracts, grants, and cooperative agreements; and allowing cooperative agreements for research with Federal, State, and academic partners including the use of space and cooperator facilities.

Language is included under Minerals Management Service, Royalty and offshore minerals management, permitting the use of excess receipts from Outer Continental Shelf leasing activities; providing for reasonable expenses related to volunteer beach and marine clean-up activities; providing for refunds for overpayments on Indian allottee leases; providing for collecting royalties and late payment interest on amounts received in settlements associated with Federal and Indian leases; permitting the use of revenues from a royalty-in-kind program; and provides that royalty-in-kind be equal to, or greater than, royalty-in-value.

Language is included under Office of Surface Mining Reclamation and Enforcement, Regulation and technology, permitting the use of moneys collected pursuant to assessment of civil penalties to reclaim lands affected by coal mining after August 3, 1977 and permitting payment to State and tribal personnel for travel and per diem expenses for training.

Language is included under Office of Surface Mining Reclamation and Enforcement, Abandoned mine reclamation fund, limiting the amounts available for emergency reclamation projects; allowing

the use of debt recovery to pay for debt collection; and earmarking funds for acid mine drainage.

Language is included under Bureau of Indian Affairs, Operation of Indian programs, limiting funds for contract support costs and for administrative cost grants for schools; permitting the use of tribal priority allocations for general assistance payments to individuals, for contract support costs, and for repair and replacement of schools; allowing the transfer of certain forestry funds; and providing for an Indian self-determination fund.

Language is included under Bureau of Indian Affairs, Construction, providing that six percent of Federal Highway Trust Fund contract authority may be used for management costs; providing for the transfer of Navajo irrigation project funds to the Bureau of Reclamation; providing Safety of Dams funds on a non-reimbursable basis; requiring the use of administrative and cost accounting principles for certain school construction projects and exempting such projects from certain requirements; requiring conformance with building codes and health and safety standards; and specifying the procedure for dispute resolution.

Language is included under Bureau of Indian Affairs, Administrative provisions, prohibiting funding of Alaska schools; limiting the number of schools and the expansion of grade levels in individual schools; limiting the use of funds for contracts, grants and cooperative agreements; and allows tribes to return appropriated funds for distribution to other tribes.

Language is included under Departmental Offices, Insular Affairs, Assistance to Territories, requiring audits of the financial transactions of the Territorial governments by the General Accounting Office; providing grant funding under certain terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands; providing a grant to the Close-Up foundation; allowing appropriations for disaster assistance to be used as non-Federal matching funds for hazard mitigation grants; and providing for capital infrastructure in various Territories.

Language is included under Departmental Offices, Departmental management, salaries and expenses, permitting payments to former Bureau of Mines workers; limiting the establishment of additional reserves in the working capital fund, and cancelling $20,000,000 in unobligated balances in the working capital fund.

Language is included under Departmental Offices, Payments in lieu of taxes, to exclude any payment that is less than $100.

Language is included under Departmental Offices, Office of special trustee for American Indians, specifying that the statute of limitations shall not commence on any claim resulting from trust funds losses; exempting quarterly statements for accounts less than $1; requiring annual statements and records maintenance; and permitting the use of recoveries from erroneous payments.

Language is included under Departmental Offices, Indian land consolidation, permitting transfers of funds for administration and permitting cooperative agreements with tribes to acquire fractional interests.

Language is included under Departmental Offices, Administrative provisions, prohibiting the use of working capital or consolidated working funds to augment certain offices and allowing the

acquisition of aircraft through various means and the sale of existing aircraft with proceeds used to offset the purchase price of replacement aircraft.

Language is included under General Provisions, Department of the Interior, allowing transfer of funds in certain emergency situations and requiring replacement with a supplemental appropriation request and designating certain transferred funds as "emergency requirements" under the Balanced Budget and Emergency Deficit Control Act of 1985.

Language is included under General Provisions, Department of the Interior, permitting the Department to consolidate services and receive reimbursement for said services. Language also is included providing for uniform allowances.

Language is included under General Provisions, Department of the Interior, allowing obligations in connection with contracts issued for services or rentals for periods not in excess of 12 months beginning at any time during the fiscal year.

Language is included under General Provisions, Department of the Interior, restricting various oil and gas preleasing, leasing, exploration and drilling activities within the Outer Continental Shelf in the Georges Bank-North Atlantic planning area, Mid-Atlantic and South Atlantic planning area, Eastern Gulf of Mexico planning area, North Aleutian Basin planning area, Northern, Southern and Central California planning areas, and Washington/Oregon planning area.

Language is included under General Provisions, Department of the Interior, limiting the investment of Federal funds by Indian tribes, and prohibiting fee exemptions for non-local traffic through National Parks.

Language is included under General Provisions, Department of the Interior, permitting the transfer of funds between the Bureau of Indian Affairs and the Office of Special Trustee for American Indians; allowing for the renewal of grazing permits based on certain terms and conditions; providing for administrative law judges to handle Indian issues; permitting the redistribution of certain Indian funds with limitations; directing allocation of funds for Bureau of Indian Affairs funded post-secondary schools; limiting the use of the Huron Cemetery to religious and cultural activities; permitting the conveyance of the Twin Cities Research Center; authorizing a cooperative agreement with the Golden Gate National Parks Association; permitting the Bureau of Land Management to retain funds from the sale of seeds and seedlings; permitting the sale of equipment and interests at the White River Oil Shale Mine in Utah and the retention of receipts; and allowing the use of helicopters and motor vehicles on Sheldon and Hart National Wildlife refuge; authorizing funding transfers for Shenandoah Valley Battlefield NHD and Ice Age NST; prohibiting the closure of the underground lunchroom at Carlsbad Caverns NP.

Language is included under General Provisions, Department of the Interior, prohibiting demolition of the bridge between New Jersey and Ellis Island; prohibiting posting of clothing optional signs at Canaveral NS; limiting compensation for the Special Master and Court Monitor for the Cobell v. Norton litigation; allowing payment of attorney fees for Federal employees related to the Cobell v. Norton litigation; requiring the Fish and Wildlife Service to mark

hatchery salmon; and allowing for the transfer of certain Departmental Management funds to the U.S. Fish and Wildlife Service for Midway Island Refuge airport; and preventing funds to study or reduce the water level at Lake Powell.

Language is included under General Provisions, Department of the Interior, providing for expansion of a tribal school demonstration program; requiring the Secretary of the Interior to report to the Committee on educational facilities for the Eastern Band of Cherokee Indians; providing for a land exchange at the Mojave National Preserve; establishing the Blue Ridge National Heritage Area in North Carolina; establishing a resolution process regarding individual Indian money account claims so that claims would be resolved either through a voluntary settlement process or through a historical accounting.

Language is included under General Provisions, Department of the Interior, limiting the use of funds for the Klamath Fishery Management Council and permitting the U.S. Fish and Wildlife Service to use funds to encourage public participation in Service programs and for contracts for employment-related legal services.

Language is included under Forest Service, State and private forestry, requiring House and Senate Appropriations Committee notification before releasing forest legacy project funds; requiring that each forest legacy grant be for a specific project or task; and requiring that States demonstrate cost-share on forest legacy grants.

Language is included under Forest Service, National forest system, allowing 50 percent of the fees collected under the Land and Water Conservation Fund Act to remain available until expended; requiring the fiscal year 2005 budget justification to display unobligated balances available at the start of fiscal year 2005; and permitting the transfer of funds to the Bureau of Land Management for wild horse and burro management and for cadastral surveys.

Language is included under Forest Service, Wildland fire management, allowing the use of funds to repay advances from other accounts and requiring 50 percent of any unobligated balances remaining at the end of fiscal year 2003, excepting hazardous fuels funding, to be transferred to the Knutson-Vandenberg Fund as repayment for past advances; permitting the use of funds for the Joint Fire Science program; providing for grants and cooperative agreements with local communities; providing for use of funds on adjacent, non-Federal lands for hazard reduction; providing contract authority for fuel reduction projects; and providing for the transfer of funds between the Department of Interior and the Department of Agriculture.

Language is included under Forest Service, Capital improvement and maintenance, allowing funds to be used for road decommissioning and requiring that no road decommissioning be funded until notice and an opportunity for public comment has been provided.

Language is included under Forest Service, Range betterment fund, providing that six percent of the funds may be used for administrative expenses.

Language is included under Forest Service, Administrative provisions, providing that proceeds from the sale of aircraft may be used to purchase replacement aircraft; permitting the transfer of funds for emergency firefighting from other Forest Service accounts

under certain circumstances; and allowing funds to be used through the Agency for International Development and the Foreign Agricultural Service for work in foreign countries and to support other forestry activities outside of the United States.

Language is included under Forest Service, Administrative provisions, prohibiting the following without advance approval: (1) the transfer of funds under the Department of Agriculture transfer authority; (2) reprogramming of funds; and (3) transfer of funds in excess of the level transferred during fiscal year 2000 to the working capital fund of the Department of Agriculture.

Language is included under Forest Service, Administrative provisions, providing for a Youth Conservation Corps program; providing for matching funds and administrative expenses for the National Forest Foundation and also matching funds for the National Fish and Wildlife Foundation; providing funds for sustainable rural development; providing payments to counties within the Columbia River Gorge National Scenic Area; dealing with a report on special use permits for outfitters and guides on the Inyo and the Sierra National Forests; permitting limited reimbursements to the Office of General Counsel in USDA; allowing the limited use of funds for law enforcement emergencies; authorizing the sale of buildings and facilities on the Green Mountain National Forest; allowing the transfer of funds to the Department of the Interior for endangered species consultation; and providing Federal employee status for certain individuals employed under the Older American Act of 1965.

Language is included under Department of Energy, Clean coal technology, deferring certain funding for one year.

Language is included under Department of Energy, Fossil energy, specifying certain conditions for the Clean Coal Power Initiative; limiting the field testing of nuclear explosives for the recovery of oil and gas; and permitting the use of funds from other programs accounts for the National Energy Technology Laboratory.

Language is included under Department of Energy, Naval petroleum and oil shale reserves, permitting the use of unobligated balances.

Language is included under the Department of Energy, Energy conservation, providing allocations of grants for weatherization and State energy conservation.

Language is included under Administrative provisions, Department of Energy, providing for vehicle and guard services and uniform allowances; limiting programs of price supports and loan guarantees to what is provided in appropriations Acts; providing for the transfer of funds to other agencies of the Government; providing for retention of revenues by the Secretary of Energy on certain projects; requiring certain contracts be submitted to Congress prior to implementation; prohibiting issuance of procurement documents without appropriations; and permitting the use of contributions and fees for cooperative projects.

Language is included under Indian Health Service, Indian health services, providing that certain contracts and grants may be performed in two fiscal years; exempting certain tribal funding from fiscal year constraints; limiting funds for catastrophic care, loan repayment and certain contracts; capping contract support cost spending; providing for use of collections under Title IV of the Indian Health Care Improvement Act; and permitting the use of In-

dian Health Care Improvement Fund monies for facilities improvement.

Language is included under Indian Health Service, Indian health facilities, providing that funds may be used to purchase land, modular buildings and trailers; providing for certain staff quarters construction in Alaska; providing for certain purchases and for a demolition fund; and providing authority for contracts for small ambulatory facilities.

Language is included under Indian Health Service, Administrative provisions, providing for payments for telephone service in private residences in the field, purchase of reprints, and purchase and erection of portable buildings and allowing deobligation and reobligation of funds applied to self-governance funding agreements.

Language is included under Indian Health Service, Administrative provisions, providing that health care may be extended to non-Indians at Indian Health Service facilities and providing for expenditure of funds transferred to IHS from the Department of Housing and Urban Development.

Language is included under Indian Health Service, Administrative provisions, preventing the Indian Health Service from billing Indians in order to collect from third-party payers until Congress has agreed to implement a specific policy.

Language is included under Indian Health Service, Administrative provisions, allowing payment of expenses for meeting attendance; specifying that certain funds shall not be subject to certain travel limitations; prohibiting the expenditure of funds to implement new eligibility regulations; providing that funds be apportioned only in the appropriation structure in this Act; prohibiting changing the appropriations structure without approval of the Appropriations Committees; and permitting the sale of goods and services for fees and for the use of those fees.

Language is included under Office of Navajo and Hopi Indian Relocation, Salaries and expenses, defining eligible relocatees; prohibiting movement of any single Navajo or Navajo family unless a new or replacement home is available; limiting relocatees to one new or replacement home; and establishing a priority for relocation of Navajos to those certified eligible who have selected and received homesites on the Navajo reservation or selected a replacement residence off the Navajo reservation.

Language is included under Smithsonian Institution, Salaries and expenses, allowing for advance payments to independent contractors performing research services or participating in official Smithsonian presentations; providing that funds may be used to support American overseas research centers; and permitting the use of certain funds for the Victor Building.

Language is included under Smithsonian Institution, facilities capital, permitting the Smithsonian Institution to select contractors for certain purposes on the basis of contractor qualifications as well as price.

Language is included under Smithsonian Institution, Administrative provisions, precluding any changes to the Smithsonian science program without prior approval of the Board of Regents; limiting the design or expansion of current space or facilities without prior approval of the Committee; limiting reprogramming of funds and

the use of funds for the Holt House; and establishing a voluntary separation incentive program.

Language is included under National Gallery of Art, Salaries and expenses, allowing payment in advance for membership in library, museum, and art associations or societies; providing uniform allowances and for restoration and repair of works of art by contract without advertising; and providing no-year availability of funds for special exhibitions.

Language is included under National Gallery of Art, Repair, restoration and renovation of buildings, permitting the Gallery to perform work by contract or otherwise and to select contractors for certain purposes on the basis of contractor qualifications as well as price.

Language is included under National Endowment for the Humanities, Matching grants, allowing obligation of current and prior year funds of gifts, bequests, and devises of money for which equal amounts have not previously been appropriated.

Language is included under National Foundation on the Arts and the Humanities, Administrative provisions, requiring certain language in contracts and grants permitting the use of non-appropriated funds for reception expenses, and allowing the chairperson of the NEA to approve small grants under limited circumstances.

Language is included under Commission of Fine Arts, Salaries and expenses, permitting the charging and use of fees for its publications.

Language is included under National Capital Arts and Cultural Affairs, Administrative Provisions, limiting the use of funds to study the alteration or transfer of this program.

Language is included under Advisory Council on Historic Preservation, Salaries and expenses, restricting hiring at Executive Level V or higher.

Language is included under National Capital Planning Commission, Salaries and expenses, providing a daily equivalent pay level at the rate of Executive Level IV for all appointed members for fiscal year 2004 and thereafter.

Language is included under Holocaust Memorial Council, providing no-year funding availability for repair and rehabilitation and museums exhibitions.

Language is included under Title III—General Provisions, providing for availability of information on consulting services contracts; prohibiting the use of funds to distribute literature either to promote or oppose legislative proposals on which Congressional action is incomplete; prohibiting the use of funds to provide personal cooks, chauffeurs or other personal servants to any office or employee; specifying that funds are for one year unless provided otherwise; prohibiting assessments against programs funded in this bill; and prohibiting the sale of giant sequoia trees in a manner different from 2002.

Language is included under Title III—General Provisions, continuing a limitation on accepting and processing applications for patents and on the patenting of Federal lands; permitting processing of grandfathered applications; and permitting third-party contractors to process grandfathered applications.

Language is included under Title III—General Provisions, limiting the use of funds for contract support costs on Indian contracts.

Language is included under Title III—General Provisions, making reforms in the National Endowment for the Arts, including funding distribution reforms; permitting the National Endowments for the Arts and the Humanities to collect, invest and use private donations; limiting funds for completing or issuing the five-year program under the Forest and Rangeland Renewable Resources Planning Act; limiting the use of funds for any government-wide administrative functions; permitting the use of Forest Service road and trail funds for maintenance and forest health; limiting the use of telephone answering machines; and limiting the sale for export of western red cedar in Alaska.

Language is included under Title III—General Provisions, prohibiting the Forest Service from using projects under the recreation fee demonstration program to supplant existing concessions and permitting the use of Forest land management plans pending completion of required revisions.

Language is included under Title III—General Provisions, limiting leasing and preleasing activities within National Monuments; extending and expanding the pilot program allowing the Forest Service to dispose of certain excess structures and reinvest the proceeds for maintenance and rehabilitation; providing authority hereafter for the staff of Congressionally established foundations to use GSA contract airfare rates and Federal government hotel accommodation rates when on official business; providing the Secretary of the Interior and the Secretary of Agriculture the authority to enter into reciprocal agreements with foreign nations concerning the personal liability of firefighters; providing for processing expired grazing permits by the Bureau of Land Management and the Forest Service; authorizing a demonstration program for the Cheyenne River Sioux Tribe, which permits the Eagle Butte service unit to pay higher salaries and bonuses to attract health professionals; prohibiting the transfer of funds to other agencies other than provided in this Act; and limiting the use of funds to prepare or issue a permit or lease for oil or gas drilling in the Finger Lakes National Forest, NY.

Language is included under Title III, General Provisions limiting funds on planning, design, and construction to Pennsylvania Avenue in front of the White House; providing contracting and grant authority for hazardous fuel projects in forest-dependent rural communities; certain limitation on funds for Federal land takings excluding Everglades National Park Protection and Expansion Act; extending recreation fee program; continues existing procurement authorities at the Land Between the Lakes NRA; and extending a pilot botanical forest product harvest program.

Language is included under Title III, General Provisions limiting the use of funds for competitive sourcing studies to those already initiated in fiscal years 2002 and 2003.

APPROPRIATIONS NOT AUTHORIZED BY LAW

Pursuant to clause 3(f)(1) of rule XIII of the Rules of the House of Representatives, the following table lists the appropriations in the accompanying bill which are not authorized by law:

[Dollars in thousands]

	Last year of authorization	Authorization level	Appropriations in last year of authorization	Appropriations in this bill
National Endowment for the Arts	1993	''Such sums as may be necessary''.	$174,460	$117,480
National Endowment for the Humanities	1993	''Such sums as may be necessary''.	177,413	137,000
Office of Navajo & Hopi Indian Relocation	2000	$30,000	8,000	13,532
U.S. Fish & Wildlife Service				
Resources Management:				
Endangered Species Act Amendments of 1988.	1992	$41,500	35,721	134,469
Marine Mammal Protection Act Amendments of 1994.	1999	$10,296	2,008	
Department of Energy				
Energy Information Administration 1992	NA	76,300	82,111	
Office of Fossil Energy:				
Coal	1997	''Such sums as may be necessary''.	149,629	198,860
Enhanced Oil Recovery	1997	NA	45,937	32,200
Natural Gas	1997	NA	23,614	36,480
Fuel Cells	1997	NA	50,117	70,000
Energy Efficiency and Renewable Energy:				
Transportation R&D	1994	$160,000	176,000	240,923
Buildings, Industry	1994	$275,000	255,700	528,438

The Committee notes that authorizing legislation for many of these programs is in various stages of the legislative process and these authorizations are expected to be enacted into law later this year.

Statement of General Performance Goals and Objectives

Pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the following is a statement of general performance goals and objectives for which this measure authorizes funding:

The Committee on Appropriations considers program performance, including a program's success in developing and attaining outcome-related goals and objectives, in developing funding recommendations.

Full Committee Votes

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below: there were no recorded votes.

Compliance With Rule XIII, Cl. 3(e) (Ramseyer Rule)

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

SECTION 1222 OF DIVISION F OF PUBLIC LAW 108–7 TRIBAL SCHOOL DEMONSTRATION PROGRAM

Subsections (a)(4), (b)(1), and (c) of Sec.1222 of Division F of Public Law 108–7 are amended as follows:

(a)(4) ⟦TRIBALLY CONTROLLED SCHOOL.—The term "tribally controlled school" has the meaning given that term in section 5212 of the Tribally Controlled School Act of 1988 (25 U.S.C. 2511).⟧ *TRIBALLY CONTROLLED SCHOOL.—The term "tribally controlled school" means a school that currently receives a grant under the Tribally Controlled Schools Act of 1988, as amended (25 U.S.C. 2501 et seq.) or is determined by the Secretary to meet the eligibility criteria of section 5205 of the Tribally Controlled Schools Act of 1988, as amended (25 U.S.C. 2504).*

(b)(1) IN GENERAL.—Subject to the availability of appropriations, in carrying out the demonstration program under subsection (b), the Secretary shall award a grant to each Indian tribe that submits an application that is approved by the Secretary under paragraph (2). ⟦The Secretary shall ensure that an Indian tribe that agrees to fund all future operation and maintenance costs of the tribally controlled school constructed under the demonstration program from other than federal funds receives the highest priority for a grant under this section.⟧ *The Secretary shall ensure that applications for funding to replace schools currently receiving funding for facility operation and* maintenance from the Bureau of Indian Affairs receive the highest priority for grants under this section. Among such applications, the Secretary shall give priority to applications of Indian tribes that agree to fund all future facility operation and maintenance costs of the tribally controlled school funded under the demonstration program from other than Federal funds.

(c) EFFECT OF A GRANT.—*(1) Except as provided in paragraph (2) of the subsection.* A grant received under this section shall be in addition to any other funds received by an Indian tribe under any other provision of law. The receipt of a grant under this section shall not affect the eligibility of an Indian tribe receiving funding, or the amount of funding received by the Indian tribe, under the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.) or the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq).

(2) A tribe receiving a grant for construction of a tribally controlled school under this section shall not be eligible to receive funding from the Bureau of Indian Affairs for that school for education operations or facility operation and maintenance if the school that was not at the time of the grant (i) a school receiving funding for education operations or facility operation and maintenance under the Tribally Controlled Schools Act or the Indian Self-Determination and Education Assistance Act or (ii) a school operated by the Bureau of Indian Affairs."

SECTION 28(a) OF TITLE 30 UNITED STATES CODE HARD ROCK MINING HOLDING FEE

Section 28f(a) of title 30 U.S.C. is amended as follows:

(a) CLAIM MAINTENANCE FEE.—The holder of each unpatented mining claim, mill, or tunnel site, located pursuant to the mining laws of the United States, whether located before, on or after en-

actment of this Act, shall pay to the Secretary of the Interior, on or before September 1 of each year for years [2002 through 2003] *2004 through 2008,* a claim maintenance fee of $100 per claim or site.

Section 28g of title 30 U.S.C. is amended as follows:

LOCATION FEE.—Notwithstanding any other provision of law, for every unpatented mining claim, mill or tunnel site located after August 10, 1993, and before September 30, [2003] *2008*, pursuant to the mining laws of the United States, the locator shall, at the time the location notice is recorded with the Bureau of Land Management, pay to the Secretary of the Interior a location fee, in addition to the claim maintenance fee required by section 28f of this title, of $25.00 per claim.

SECTION 315 OF THE DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

SEC. 315. RECREATIONAL FEE DEMONSTRATION PROGRAM.

(a) * * *

(f) The authority to collect fees under this section shall end on September 30, [2004] *2006*. Funds in accounts established shall remain available through September 30, [2007] *2009*.

SECTION 551 OF THE LAND BETWEEN THE LAKES PROTECTION ACT OF 1998

SEC. 551. AUTHORIZATION OF APPROPRIATIONS.

(a) * * *

[(c) TRANSITION.—Until September 30, 2004, the Secretary of Agriculture may expend amounts appropriated or otherwise made available to carry out this title in a manner consistent with the authorities exercised by the Tennessee Valley Authority, before the transfer of the Recreation Area to the administrative jurisdiction of the Secretary, regarding procurement of property, services, supplies, and equipment.]

(c) USE OF FUNDS.—The Secretary of Agriculture may expend amounts appropriated or otherwise made available to carry out this title in a manner consistent with the authorities exercised by the Tennessee Valley Authority before the transfer of the Recreation Area to the administrative jurisdiction of the Secretary, including campground management and visitor services, paid advertisement, and procurement of food and supplies for resale purposes.

SECTION 339 OF THE DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

SEC. 339. PILOT PROGRAM OF CHARGES AND FEES FOR HARVEST OF FOREST BOTANICAL PRODUCTS.

(a) * * *

(b) RECOVERY OF FAIR MARKET VALUE FOR PRODUCTS.—The Secretary of Agriculture shall develop and implement a pilot program to charge and collect [not less than the fair market value] *fees under subsection (c)* for forest botanical products harvested on National Forest System lands. [The Secretary shall establish appraisal methods and bidding procedures to ensure that the amounts collected for forest botanical products are not less than fair market value.] *The Secretary shall establish appraisal methods*

and bidding procedures to determine the fair market value of forest botanical products harvested under the pilot program.

(c) FEES.—

[(1) IMPOSITION AND COLLECTION.—Under the pilot program, the Secretary of Agriculture shall also charge and collect fees from persons who harvest forest botanical products on National Forest System lands to recover all costs to the Department of Agriculture associated with the granting, modifying, or monitoring the authorization for harvest of the forest botanical products, including the costs of any environmental or other analysis.]

(1) IMPOSITION AND COLLECTION.—Under the pilot program, the Secretary of Agriculture shall charge and collect from a person who harvests forest botanical products on National Forest System lands a fee in an amount established by the Secretary to recover at least a portion of the fair market value of the harvested forest botanical products and a portion of the costs incurred by the Department of Agriculture associated with granting, modifying, or monitoring the authorization for harvest of the forest botanical products, including the costs of any environmental or other analysis.

* * * * * * *

(e) WAIVER AUTHORITY.—

(1) PERSONAL USE.—The Secretary of Agriculture shall establish a personal use harvest level for each forest botanical product, and the harvest of a forest botanical product below that level by a person for personal use shall not be subject to [charges and fees under subsections (b) and] *a fee under subsection (c).*

(f) DEPOSIT AND USE OF FUNDS.—

(1) DEPOSIT.—Funds collected under the pilot program in accordance with [subsections (b) and] *subsection (c)* shall be deposited into a special account in the Treasury of the United States.

(2) FUNDS AVAILABLE.—Funds deposited into the special account in accordance with paragraph (1) [in excess of the amounts collected for forest botanical products during fiscal year 1999] shall be available for expenditure by the Secretary of Agriculture under paragraph (3) without further appropriation, and shall remain available for expenditure until the date specified in subsection (h)(2).

(3) AUTHORIZED USES.—The funds made available under paragraph (2) shall be expended at units of the National Forest System in proportion to the [charges and fees collected at that unit under the pilot program to pay for—

[(A) in the case of funds collected under subsection (b), the costs of conducting inventories of forest botanical products, determining sustainable levels of harvest, monitoring and assessing the impacts of harvest levels and methods, and for restoration activities, including any necessary vegetation; and

[(B) in the case of fees collected under subsection (c), the costs described in paragraph (1) of such subsection.] *fees collected at that unit under subsection (c) to pay for the costs of conducting inventories of forest botanical products,*

determining sustainable levels of harvest, monitoring and assessing the impacts of harvest levels and methods, conducting restoration activities, including any necessary vegetation, and covering costs of the Department of Agriculture described in subsection (c) (1).

(4) TREATMENT OF FEES.—Funds collected under [subsections (b) and] subsection (c) shall not be taken into account for the purposes of the following laws:

(A) * * *

(g) REPORTING REQUIREMENTS.—As soon as practicable after the end of each fiscal year in which the Secretary of Agriculture collects ⟦charges and fees under subsections (b) and⟧ *fees under subsection (c)* or expends funds from the special account under subsection (f), the Secretary shall submit to the Congress a report summarizing the activities of the Secretary under the pilot program, including the funds generated under ⟦subsections (b) and⟧ *subsection (c)*, the expenses incurred to carry out the pilot program, and the expenditures made from the special account during that fiscal year.

(h) DURATION OF PILOT PROGRAM.—

⟦(1) CHARGES AND FEES.—The Secretary of Agriculture may collect charges and fees under the authority of subsections (b) and (c) only during fiscal years 2000 through 2004.⟧

(1) COLLECTION OF FEES.—The Secretary of Agriculture may collect fees under the authority of subsection (c) until September 30, 2009.

SECTION 329 OF THE DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2002

SEC. 329. (a) * * *

(b) LIMITATION.—Conveyances on not more than ⟦20⟧ *30* sites may be made under the authority of this section, and the Secretary of Agriculture shall obtain the concurrence of the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate in advance of each conveyance.

(c) USE OF PROCEEDS.—The proceeds derived from the sale of a building or other structure under this section shall be retained by the Secretary of Agriculture and shall be available to the Secretary, without further appropriation until expended, for maintenance and rehabilitation activities within the Forest Service Region in which the building or structure is located. Additionally, proceeds from the sale of conveyances on no more than ⟦3⟧ *eight* sites shall be available for construction of replacement facilities.

(d) DURATION OF AUTHORITY.—The authority provided by this section expires on September 30, ⟦2006⟧ *2007*.

FIVE-YEAR PROJECTION OF OUTLAYS

In compliance with section 308(a)(1)(B) of the Congressional Budget Act of 1974 (Public Law 93–344), as amended, the following table contains five-year projections associated with the budget authority provided in the accompanying bill:

[In millions]

Budget authority (discretionary)	19,627

Outlays:	
Fiscal year 2004	13,224
Fiscal year 2005	4,105
Fiscal year 2006	1,463
Fiscal year 2007	632
Fiscal year 2008 and future years	253

ASSISTANCE TO STATE AND LOCAL GOVERNMENTS

In accordance with section 308(a)(1)(C) of the Congressional Budget Act of 1974 (Public Law 93–344), as amended, the financial assistance to State and local governments is as follows:

[In millions]

New budget authority	2,561
Fiscal year 2004 outlays resulting therefrom	1,564

FULL COMMITTEE VOTES

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLLCALL NO. 1

Date: June 25, 2003.

Measure: Department of the Interior and Related Agencies Appropriations Bill, FY 2004.

Motion by: Mr. Obey.

Description of motion: To increase certain conservation spending category programs by $568.6 million; increases are offset by a reduction to tax cuts for certain income groups.

Results: Rejected 26 yeas to 32 nays.

Members Voting Yea	*Members Voting Nay*
Mr. Berry	Mr. Aderholt
Mr. Bishop	Mr. Bonilla
Mr. Boyd	Mr. Crenshaw
Mr. Clyburn	Mr. Cunningham
Mr. Cramer	Mr. Doolittle
Ms. DeLauro	Mrs. Emerson
Mr. Dicks	Mr. Frelinghuysen
Mr. Farr	Mr. Goode
Mr. Fattah	Ms. Granger
Mr. Hinchey	Mr. Istook
Mr. Hoyer	Mr. Kingston
Ms. Kaptur	Mr. Knollenberg
Mr. Kennedy	Mr. LaHood
Ms. Kilpatrick	Mr. Latham
Mrs. Lowey	Mr. Lewis
Mr. Mollohan	Mr. Nethercutt
Mr. Moran	Mrs. Northup
Mr. Obey	Mr. Peterson
Mr. Olver	Mr. Regula
Mr. Pastor	Mr. Rogers
Mr. Price	Mr. Sherwood
Mr. Rothman	Mr. Simpson
Ms. Roybal-Allard	Mr. Sweeney
Mr. Sabo	Mr. Taylor
Mr. Serrano	Mr. Tiahrt
Mr. Visclosky	Mr. Vitter
	Mr. Walsh
	Mr. Wamp
	Dr. Weldon
	Mr. Wicker
	Mr. Wolf
	Mr. Young

BUDGET AUTHORITY FOR 2003 AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I DEPARTMENT OF THE INTERIOR					
Bureau of Land Management					
Management of lands and resources	820,344	828,079	834,088	+13,744	+6,009
Wildland fire management:					
Preparedness	275,411	282,725	302,725	+27,314	+20,000
Fire suppression operations	159,309	195,310	170,310	+11,001	-25,000
Other operations	215,433	220,690	225,690	+10,257	+5,000
Other appropriations (P.L. 108-7)	189,000	---	---	-189,000	---
Subtotal	839,153	698,725	698,725	-140,428	---
Central hazardous materials fund	9,913	9,978	9,978	+65	---
Construction	11,898	10,976	10,976	-922	---
Land acquisition	33,233	23,686	14,000	-19,233	-9,686
Oregon and California grant lands	104,947	106,672	106,672	+1,725	---
Range improvements (indefinite)	10,000	10,000	10,000	---	---
Service charges, deposits, & forfeitures (indefinite)	7,900	20,490	20,490	+12,590	---
Offsetting fee collections	-7,900	-20,490	-20,490	-12,590	---
Miscellaneous trust funds (indefinite)	12,405	12,405	12,405	---	---
Total, Bureau of Land Management	1,841,893	1,700,521	1,696,844	-145,049	-3,677
United States Fish and Wildlife Service					
Resource management	911,464	941,526	959,901	+48,437	+18,375
Construction	54,073	35,393	52,718	-1,355	+17,325
Land acquisition	72,893	40,737	23,058	-49,835	-17,679

BUDGET AUTHORITY FOR 2003 AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
Landowner incentive program	39,740	40,000	40,000	+260	---
Rescission	-40,000	---	---	+40,000	---
Subtotal	-260	40,000	40,000	+40,260	---
Private stewardship grants	9,935	10,000	10,000	+65	---
Rescission	-10,000	---	---	+10,000	---
Subtotal	-65	10,000	10,000	+10,065	---
Cooperative endangered species conservation fund	80,473	86,614	86,614	+6,141	---
National wildlife refuge fund	14,320	14,414	14,414	+94	---
North American wetlands conservation fund	38,309	49,560	24,560	-13,749	-25,000
Neotropical migratory birds conservation fund	2,981	---	5,000	+2,019	+5,000
Multinational species conservation fund	4,768	7,000	5,000	+232	-2,000
State wildlife grants	64,577	59,983	75,000	+10,423	+15,017
Total, United States Fish and Wildlife Service	1,243,533	1,285,227	1,296,265	+52,732	+11,038
Appropriations	(1,293,533)	(1,285,227)	(1,296,265)	(+2,732)	(+11,038)
Rescission	(-50,000)	---	---	(+50,000)	---
National Park Service					
Operation of the national park system	1,564,331	1,631,882	1,636,882	+72,551	+5,000
United States Park Police	77,921	78,859	78,859	+938	---
National recreation and preservation	61,268	47,936	54,924	6,344	+6,988
Urban park and recreation fund	298	305	305	+7	---
Historic preservation fund	68,552	67,000	71,000	+2,448	+4,000
Construction	325,712	327,257	303,199	-22,513	-24,058
Land and water conservation fund (rescission of contract authority)	-30,000	-30,000	-30,000	---	---

BUDGET AUTHORITY FOR 2003 AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
Land acquisition and state assistance	171,348	238,634	131,154	-40,194	-107,480
Total, National Park Service (net)	2,239,430	2,361,873	2,246,323	+6,893	-115,550
Appropriations	(2,269,430)	(2,391,873)	(2,276,323)	(+6,893)	(-115,550)
Rescission	(-30,000)	(-30,000)	(-30,000)	---	---
United States Geological Survey					
Surveys, investigations, and research	919,272	895,505	935,660	+16,388	+40,155
Minerals Management Service					
Royalty and offshore minerals management	264,477	264,446	264,446	-31	---
Use of receipts	-100,230	-100,230	-100,230	---	---
Oil spill research	6,065	7,105	7,105	+1,040	---
Total, Minerals Management Service	170,312	171,321	171,321	+1,009	---
Office of Surface Mining Reclamation and Enforcement					
Regulation and technology	104,408	106,424	106,424	+2,016	---
Receipts from performance bond forfeitures (indefinite)	273	275	275	+2	---
Subtotal	104,681	106,699	106,699	+2,018	---
Abandoned mine reclamation fund (definite, trust fund)	190,498	174,469	194,469	+3,971	+20,000
Total, Office of Surface Mining Reclamation and Enforcement	295,179	281,168	301,168	+5,989	+20,000

BUDGET AUTHORITY FOR 2003 AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
Bureau of Indian Affairs					
Operation of Indian programs	1,845,246	1,889,735	1,902,106	+56,860	+12,371
Construction	345,988	345,154	345,154	-834	---
Indian land and water claim settlements and miscellaneous payments to Indians	60,552	51,375	55,583	-4,969	+4,208
Indian guaranteed loan program account	5,457	6,497	6,497	+1,040	---
(Limitation on guaranteed loans)	---	(94,568)	(94,568)	(+94,568)	---
Total, Bureau of Indian Affairs	2,257,243	2,292,761	2,309,340	+52,097	+16,579
Departmental Offices					
Insular Affairs:					
Assistance to Territories	48,183	43,623	46,623	-1,560	+3,000
Northern Marianas	27,720	27,720	27,720	---	---
Subtotal	75,903	71,343	74,343	-1,560	+3,000
Compact of Free Association	8,926	4,125	4,354	-4,572	+229
Mandatory payments	12,000	12,000	12,000	---	---
Subtotal	20,926	16,125	16,354	-4,572	+229
Total, Insular Affairs	96,829	87,468	90,697	-6,132	+3,229
Departmental management	71,957	97,140	79,027	+7,070	-18,113
Working capital fund	---	---	-20,000	-20,000	-20,000
Office of the Solicitor	47,462	50,374	50,374	+2,912	---
Office of Inspector General	36,003	39,049	39,049	+3,046	---

BUDGET AUTHORITY FOR 2003 AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
Office of Special Trustee for American Indians					
Federal trust programs	140,359	274,641	219,641	+79,282	-55,000
Indian land consolidation	7,928	20,980	20,980	+13,052	---
Total, Office of Special Trustee for American Indians	148,287	295,621	240,621	+92,334	-55,000
Natural resource damage assessment fund	5,501	5,633	5,633	+132	---
Payments in lieu of taxes	218,570	200,000	225,000	+6,430	+25,000
Total, Departmental Offices	624,609	775,285	710,401	+85,792	-64,884
Total, title I, Department of the Interior:					
New budget (obligational) authority (net)	9,591,471	9,763,661	9,667,322	+75,851	-96,339
Appropriations	(9,671,471)	(9,793,661)	(9,697,322)	(+25,851)	(-96,339)
Rescissions	(-80,000)	(-30,000)	(-30,000)	(+50,000)	---
(Limitation on guaranteed loans)	---	(94,568)	(94,568)	(+94,568)	---
TITLE II - RELATED AGENCIES					
DEPARTMENT OF AGRICULTURE					
Forest Service					
Forest and rangeland research	250,049	252,170	267,230	+17,181	+15,060
State and private forestry	284,712	315,823	290,758	+6,046	-25,065
National forest system	1,353,444	1,369,573	1,400,792	+47,348	+31,219

BUDGET AUTHORITY FOR 2003 AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
Wildland fire management:					
Preparedness	677,996	609,747	698,000	+20,004	+88,253
Fire suppression operations	351,964	604,580	520,000	+168,036	-84,580
Other operations	341,008	327,448	406,632	+65,624	+79,184
Other appropriations (P.L. 108-7)	636,000	---	---	-636,000	---
Subtotal	2,006,968	1,541,775	1,624,632	-382,336	+82,857
Capital improvement and maintenance	548,450	524,571	560,473	+12,023	+35,902
Land acquisition	132,945	44,130	29,288	-103,657	-14,842
Acquisition of lands for national forests, special acts	1,062	1,069	1,069	+7	---
Acquisition of lands to complete land exchanges (indefinite)	232	234	234	+2	---
Range betterment fund (indefinite)	3,380	3,000	3,000	-380	---
Gifts, donations and bequests for forest and rangeland research	91	92	92	+1	---
Management of national forest lands for subsistence uses	5,506	5,535	5,535	+29	---
Total, Forest Service	4,586,839	4,057,972	4,183,103	-403,736	+125,131
DEPARTMENT OF ENERGY					
Clean coal technology:					
Deferral	-87,000	---	-86,000	+1,000	-86,000
Fossil energy research and development	620,837	514,305	609,290	-11,547	+94,985
SPR petroleum account (by transfer)	---	(5,000)	---	---	(-5,000)
Naval petroleum and oil shale reserves	17,715	16,500	20,500	+2,785	+4,000
Elk Hills School lands fund	---	36,000	---	---	-36,000
Advance appropriations, FY 2004	36,000	---	36,000	---	+36,000
Energy conservation	891,769	875,793	879,487	-12,282	+3,694
Economic regulation	1,477	1,047	1,047	-430	---

BUDGET AUTHORITY FOR 2003 AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
Strategic petroleum reserve	171,732	175,081	175,081	+3,349	---
SPR petroleum account	6,954	---	---	-6,954	---
Rescission	-5,000	---	---	+5,000	---
(Transfer out)	---	(-5,000)	---	---	(+5,000)
Subtotal	1,954	---	---	-1,954	---
Northeast home heating oil reserve	5,961	5,000	5,000	-961	---
Energy Information Administration	80,087	80,111	82,111	+2,024	+2,000
Total, Department of Energy:					
New budget (obligational) authority (net)	1,740,532	1,703,837	1,722,516	-18,016	+18,679
Appropriations	(1,796,532)	(1,703,837)	(1,772,516)	(-24,016)	(+68,679)
Advance appropriations	(36,000)	---	(36,000)	---	(+36,000)
Rescissions	(-5,000)	---	---	(+5,000)	---
Deferral	(-87,000)	---	(-86,000)	(+1,000)	(-86,000)
(Transfer out)	---	(-5,000)	---	---	(+5,000)
(By transfer)	---	(5,000)	---	---	(-5,000)
DEPARTMENT OF HEALTH AND HUMAN SERVICES					
Indian Health Service					
Indian health services	2,475,916	2,502,393	2,556,082	+80,166	+53,689
Indian health facilities	373,745	387,269	392,560	+18,815	+5,291
Total, Indian Health Service	2,849,661	2,889,662	2,948,642	+98,981	+58,980

BUDGET AUTHORITY FOR 2003 AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
OTHER RELATED AGENCIES					
Office of Navajo and Hopi Indian Relocation					
Salaries and expenses	14,397	13,532	13,532	-865	---
Institute of American Indian and Alaska Native Culture and Arts Development					
Payment to the Institute	5,454	5,250	5,250	204	-
Smithsonian Institution					
Salaries and expenses	460,196	476,553	489,748	+29,552	+13,195
Rescission	-14,100	---	---	+14,100	---
Subtotal	446,096	476,553	489,748	+43,652	+13,195
Repair, restoration and alteration of facilities	82,883	---	---	-82,883	---
Construction	15,896	---	---	-15,896	---
Facilities capital	---	89,970	93,970	+93,970	+4,000
Total, Smithsonian Institution	544,875	566,523	583,718	+38,843	+17,195
National Gallery of Art					
Salaries and expenses	76,717	88,849	88,849	+12,132	---
Repair, restoration and renovation of buildings	16,125	11,600	11,600	-4,525	---
Total, National Gallery of Art	92,842	100,449	100,449	+7,607	---

BUDGET AUTHORITY FOR 2003 AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
John F. Kennedy Center for the Performing Arts					
Operations and maintenance	16,204	16,560	16,560	+356	---
Construction	17,486	16,000	16,000	-1,486	---
Total, John F. Kennedy Center for the Performing Arts	33,690	32,560	32,560	-1,130	---
Woodrow Wilson International Center for Scholars					
Salaries and expenses	8,433	8,604	8,604	+171	---
National Foundation on the Arts and the Humanities					
National Endowment for the Arts					
Grants and administration 1/	115,732	117,480	117,480	+1,748	---
National Endowment for the Humanities					
Grants and administration	108,919	135,878	120,878	+11,959	-15,000
Matching grants	16,017	16,122	16,122	+105	---
Total, National Endowment for the Humanities	124,936	152,000	137,000	+12,064	-15,000
Total, National Foundation on the Arts and the Humanities	240,668	269,480	254,480	+13,812	-15,000
Commission of Fine Arts					
Salaries and expenses	1,216	1,422	1,422	+206	---

BUDGET AUTHORITY FOR 2003 AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
National Capital Arts and Cultural Affairs					
Grants	6,954	5,000	7,000	+46	+2,000
Advisory Council on Historic Preservation					
Salaries and expenses	3,643	4,100	4,100	+457	---
National Capital Planning Commission					
Salaries and expenses	7,206	8,230	7,730	+524	-500
United States Holocaust Memorial Museum					
Holocaust Memorial Museum	38,412	39,997	39,997	+1,585	---
Presidio Trust					
Presidio trust fund	21,188	20,700	20,700	-488	---
Total, title II, related agencies:					
New budget (obligational) authority (net)	10,196,010	9,727,318	9,933,803	-262,207	+206,485
Appropriations	(10,266,110)	(9,727,318)	(9,983,803)	(-282,307)	(+256,485)
Advance appropriations	(36,000)	---	(36,000)	---	(+36,000)
Rescissions	(-19,100)	---	---	(+19,100)	---
Deferral	(-87,000)	---	(-86,000)	(+1,000)	(-86,000)
(Transfer out)	---	(-5,000)	---	---	(+5,000)
(By transfer)	---	(5,000)	---	---	(-5,000)

BUDGET AUTHORITY FOR 2003 AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
Grand total:					
New budget (obligational) authority (net)...	19,787,481	19,490,979	19,601,125	-186,356	+110,146
Appropriations.....	(19,937,581)	(19,520,979)	(19,681,125)	(-256,456)	(+160,146)
Advance appropriations.....	(36,000)	---	(36,000)	---	(+36,000)
Rescissions.....	(-99,100)	(-30,000)	(-30,000)	(+69,100)	---
Deferral.....	(-87,000)	---	(-86,000)	(+1,000)	(-86,000)
(Transfer out).....	---	(-5,000)	---	---	(+5,000)
(By transfer).....	---	(5,000)	---	---	(-5,000)
(Limitation on guaranteed loans).....	---	(94,568)	(94,568)	(+94,568)	---

1/ Challenge America Arts Fund was requested by the President as a separate account.

ADDITIONAL VIEWS OF DAVID OBEY AND NORMAN DICKS

We appreciate that the FY 2004 Interior Appropriations bill reported by the Committee includes important increases in certain areas. The $335 million increase over the FY 2003 base funding for the National Fire Plan is critically important. These funds will improve this nation's ability to both fight and prevent catastrophic forest fires. Likewise, the $243 million increase for Indian health, education and trust reform efforts, while still less than is needed, is to be commended. Funding to address the most urgent needs within Indian Country represents a shared priority of all members of the Committee. Beyond these two specific areas, the bill also has made a commendable effort to provide funding to at least partially offset the uncontrollable costs, principally pay and rent, for the agencies under its jurisdiction.

Beyond funding, we also endorse a number of policy initiatives in this bill. The limitation in section 335 of the bill on the Administration's poorly designed competitive sourcing programs, in particular those at the National Park Service and the U.S. Forest Service, will stop an irrational and costly process until it can be redesigned and further justified to the Congress. Section 137 attempts to address the longstanding problems created by the Cobell v. Norton individual Indian trust accounts court case by encouraging a settlement process which we hope will direct scarce resources away from lawyers and accountants to the benefit of Native American peoples through a responsible and responsive system of Indian trust management. While this language is controversial and may require further amendment after consultation with the authorizing Committees of both the House and the Senate, the effort to move the process towards settlement and away from an enormously costly and unproductive litigation process is clearly the right policy and should be encouraged.

Unfortunately, despite the positive aspects of this Interior bill, it is our view that the FY 2004 appropriations bill reported by the Committee remains critically flawed in many areas. These failings, which are discussed in more detail later in these remarks, include, principally:

- A wholesale retreat from the Committee's previous commitment to adequately fund conservation programs to protect public lands and cultural artifacts, to preserve endangered and threatened species, and to assist States in their own conservation and recreation programs. These conservation programs are funded at a level $208 million below the current year and $569 million below the level authorized in the conservation trust agreement less than three years ago;
- Failure to provide adequate funds to address funding shortfalls for the FY 2002 and FY 2003 firefighting seasons. The bill fails, for instance, to repay any of the $373 million bor-

rowed from other Forest Service and Interior Department programs during the fiscal year 2002 fire seasons;

• A continuing policy of freezing funding for the National Endowment for the Arts at levels 30 percent less than provided a decade ago, despite repeated votes on the floor of the House in support of increased funding; and

• Rejection of the president's request to increase funding for the Department of Energy's weatherization program, which is critical in helping poor families reduce their energy costs. This program is funded at a level $63 million below the president's request of $288 million.

CONSERVATION FUNDING SHORTFALL

Our greatest concern with the bill as reported is that it completely abandons the conservation trust agreement which the leadership of the House and Senate and the leadership of this Committee voted for 3 years ago as a part of the FY 2001 Interior Appropriations Act. That agreement was reached and enacted into law in response to the 315 Members of the House who voted for the CARA legislation (H.R. 701) during the1 106th Congress as a statement of commitment to preserving the great lands and places of America, to saving endangered and threatened species, and to helping States and local communities with their conservation and recreation programs through creative partnerships. While it is true that no Congress may bind a future Congress, we believe the conservation trust agreements which was included in the 2001 bill represented a promise by the Congress and this Committee that conservation programs would be given their highest priority. Unfortunately, the FY 2004 Interior bill reported by the Committee instead gives conservation spending its lowest priority. If anyone doubts this evaluation of the Committee bill, the numbers speak for themselves:

• *Conservation spending.*—The Committee bill funds conservation related programs in FY 2004 at a level of $991 million—$569 million below the $1,560 million authorized for FY 2004, $208 million below 2003 and approximately $200 million below the president's 2004 request. (See conservation spending table below.)

• *Federal land acquisition.*—Federal land acquisition programs, a critical part of our conservation commitment, are funded at only $100 million, the lowest level in two decades. This is $213 million below the 2003 level and $87 million below the president's request. Members may be tempted to think of this as an abstract argument about vast lands in the undeveloped West or about places which only a few people care about. But it is very real. It is the nine acre tract in the middle of Valley Forge, which will be developed next year if we don't buy it; it is Yellowstone and Grant Teton; it is the Great Smoky Mountains and the Blue Ridge Parkway. It is the national park, wildlife refuge or forest in each Member's Congressional District.

In honesty this cut is no surprise. The Chairman of the Interior Subcommittee has clearly stated his opposition to Federal ownership of land. But we do not believe that most Members of the House agree with that policy. We urge Members during the amendment process on the floor to reject the implicit policy of the bill as

currently drafted that the Federal government largely abandon its efforts to preserve the great spaces of America for our children and our grandchildren.

• *Forestry Legacy.*—The retreat from preserving public land does not stop with our national parks and refuges. 93 Members of the House wrote the Committee in support of the Forest Legacy program which helps States preserve forest lands threatened by development. These 93 Members asked for an increase from $68 million to $150 million. This bill instead funds Forest Legacy grants to States at $45 million, a level almost 30 percent lower than last year and $41 million below the president's budget.

• *North American Wetlands Conservation Fund.*—225 Members of the House wrote this Committee and encouraged us to increase funding for the North American Wetlands Conservation program. In response the bill funds this small but important program at a level of $25 million, 35 percent below the current year and less than half of the president's request. Instead of increasing this program modestly as requested by 225 Members of both parties, the Committee bill cuts it by a third. This doesn't make any sense.

• *Statewide assistance.*—The National Park Service's Stateside assistance grants which support state recreation and conservation programs are funded at a level of $98 million, $63 million below the president's request.

• *Urban parks.*—The urban parks program receives no funding despite requests by 104 Members that it be restored.

The shortfalls in funding for conservation are displayed in more detail on the following table. This table shows all conservation funding in the bill based on the definitions established by the Committee in the FY 2001 Interior Appropriations Act. The first section of the table displays the subset of these programs which are financed from the Land and Water Conservation Fund (LWCF). This fund was created in 1964 to channel receipts from the then newly authorized oil and gas leases on the Outer Continental Shelf into conservation programs with a guarantee that at least $900 million be spent each year on Federal land acquisition and state recreation and conservation assistance programs as defined in the 1964 Act. Because the LWCF programs have never been fully funded, the Land and Water Conservation Fund has accumulated an unexpended balance of $13.2 billion:

CONSERVATION SPENDING—FY 2004 COMMITTEE BILL

[In thousands of dollars]

Subcategory/appropriation account	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004 Committee	Cmmittee vs. 03
Lands and Water Conservation Fund						
Federal Land Acquisition:						
BLM Federal Land Acquisition	15,500	47,265	49,920	33,233	14,000	−19,233
FWS Federal Land Acquisition	50,513	121,188	99,135	72,893	23,058	−49,835
NPS Federal Land Acquisition	78,700	124,840	130,117	73,984	33,654	−40,330
FS Federal land Acquisition	79,835	150,872	149,742	132,945	29,288	−103,657

CONSERVATION SPENDING—FY 2004 COMMITTEE BILL—Continued

[In thousands of dollars]

Subcategory/appropriation account	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004 Committee	Cmmittee vs. 03
Subtotal, Federal Land Acquisition	224,548	444,165	428,914	313,055	100,000	−213,055
NPS Stateside LWCF Grants	21,000	90,301	144,000	97,364	97,500	136
Subtotal, Federal and State LWCF	245,548	534,466	572,914	410,419	197,500	−212,919
State and Other Conservation Programs						
State Wildlife Grants	0	49,890	85,000	64,577	75,000	10,423
FWS Incentive Grant Programs	0	.....	0	39,740	40,000	260
FWS Stewardship Grants Program	0	.....	0	9,935	10,000	65
FWS Coop. Endangered Species Conserv. Fund	23,000	104,694	96,235	80,473	86,614	6,141
FWS North American Wetlands Conserv. Fund	14,957	39,912	43,500	38,309	24,560	−13,749
FWS Neotropical Migratory bird fund	0	0	3,000	2,981	5,000	2,019
FWS Multinational species fund	2,391	3,243	4,000	4,768	5,000	232
USGS State Planning Partnerships	24,945	24,945	25,000	19,976	19,976	0
Cooperatrive Conservation Init., BLM, FWS, NPS:						
BLM Challenge Cost Share	0	0	4,968	13,882	16,882	3,000
FWS Challenge Cost Share	0	0	4,968	6,831	9,831	3,000
NPS Challenge Cost Share	0	0	6,980	11,902	14,902	3,000
FS, Forest Legacy	30,896	59,868	65,000	68,380	45,575	−22,805
FS, inventory and monitoring NFS	.....	19,956	.....	.....	.....	.....
Subtotal, State and Other Conserv.	96,189	302,508	338,651	361,754	353,340	−8,414
Urban and Historic Preservation Programs						
NPS Historic Preservation Fund	74,793	94,239	75,500	68,552	71,000	2,448
NPS Urban Parks & Recreation Recovery Grants	2,000	29,934	30,000	298	305	7
FS Urban and Community Forestry	30,896	35,642	36,000	35,999	36,000	1
BLM Youth Conservation Corps	1,000	1,000	1,000	1,000	1,000	0
FWS Youth Conservation Corps	1,000	1,000	2,000	2,000	2,000	0
NPS Youth Conservation Corps	2,000	2,000	2,000	2,000	2,000	0
FS Youth Conservation Corps	2,000	2,000	2,000	2,000	2,000	0
Subtotal, Urban & Historic	113,689	165,815	147,500	111,849	114,305	2,456
Payments in Lieu of Taxes—BLM Increase	.....	64,980	65,000	74,610	90,000	15,390
Federal Infrastructure Improvement Programs						
BLM—Mgmt. of Lands & Resources increase	0	24,945	28,000	31,422	29,913	−1,509
FWS—Resource Management increase	0	24,945	29,000	45,542	52,664	7,122
NPS—Construction increase	0	49,890	66,851	85,538	61,025	−22,513
FS—Capital Improvement and Maint. increase	0	49,890	61,000	79,882	91,905	12,023
Subtotal, Fed. Infrastructure Improvement	0	149,670	184,851	240,384	235,507	−4,877

CONSERVATION SPENDING—FY 2004 COMMITTEE BILL—Continued

[In thousands of dollars]

Subcategory/appropriation account	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004 Committee	Cmmittee vs. 03
Total, Conservation Spending Category, comm.	455,426	1,217,439	1,308,916	1,199,016	990,652	−208,364
Total, Conservation Spending Category authorization	.....	1,200,000	1,320,000	1,440,000	1,560,000	.....
Committee vs. authorization	.....	17,439	−11,084	−240,984	569,348	.....

FISCAL YEAR 2002 AND 2003 FIREFIGHTING FUNDING SHORTFALLS

During Committee consideration of the bill, an amendment was offered by Mr. Dicks to add $550 million for the additional cost of fighting forest fires during the FY 2003 fire season. The Committee was informed by the U.S. Forest Service in early June that these costs would likely exceed currently available appropriations for firefighting by this amount, thus triggering another round of disruptive borrowing of funds from other Department of Interior and Forest Service programs. During the debate on the amendment, the Chairman of the Committee expressed support for the additional amounts in 2003 but asked that consideration be postponed until it could be considered in the context of a FY 2003 Supplemental. Given these assurances, the amendment was withdrawn but we wish to make clear that we consider enactment of this supplemental to be the highest priority in order to avoid another disastrous round of borrowing to pay emergency firefighting costs.

SUPPORT OF THE NATIONAL ENDOWMENTS FOR THE ARTS AND THE HUMANITIES

We are pleased that the Committee bill includes a $10 million increase for the president's "We the People" initiative at the National Endowment for the Humanities to improve knowledge of U.S. history and civics. While not the full $25 million requested by the president, we appreciate that the Committee has chosen to begin this important educational effort and to provide the NEH with its largest increase in its history. At the same time, however, we were dismayed that the Committee failed to provide even a modest programmatic increase for the National Endowment for the Arts, despite roll call votes in the House on June 15, 2000, June 21, 2001, and July 17, 2002 in favor of such increases. We believe that the NEA has implemented all of the reforms requested by the Congress, that its leadership is strong and responsible, and that the programs of the NEA are widely valued by the people of this country. There is no longer any excuse for keeping funding at the NEA at a level 30 percent below the FY 1994 level. We encourage Members to support efforts on the floor to provide a modest real increase for the NEA and to more adequately fund NEH's new "We the People" program.

WEATHERIZATION

We have been pleased to see the president's leadership in making the Department of Energy's weatherization program a priority and for his commitment to increasing the program in each of the three budgets which he has presented to the Congress. His request to increase funding for weatherization in FY 2004 to $288 million from its current funding level of $223 million would have permitted an additional 25,000 poor and elderly families to be served. It is estimated that each home weatherized will generate $275 in annual saving and $4,650 of life-cycle savings per household. These savings are critical for families living near or below the federal poverty level. Given these savings and given the strong support from the president, we do not understand why the Committee has chosen to fund this program at a level $63 million below the president's FY 2004 budget request.

CONCLUSION

We believe that the shortfalls in funding which we have enumerated represented a serious retreat from the priorities which Congress has supported in the past and which in many cases the president has supported in his FY 2004 budget request. We do not have an easy answer for how to fix these problems, but we do not believe the bill as reported by the Appropriations Committee represents the true will of the House. During floor consideration of the Interior bill, we, as well as other Members of the House, expect to offer amendments to more adequately fund conservation programs, to increase support for the arts and the humanities and to assist more poor and elderly families with the weatherization program. The cost will be offset by an amendment offered unsuccessfully in Committee that would scale back the tax cut going to high-income individuals, those with adjusted gross income above $1 million, by $3,000 per year. This means that the tax cut enacted earlier this year would be reduced from $88,000 to $85,000 for these very high-income families. Surely this represents a reasonable realignment of priorities. We urge Members of both parties to think of your own values and those of your constituents when you consider these amendments. The House of Representatives is not a parliamentary system where Members are required to vote the party line. Each of us has our own election certificate and a duty to our own constituents which comes above party loyalty. We urge all Members to cast their votes based on what they truly see as the best interest of their constituents.

DAVE OBEY.
NORM DICKS.

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