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109TH CONGRESS, 1st Session | HOUSE OF REPRESENTATIVES | REPORT 109–188

MAKING APPROPRIATIONS FOR THE DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2006, AND FOR OTHER PURPOSES

JULY 26, 2005.—Ordered to be printed

Mr. TAYLOR of North Carolina, from the committee of conference, submitted the following

CONFERENCE REPORT

[To accompany H.R. 2361]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2361) "making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes", having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

For necessary expenses for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau, and assessment of mineral potential of public lands pursuant to Public Law 96–487 (16 U.S.C. 3150(a)),

$860,791,000, to remain available until expended, of which $1,250,000 is for high priority projects, to be carried out by the Youth Conservation Corps; and of which $3,000,000 shall be available in fiscal year 2006 subject to a match by at least an equal amount by the National Fish and Wildlife Foundation for cost-shared projects supporting conservation of Bureau lands; and such funds shall be advanced to the Foundation as a lump sum grant without regard to when expenses are incurred.

In addition, $32,696,000 is for Mining Law Administration program operations, including the cost of administering the mining claim fee program; to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation from annual mining claim fees so as to result in a final appropriation estimated at not more than $860,791,000, and $2,000,000, to remain available until expended, from communication site rental fees established by the Bureau for the cost of administering communication site activities.

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for fire preparedness, suppression operations, fire science and research, emergency rehabilitation, hazardous fuels reduction, and rural fire assistance by the Department of the Interior, $766,564,000, to remain available until expended, of which not to exceed $7,849,000 shall be for the renovation or construction of fire facilities: Provided, That such funds are also available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: Provided further, That persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds available from this appropriation: Provided further, That notwithstanding 42 U.S.C. 1856d, sums received by a bureau or office of the Department of the Interior for fire protection rendered pursuant to 42 U.S.C. 1856 et seq., protection of United States property, may be credited to the appropriation from which funds were expended to provide that protection, and are available without fiscal year limitation: Provided further, That using the amounts designated under this title of this Act, the Secretary of the Interior may enter into procurement contracts, grants, or cooperative agreements, for hazardous fuels reduction activities, and for training and monitoring associated with such hazardous fuels reduction activities, on Federal land, or on adjacent non-Federal land for activities that benefit resources on Federal land: Provided further, That the costs of implementing any cooperative agreement between the Federal Government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: Provided further, That notwithstanding requirements of the Competition in Contracting Act, the Secretary, for purposes of hazardous fuels reduction activities, may obtain maximum practicable competition among: (1) local private, nonprofit, or cooperative entities; (2) Youth Conservation Corps crews or related partnerships with State, local, or non-profit youth groups; (3) small or micro-businesses; or (4) other entities that will hire or train locally a significant percentage, defined as 50 percent or more, of the project workforce to complete such contracts: Provided further, That

in implementing this section, the Secretary shall develop written guidance to field units to ensure accountability and consistent application of the authorities provided herein: Provided further, That funds appropriated under this head may be used to reimburse the United States Fish and Wildlife Service and the National Marine Fisheries Service for the costs of carrying out their responsibilities under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) to consult and conference, as required by section 7 of such Act, in connection with wildland fire management activities: Provided further, That the Secretary of the Interior may use wildland fire appropriations to enter into non-competitive sole source leases of real property with local governments, at or below fair market value, to construct capitalized improvements for fire facilities on such leased properties, including but not limited to fire guard stations, retardant stations, and other initial attack and fire support facilities, and to make advance payments for any such lease or for construction activity associated with the lease: Provided further, That the Secretary of the Interior and the Secretary of Agriculture may authorize the transfer of funds appropriated for wildland fire management, in an aggregate amount not to exceed $9,000,000, between the Departments when such transfers would facilitate and expedite jointly funded wildland fire management programs and projects: Provided further, That funds provided for wildfire suppression shall be available for support of Federal emergency response actions.

CONSTRUCTION

For construction of buildings, recreation facilities, roads, trails, and appurtenant facilities, $11,926,000, to remain available until expended.

LAND ACQUISITION

For expenses necessary to carry out sections 205, 206, and 318(d) of Public Law 94–579, including administrative expenses and acquisition of lands or waters, or interests therein, $8,750,000, to be derived from the Land and Water Conservation Fund and to remain available until expended.

OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein, including existing connecting roads on or adjacent to such grant lands; $110,070,000, to remain available until expended: Provided, That 25 percent of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands is hereby made a charge against the Oregon and California land-grant fund and shall be transferred to the General Fund in the Treasury in accordance with the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (50 Stat. 876).

FOREST ECOSYSTEM HEALTH AND RECOVERY FUND

(REVOLVING FUND, SPECIAL ACCOUNT)

In addition to the purposes authorized in Public Law 102–381, funds made available in the Forest Ecosystem Health and Recovery Fund can be used for the purpose of planning, preparing, implementing and monitoring salvage timber sales and forest ecosystem health and recovery activities, such as release from competing vegetation and density control treatments. The Federal share of receipts (defined as the portion of salvage timber receipts not paid to the counties under 43 U.S.C. 1181f and 43 U.S.C. 1181f–1 et seq., and Public Law 106–393) derived from treatments funded by this account shall be deposited into the Forest Ecosystem Health and Recovery Fund.

RANGE IMPROVEMENTS

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701), notwithstanding any other Act, sums equal to 50 percent of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315 et seq.) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than $10,000,000, to remain available until expended: Provided, That not to exceed $600,000 shall be available for administrative expenses.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies of official public land documents, for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under Public Law 94–579, as amended, and Public Law 93–153, to remain available until expended: Provided, That, notwithstanding any provision to the contrary of section 305(a) of Public Law 94–579 (43 U.S.C. 1735(a)), any moneys that have been or will be received pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)), shall be available and may be expended under the authority of this Act by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys collected from each such action are used on the exact lands damaged which led to the action: Provided further, That any such moneys that are in excess of amounts needed to repair damage to the exact land for which funds were collected may be used to repair other damaged public lands.

MISCELLANEOUS TRUST FUNDS

In addition to amounts authorized to be expended under existing laws, there is hereby appropriated such amounts as may be contributed under section 307 of the Act of October 21, 1976 (43 U.S.C. 1701), and such amounts as may be advanced for administrative costs, surveys, appraisals, and costs of making conveyances of omitted lands under section 211(b) of that Act, to remain available until expended.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Land Management shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title; up to $100,000 for payments, at the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Bureau; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on her certificate, not to exceed $10,000: Provided, That notwithstanding 44 U.S.C. 501, the Bureau may, under cooperative cost-sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share the cost of printing either in cash or in services, and the Bureau determines the cooperator is capable of meeting accepted quality standards.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

For necessary expenses of the United States Fish and Wildlife Service, as authorized by law, and for scientific and economic studies, maintenance of the herd of long-horned cattle on the Wichita Mountains Wildlife Refuge, general administration, and for the performance of other authorized functions related to such resources by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities, $1,008,880,000, to remain available until September 30, 2007, except as otherwise provided herein: Provided, That $2,500,000 is for high priority projects, which shall be carried out by the Youth Conservation Corps: Provided further, That not to exceed $18,130,000 shall be used for implementing subsections (a), (b), (c), and (e) of section 4 of the Endangered Species Act, as amended, for species that are indigenous to the United States (except for processing petitions, developing and issuing proposed and final regulations, and taking any other steps to implement actions described in subsection (c)(2)(A), (c)(2)(B)(i), or (c)(2)(B)(ii)), of which not to exceed $12,852,000 shall be used for any activity regarding the designation of critical habitat, pursuant to subsection (a)(3), excluding litigation support, for species listed pursuant to subsection (a)(1) prior to October 1, 2005: Provided further, That of the amount available for law enforcement, up to $400,000, to remain available until expended, may at the discretion of the Secretary be used for payment for information, rewards, or evidence concerning violations of laws

administered by the Service, and miscellaneous and emergency expenses of enforcement activity, authorized or approved by the Secretary and to be accounted for solely on her certificate: Provided further, That of the amount provided for environmental contaminants, up to $1,000,000 may remain available until expended for contaminant sample analyses.

CONSTRUCTION

For construction, improvement, acquisition, or removal of buildings and other facilities required in the conservation, management, investigation, protection, and utilization of fishery and wildlife resources, and the acquisition of lands and interests therein; $45,891,000, to remain available until expended: Provided, That funds made available under the 2005 Consolidated Appropriations Act (Public Law 108–447) for the Chase Lake and Arrowwood National Wildlife Refuges, North Dakota, shall be transferred to North Dakota State University to complete planning and design for a Joint Interpretive Center.

LAND ACQUISITION

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l–4 through 11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the United States Fish and Wildlife Service, $28,408,000 to be derived from the Land and Water Conservation Fund and to remain available until expended: Provided, That none of the funds appropriated for specific land acquisition projects can be used to pay for any administrative overhead, planning or other management costs.

LANDOWNER INCENTIVE PROGRAM

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l–4 through 11), including administrative expenses, and for private conservation efforts to be carried out on private lands, $24,000,000, to be derived from the Land and Water Conservation Fund, and to remain available until expended: Provided, That the amount provided herein is for a Landowner Incentive Program established by the Secretary that provides matching, competitively awarded grants to States, the District of Columbia, federally recognized Indian tribes, Puerto Rico, Guam, the United States Virgin Islands, the Northern Mariana Islands, and American Samoa, to establish or supplement existing landowner incentive programs that provide technical and financial assistance, including habitat protection and restoration, to private landowners for the protection and management of habitat to benefit federally listed, proposed, candidate, or other at-risk species on private lands.

PRIVATE STEWARDSHIP GRANTS

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l–4 through 11), including administrative expenses, and for private conservation efforts to be carried out on private lands, $7,386,000, to be derived

from the Land and Water Conservation Fund, and to remain available until expended: Provided, That the amount provided herein is for the Private Stewardship Grants Program established by the Secretary to provide grants and other assistance to individuals and groups engaged in private conservation efforts that benefit federally listed, proposed, candidate, or other at-risk species.

COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

For expenses necessary to carry out section 6 of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), as amended, $82,200,000, of which $20,161,000 is to be derived from the Cooperative Endangered Species Conservation Fund and $62,039,000 is to be derived from the Land and Water Conservation Fund and to remain available until expended.

NATIONAL WILDLIFE REFUGE FUND

For expenses necessary to implement the Act of October 17, 1978 (16 U.S.C. 715s), $14,414,000.

NORTH AMERICAN WETLANDS CONSERVATION FUND

For expenses necessary to carry out the provisions of the North American Wetlands Conservation Act, Public Law 101–233, as amended, $40,000,000, to remain available until expended.

NEOTROPICAL MIGRATORY BIRD CONSERVATION

For financial assistance for projects to promote the conservation of neotropical migratory birds in accordance with the Neotropical Migratory Bird Conservation Act, Public Law 106–247 (16 U.S.C. 6101–6109), $4,000,000, to remain available until expended.

MULTINATIONAL SPECIES CONSERVATION FUND

For expenses necessary to carry out the African Elephant Conservation Act (16 U.S.C. 4201–4203, 4211–4213, 4221–4225, 4241–4245, and 1538), the Asian Elephant Conservation Act of 1997 (Public Law 105–96; 16 U.S.C. 4261–4266), the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5301–5306), the Great Ape Conservation Act of 2000 (16 U.S.C. 6301), and the Marine Turtle Conservation Act of 2004 (Public Law 108–266; 16 U.S.C. 6601), $6,500,000, to remain available until expended.

STATE AND TRIBAL WILDLIFE GRANTS

For wildlife conservation grants to States and to the District of Columbia, Puerto Rico, Guam, the United States Virgin Islands, the Northern Mariana Islands, American Samoa, and federally recognized Indian tribes under the provisions of the Fish and Wildlife Act of 1956 and the Fish and Wildlife Coordination Act, for the development and implementation of programs for the benefit of wildlife and their habitat, including species that are not hunted or fished, $68,500,000, to be derived from the Land and Water Conservation Fund and to remain available until expended: Provided, That of the amount provided herein, $6,000,000 is for a competitive grant program for Indian tribes not subject to the remaining provisions of this appropriation: Provided further, That the Secretary shall, after deducting said $6,000,000 and administrative expenses,

apportion the amount provided herein in the following manner: (1) to the District of Columbia and to the Commonwealth of Puerto Rico, each a sum equal to not more than one-half of 1 percent thereof; and (2) to Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands, each a sum equal to not more than one-fourth of 1 percent thereof: Provided further, That the Secretary shall apportion the remaining amount in the following manner: (1) one-third of which is based on the ratio to which the land area of such State bears to the total land area of all such States; and (2) two-thirds of which is based on the ratio to which the population of such State bears to the total population of all such States: Provided further, That the amounts apportioned under this paragraph shall be adjusted equitably so that no State shall be apportioned a sum which is less than 1 percent of the amount available for apportionment under this paragraph for any fiscal year or more than 5 percent of such amount: Provided further, That the Federal share of planning grants shall not exceed 75 percent of the total costs of such projects and the Federal share of implementation grants shall not exceed 50 percent of the total costs of such projects: Provided further, That the non-Federal share of such projects may not be derived from Federal grant programs: Provided further, That no State, territory, or other jurisdiction shall receive a grant unless it has developed, by October 1, 2005, a comprehensive wildlife conservation plan, consistent with criteria established by the Secretary of the Interior, that considers the broad range of the State, territory, or other jurisdiction's wildlife and associated habitats, with appropriate priority placed on those species with the greatest conservation need and taking into consideration the relative level of funding available for the conservation of those species: Provided further, That no State, territory, or other jurisdiction shall receive a grant if its comprehensive wildlife conservation plan is disapproved and such funds that would have been distributed to such State, territory, or other jurisdiction shall be distributed equitably to States, territories, and other jurisdictions with approved plans: Provided further, That any amount apportioned in 2006 to any State, territory, or other jurisdiction that remains unobligated as of September 30, 2007, shall be reapportioned, together with funds appropriated in 2008, in the manner provided herein: Provided further, That balances from amounts previously appropriated under the heading "State Wildlife Grants" shall be transferred to and merged with this appropriation and shall remain available until expended.

ADMINISTRATIVE PROVISIONS

Appropriations and funds available to the United States Fish and Wildlife Service shall be available for purchase of passenger motor vehicles; repair of damage to public roads within and adjacent to reservation areas caused by operations of the Service; options for the purchase of land at not to exceed $1 for each option; facilities incident to such public recreational uses on conservation areas as are consistent with their primary purpose; and the maintenance and improvement of aquaria, buildings, and other facilities under the jurisdiction of the Service and to which the United States has title, and which are used pursuant to law in connection with management, and investigation of fish and wildlife resources: Provided,

That notwithstanding 44 U.S.C. 501, the Service may, under cooperative cost sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share at least one-half the cost of printing either in cash or services and the Service determines the cooperator is capable of meeting accepted quality standards: Provided further, That, notwithstanding any other provision of law, the Service may use up to $2,000,000 from funds provided for contracts for employment-related legal services: Provided further, That the Service may accept donated aircraft as replacements for existing aircraft: Provided further, That, notwithstanding any other provision of law, the Secretary of the Interior may not spend any of the funds appropriated in this Act for the purchase of lands or interests in lands to be used in the establishment of any new unit of the National Wildlife Refuge System unless the purchase is approved in advance by the House and Senate Committees on Appropriations in compliance with the reprogramming procedures contained in the statement of the managers accompanying this Act.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service (including special road maintenance service to trucking permittees on a reimbursable basis), and for the general administration of the National Park Service, $1,744,074,000, of which $9,892,000 is for planning and interagency coordination in support of Everglades restoration and shall remain available until expended; of which $97,600,000, to remain available until September 30, 2007, is for maintenance, repair or rehabilitation projects for constructed assets, operation of the National Park Service automated facility management software system, and comprehensive facility condition assessments; and of which $2,000,000 is for the Youth Conservation Corps for high priority projects: Provided, That the only funds in this account which may be made available to support United States Park Police are those funds approved for emergency law and order incidents pursuant to established National Park Service procedures, those funds needed to maintain and repair United States Park Police administrative facilities, and those funds necessary to reimburse the United States Park Police account for the unbudgeted overtime and travel costs associated with special events for an amount not to exceed $10,000 per event subject to the review and concurrence of the Washington headquarters office.

UNITED STATES PARK POLICE

For expenses necessary to carry out the programs of the United States Park Police, $81,411,000.

NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, heritage partnership programs, environmental compliance and review, international park affairs, statutory or contractual aid for other activities, and grant adminis-

tration, not otherwise provided for, $54,965,000: Provided, That none of the funds in this Act for the River, Trails and Conservation Assistance program may be used for cash agreements, or for cooperative agreements that are inconsistent with the program's final strategic plan.

HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the Historic Preservation Act of 1966, as amended (16 U.S.C. 470), and the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333), $73,250,000, to be derived from the Historic Preservation Fund and to remain available until September 30, 2007, of which $30,000,000 shall be for Save America's Treasures for preservation of nationally significant sites, structures, and artifacts: Provided, That not to exceed $5,000,000 of the amount provided for Save America's Treasures may be for Preserve America grants to States, Tribes, and local communities for projects that preserve important historic resources through the promotion of heritage tourism: Provided further, That any individual Save America's Treasures or Preserve America grant shall be matched by non-Federal funds: Provided further, That individual projects shall only be eligible for one grant: Provided further, That all projects to be funded shall be approved by the Secretary of the Interior in consultation with the House and Senate Committees on Appropriations, and in consultation with the President's Committee on the Arts and Humanities prior to the commitment of Save America's Treasures grant funds and with the Advisory Council on Historic Preservation prior to the commitment of Preserve America grant funds: Provided further, That Save America's Treasures funds allocated for Federal projects, following approval, shall be available by transfer to appropriate accounts of individual agencies.

CONSTRUCTION

(INCLUDING TRANSFER OF FUNDS)

For construction, improvements, repair or replacement of physical facilities, including the modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989, $301,291,000, to remain available until expended, of which $17,000,000 for modified water deliveries to Everglades National Park shall be derived by transfer from unobligated balances in the "Land Acquisition and State Assistance" account for Everglades National Park land acquisitions, and of which $400,000 for the Mark Twain Boyhood Home National Historic Landmark shall be derived from the Historic Preservation Fund pursuant to 16 U.S.C. 470a: Provided, That none of the funds available to the National Park Service may be used to plan, design, or construct any partnership project with a total value in excess of $5,000,000, without advance approval of the House and Senate Committees on Appropriations: Provided further, That notwithstanding any other provision of law, the National Park Service may not accept donations or services associated with the planning, design, or construction of such new facilities without advance approval of the House and Senate Committees on Appropriations: Provided further, That funds provided under this heading for implementation of modified water deliveries to Everglades National Park shall be expended consistent with the

requirements of the fifth proviso under this heading in Public Law 108–108:

Provided further, That funds provided under this heading for implementation of modified water deliveries to Everglades National Park shall be available for obligation only if matching funds are appropriated to the Army Corps of Engineers for the same purpose:

Provided further, That none of the funds provided under this heading for implementation of modified water deliveries to Everglades National Park shall be available for obligation if any of the funds appropriated to the Army Corps of Engineers for the purpose of implementing modified water deliveries, including finalizing detailed engineering and design documents for a bridge or series of bridges for the Tamiami Trail component of the project, becomes unavailable for obligation: Provided further, That funds provided under this heading for implementation of modified water deliveries to Everglades National Park shall be expended consistent with the requirements of the fifth proviso under this heading in Public Law 108–108: Provided further, That hereinafter notwithstanding any other provision of law, procurements for the Mount Rainier National Park Jackson Visitor Center replacement and the rehabilitation of Paradise Inn and Annex may be issued which include the full scope of the facility: Provided further, That the solicitation and contract shall contain the clause "availability of funds" found at 48 CFR 52.232.18: Provided further, That none of the funds provided in this or any other Act may be used for planning, design, or construction of any underground security screening or visitor contact facility at the Washington Monument until such facility has been approved in writing by the House and Senate Committees on Appropriations.

LAND AND WATER CONSERVATION FUND

(RESCISSION)

The contract authority provided for fiscal year 2006 by 16 U.S.C. 460l–10a is rescinded.

LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 460l–4 through 11), including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with the statutory authority applicable to the National Park Service, $74,824,000, to be derived from the Land and Water Conservation Fund and to remain available until expended, of which $30,000,000 is for the State assistance program including $1,587,000 for program administration: Provided, That none of the funds provided for the State assistance program may be used to establish a contingency fund.

ADMINISTRATIVE PROVISIONS

Appropriations for the National Park Service shall be available for the purchase of not to exceed 245 passenger motor vehicles, of which 199 shall be for replacement only, including not to exceed 193 for police-type use, 10 buses, and 8 ambulances: Provided, That none of the funds appropriated to the National Park Service may be used to implement an agreement for the redevelopment of the south-

ern end of Ellis Island until such agreement has been submitted to the Congress and shall not be implemented prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than 3 calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full and comprehensive report on the development of the southern end of Ellis Island, including the facts and circumstances relied upon in support of the proposed project: Provided further, That in fiscal year 2006 and thereafter, appropriations available to the National Park Service may be used to maintain the following areas in Washington, District of Columbia: Jackson Place, Madison Place, and Pennsylvania Avenue between 15th and 17th Streets, Northwest.

None of the funds in this Act may be spent by the National Park Service for activities taken in direct response to the United Nations Biodiversity Convention.

The National Park Service may distribute to operating units based on the safety record of each unit the costs of programs designed to improve workplace and employee safety, and to encourage employees receiving workers' compensation benefits pursuant to chapter 81 of title 5, United States Code, to return to appropriate positions for which they are medically able.

If the Secretary of the Interior considers the decision of any value determination proceeding conducted under a National Park Service concession contract issued prior to November 13, 1998, to misinterpret or misapply relevant contractual requirements or their underlying legal authority, the Secretary may seek, within 180 days of any such decision, the de novo review of the value determination by the United States Court of Federal Claims, and that court may make an order affirming, vacating, modifying or correcting the determination.

In addition to other uses set forth in section 407(d) of Public Law 105–391, franchise fees credited to a sub-account shall be available for expenditure by the Secretary, without further appropriation, for use at any unit within the National Park System to extinguish or reduce liability for Possessory Interest or leasehold surrender interest. Such funds may only be used for this purpose to the extent that the benefiting unit anticipated franchise fee receipts over the term of the contract at that unit exceed the amount of funds used to extinguish or reduce liability. Franchise fees at the benefiting unit shall be credited to the sub-account of the originating unit over a period not to exceed the term of a single contract at the benefiting unit, in the amount of funds so expended to extinguish or reduce liability.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For expenses necessary for the United States Geological Survey to perform surveys, investigations, and research covering topography, geology, hydrology, biology, and the mineral and water resources of the United States, its territories and possessions, and other areas as authorized by 43 U.S.C. 31, 1332, and 1340; classify lands as to their mineral and water resources; give engineering su-

pervision to power permittees and Federal Energy Regulatory Commission licensees; administer the minerals exploration program (30 U.S.C. 641); conduct inquiries into the economic conditions affecting mining and materials processing industries (30 U.S.C. 3, 21a, and 1603; 50 U.S.C. 98g(1)) and related purposes as authorized by law; and to publish and disseminate data relative to the foregoing activities; $976,035,000, of which $63,770,000 shall be available only for cooperation with States or municipalities for water resources investigations; of which $8,000,000 shall remain available until expended for satellite operations; of which $21,720,000 shall be available until September 30, 2007, for the operation and maintenance of facilities and deferred maintenance; of which $1,600,000 shall be available until expended for deferred maintenance and capital improvement projects that exceed $100,000 in cost; and of which $177,485,000 shall be available until September 30, 2007, for the biological research activity and the operation of the Cooperative Research Units: Provided, That none of the funds provided for the biological research activity shall be used to conduct new surveys on private property, unless specifically authorized in writing by the property owner: Provided further, That no part of this appropriation shall be used to pay more than one-half the cost of topographic mapping or water resources data collection and investigations carried on in cooperation with States and municipalities.

ADMINISTRATIVE PROVISIONS

From within the amount appropriated for activities of the United States Geological Survey such sums as are necessary shall be available for the purchase and replacement of passenger motor vehicles; reimbursement to the General Services Administration for security guard services; contracting for the furnishing of topographic maps and for the making of geophysical or other specialized surveys when it is administratively determined that such procedures are in the public interest; construction and maintenance of necessary buildings and appurtenant facilities; acquisition of lands for gauging stations and observation wells; expenses of the United States National Committee on Geology; and payment of compensation and expenses of persons on the rolls of the Survey duly appointed to represent the United States in the negotiation and administration of interstate compacts: Provided, That activities funded by appropriations herein made may be accomplished through the use of contracts, grants, or cooperative agreements as defined in 31 U.S.C. 6302 et seq.: Provided further, That the United States Geological Survey may enter into contracts or cooperative agreements directly with individuals or indirectly with institutions or nonprofit organizations, without regard to 41 U.S.C. 5, for the temporary or intermittent services of students or recent graduates, who shall be considered employees for the purpose of chapters 57 and 81 of title 5, United States Code, relating to compensation for travel and work injuries, and chapter 171 of title 28, United States Code, relating to tort claims, but shall not be considered to be Federal employees for any other purposes.

MINERALS MANAGEMENT SERVICE

ROYALTY AND OFFSHORE MINERALS MANAGEMENT

For expenses necessary for minerals leasing and environmental studies, regulation of industry operations, and collection of royalties, as authorized by law; for enforcing laws and regulations applicable to oil, gas, and other minerals leases, permits, licenses and operating contracts; and for matching grants or cooperative agreements; including the purchase of not to exceed eight passenger motor vehicles for replacement only, $153,651,000, of which $78,529,000 shall be available for royalty management activities; and an amount not to exceed $122,730,000, to be credited to this appropriation and to remain available until expended, from additions to receipts resulting from increases to rates in effect on August 5, 1993, from rate increases to fee collections for Outer Continental Shelf administrative activities performed by the Minerals Management Service (MMS) over and above the rates in effect on September 30, 1993, and from additional fees for Outer Continental Shelf administrative activities established after September 30, 1993: Provided, That to the extent $122,730,000 in additions to receipts are not realized from the sources of receipts stated above, the amount needed to reach $122,730,000 shall be credited to this appropriation from receipts resulting from rental rates for Outer Continental Shelf leases in effect before August 5, 1993: Provided further, That $3,000,000 for computer acquisitions shall remain available until September 30, 2007: Provided further, That not to exceed $3,000 shall be available for reasonable expenses related to promoting volunteer beach and marine cleanup activities: Provided further, That notwithstanding any other provision of law, $15,000 under this heading shall be available for refunds of overpayments in connection with certain Indian leases in which the Director of MMS concurred with the claimed refund due, to pay amounts owed to Indian allottees or tribes, or to correct prior unrecoverable erroneous payments: Provided further, That in fiscal year 2006 and thereafter, the MMS may under the royalty-in-kind program, or under its authority to transfer oil to the Strategic Petroleum Reserve, use a portion of the revenues from royalty-in-kind sales, without regard to fiscal year limitation, to pay for transportation to wholesale market centers or upstream pooling points, to process or otherwise dispose of royalty production taken in kind, and to recover MMS transportation costs, salaries, and other administrative costs directly related to the royalty-in-kind program: Provided further, That MMS shall analyze and document the expected return in advance of any royalty-in-kind sales to assure to the maximum extent practicable that royalty income under the program is equal to or greater than royalty income recognized under a comparable royalty-in-value program.

OIL SPILL RESEARCH

For necessary expenses to carry out title I, section 1016, title IV, sections 4202 and 4303, title VII, and title VIII, section 8201 of the Oil Pollution Act of 1990, $7,006,000, which shall be derived from the Oil Spill Liability Trust Fund, to remain available until expended.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, as amended, including the purchase of not to exceed 10 passenger motor vehicles, for replacement only; $110,435,000: Provided, That the Secretary of the Interior, pursuant to regulations, may use directly or through grants to States, moneys collected in fiscal year 2006 for civil penalties assessed under section 518 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1268), to reclaim lands adversely affected by coal mining practices after August 3, 1977, to remain available until expended: Provided further, That appropriations for the Office of Surface Mining Reclamation and Enforcement may provide for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

ABANDONED MINE RECLAMATION FUND

For necessary expenses to carry out title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, as amended, including the purchase of not more than 10 passenger motor vehicles for replacement only, $188,014,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended; of which up to $10,000,000, to be derived from the Federal Expenses Share of the Fund, shall be for supplemental grants to States for the reclamation of abandoned sites with acid mine rock drainage from coal mines, and for associated activities, through the Appalachian Clean Streams Initiative: Provided, That grants to minimum program States will be $1,500,000 per State in fiscal year 2006: Provided further, That pursuant to Public Law 97–365, the Department of the Interior is authorized to use up to 20 percent from the recovery of the delinquent debt owed to the United States Government to pay for contracts to collect these debts: Provided further, That funds made available under title IV of Public Law 95–87 may be used for any required non-Federal share of the cost of projects funded by the Federal Government for the purpose of environmental restoration related to treatment or abatement of acid mine drainage from abandoned mines: Provided further, That such projects must be consistent with the purposes and priorities of the Surface Mining Control and Reclamation Act: Provided further, That amounts allocated under section 402(g)(2) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1232(g)(2)) as of September 30, 2005, but not appropriated as of that date, are reallocated to the allocation established in section 402(g)(3) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1232(g)(3)): Provided further, That the State of Maryland may set aside the greater of $1,000,000 or 10 percent of the total of the grants made available to the State under title IV of the Surface Mining Control and Reclamation Act of 1977, as amended (30 U.S.C. 1231 et seq.), if the amount set aside is deposited in an acid mine drainage abatement and treatment fund established under a State law, pursuant to which law the amount (together with all interest earned on the amount) is expended by the State to undertake acid mine drainage

abatement and treatment projects, except that before any amounts greater than 10 percent of its title IV grants are deposited in an acid mine drainage abatement and treatment fund, the State of Maryland must first complete all Surface Mining Control and Reclamation Act priority one projects: Provided further, That amounts provided under this heading may be used for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

ADMINISTRATIVE PROVISION

With funds available for the Technical Innovation and Professional Services program in this Act, the Secretary may transfer title for computer hardware, software and other technical equipment to State and Tribal regulatory and reclamation programs.

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

For expenses necessary for the operation of Indian programs, as authorized by law, including the Snyder Act of November 2, 1921 (25 U.S.C. 13), the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450 et seq.), as amended, the Education Amendments of 1978 (25 U.S.C. 2001–2019), and the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.), as amended, $1,991,490,000, to remain available until September 30, 2007 except as otherwise provided herein, of which not to exceed $86,462,000 shall be for welfare assistance payments and notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975, as amended, not to exceed $134,609,000 shall be available for payments to tribes and tribal organizations for contract support costs associated with ongoing contracts, grants, compacts, or annual funding agreements entered into with the Bureau prior to or during fiscal year 2006, as authorized by such Act, except that tribes and tribal organizations may use their tribal priority allocations for unmet indirect contract support costs of ongoing contracts, grants, or compacts, or annual funding agreements and for unmet welfare assistance costs; and of which not to exceed $464,585,000 for school operations costs of Bureau-funded schools and other education programs shall become available on July 1, 2006, and shall remain available until September 30, 2007; and of which not to exceed $61,667,000 shall remain available until expended for housing improvement, road maintenance, attorney fees, litigation support, the Indian Self-Determination Fund, land records improvement, and the Navajo-Hopi Settlement Program: Provided, That notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975, as amended, and 25 U.S.C. 2008, not to exceed $44,718,000 within and only from such amounts made available for school operations shall be available to tribes and tribal organizations for administrative cost grants associated with ongoing grants entered into with the Bureau prior to or during fiscal year 2005 for the operation of Bureau-funded schools, and up to $500,000 within and only from such amounts made available for school operations shall be available for the transitional costs of initial administrative cost grants to tribes and tribal organizations that enter into grants for the operation on

or after July 1, 2005, of Bureau-operated schools: Provided further, That any forestry funds allocated to a tribe which remain unobligated as of September 30, 2007, may be transferred during fiscal year 2008 to an Indian forest land assistance account established for the benefit of such tribe within the tribe's trust fund account: Provided further, That any such unobligated balances not so transferred shall expire on September 30, 2008.

CONSTRUCTION

For construction, repair, improvement, and maintenance of irrigation and power systems, buildings, utilities, and other facilities, including architectural and engineering services by contract; acquisition of lands, and interests in lands; and preparation of lands for farming, and for construction of the Navajo Indian Irrigation Project pursuant to Public Law 87–483, $275,637,000, to remain available until expended: Provided, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation: Provided further, That not to exceed 6 percent of contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund may be used to cover the road program management costs of the Bureau: Provided further, That any funds provided for the Safety of Dams program pursuant to 25 U.S.C. 13 shall be made available on a nonreimbursable basis: Provided further, That for fiscal year 2006, in implementing new construction or facilities improvement and repair project grants in excess of $100,000 that are provided to tribally controlled grant schools under Public Law 100–297, as amended, the Secretary of the Interior shall use the Administrative and Audit Requirements and Cost Principles for Assistance Programs contained in 43 CFR part 12 as the regulatory requirements: Provided further, That such grants shall not be subject to section 12.61 of 43 CFR; the Secretary and the grantee shall negotiate and determine a schedule of payments for the work to be performed: Provided further, That in considering applications, the Secretary shall consider whether the Indian tribe or tribal organization would be deficient in assuring that the construction projects conform to applicable building standards and codes and Federal, tribal, or State health and safety standards as required by 25 U.S.C. 2005(b), with respect to organizational and financial management capabilities: Provided further, That if the Secretary declines an application, the Secretary shall follow the requirements contained in 25 U.S.C. 2504(f): Provided further, That any disputes between the Secretary and any grantee concerning a grant shall be subject to the disputes provision in 25 U.S.C. 2507(e): Provided further, That in order to ensure timely completion of replacement school construction projects, the Secretary may assume control of a project and all funds related to the project, if, within eighteen months of the date of enactment of this Act, any tribe or tribal organization receiving funds appropriated in this Act or in any prior Act, has not completed the planning and design phase of the project and commenced construction of the replacement school: Provided further, That this Appropriation may be reimbursed from the Office of the Special Trustee for American Indians Appropriation for the appropriate share of construction costs for space expansion needed in agency offices to meet trust reform implementation.

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

For miscellaneous payments to Indian tribes and individuals and for necessary administrative expenses, $34,754,000, to remain available until expended, for implementation of Indian land and water claim settlements pursuant to Public Laws 99–264, 100–580, 101–618, 106–554, 107–331, and 108–34, and for implementation of other land and water rights settlements, of which $10,000,000 shall be available for payment to the Quinault Indian Nation pursuant to the terms of the North Boundary Settlement Agreement dated July 14, 2000, providing for the acquisition of perpetual conservation easements from the Nation.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

For the cost of guaranteed and insured loans, $6,348,000, of which $701,000 is for administrative expenses, as authorized by the Indian Financing Act of 1974, as amended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $118,884,000.

ADMINISTRATIVE PROVISIONS

The Bureau of Indian Affairs may carry out the operation of Indian programs by direct expenditure, contracts, cooperative agreements, compacts and grants, either directly or in cooperation with States and other organizations.

Notwithstanding 25 U.S.C. 15, the Bureau of Indian Affairs may contract for services in support of the management, operation, and maintenance of the Power Division of the San Carlos Irrigation Project.

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans, the Indian loan guarantee and insurance fund, and the Indian Guaranteed Loan Program account) shall be available for expenses of exhibits, and purchase and replacement of passenger motor vehicles.

Notwithstanding any other provision of law, no funds available to the Bureau of Indian Affairs for central office operations or pooled overhead general administration (except facilities operations and maintenance) shall be available for tribal contracts, grants, compacts, or cooperative agreements with the Bureau of Indian Affairs under the provisions of the Indian Self-Determination Act or the Tribal Self-Governance Act of 1994 (Public Law 103–413).

In the event any tribe returns appropriations made available by this Act to the Bureau of Indian Affairs for distribution to other tribes, this action shall not diminish the Federal Government's trust responsibility to that tribe, or the government-to-government relationship between the United States and that tribe, or that tribe's ability to access future appropriations.

Notwithstanding any other provision of law, no funds available to the Bureau, other than the amounts provided herein for assistance to public schools under 25 U.S.C. 452 et seq., shall be avail-

able to support the operation of any elementary or secondary school in the State of Alaska.

Appropriations made available in this or any other Act for schools funded by the Bureau shall be available only to the schools in the Bureau school system as of September 1, 1996. No funds available to the Bureau shall be used to support expanded grades for any school or dormitory beyond the grade structure in place or approved by the Secretary of the Interior at each school in the Bureau school system as of October 1, 1995. Funds made available under this Act may not be used to establish a charter school at a Bureau-funded school (as that term is defined in section 1146 of the Education Amendments of 1978 (25 U.S.C. 2026)), except that a charter school that is in existence on the date of the enactment of this Act and that has operated at a Bureau-funded school before September 1, 1999, may continue to operate during that period, but only if the charter school pays to the Bureau a pro rata share of funds to reimburse the Bureau for the use of the real and personal property (including buses and vans), the funds of the charter school are kept separate and apart from Bureau funds, and the Bureau does not assume any obligation for charter school programs of the State in which the school is located if the charter school loses such funding. Employees of Bureau-funded schools sharing a campus with a charter school and performing functions related to the charter school's operation and employees of a charter school shall not be treated as Federal employees for purposes of chapter 171 of title 28, United States Code.

Notwithstanding any other provision of law, including section 113 of title I of appendix C of Public Law 106–113, if a tribe or tribal organization in fiscal year 2003 or 2004 received indirect and administrative costs pursuant to a distribution formula based on section 5(f) of Public Law 101–301, the Secretary shall continue to distribute indirect and administrative cost funds to such tribe or tribal organization using the section 5(f) distribution formula.

DEPARTMENTAL OFFICES

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

For expenses necessary for assistance to territories under the jurisdiction of the Department of the Interior, $76,883,000, of which: (1) $69,502,000 shall be available until expended for technical assistance, including maintenance assistance, disaster assistance, insular management controls, coral reef initiative activities, and brown tree snake control and research; grants to the judiciary in American Samoa for compensation and expenses, as authorized by law (48 U.S.C. 1661(c)); grants to the Government of American Samoa, in addition to current local revenues, for construction and support of governmental functions; grants to the Government of the Virgin Islands as authorized by law; grants to the Government of Guam, as authorized by law; and grants to the Government of the Northern Mariana Islands as authorized by law (Public Law 94–241; 90 Stat. 272); and (2) $7,381,000 shall be available for salaries and expenses of the Office of Insular Affairs: Provided, That all financial transactions of the territorial and local governments herein

provided for, including such transactions of all agencies or instrumentalities established or used by such governments, may be audited by the Government Accountability Office, at its discretion, in accordance with chapter 35 of title 31, United States Code: Provided further, That Northern Mariana Islands Covenant grant funding shall be provided according to those terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands approved by Public Law 104–134: Provided further, That of the amounts provided for technical assistance, sufficient funds shall be made available for a grant to the Pacific Basin Development Council: Provided further, That of the amounts provided for technical assistance, sufficient funding shall be made available for a grant to the Close Up Foundation: Provided further, That the funds for the program of operations and maintenance improvement are appropriated to institutionalize routine operations and maintenance improvement of capital infrastructure with territorial participation and cost sharing to be determined by the Secretary based on the grantee's commitment to timely maintenance of its capital assets: Provided further, That any appropriation for disaster assistance under this heading in this Act or previous appropriations Acts may be used as non-Federal matching funds for the purpose of hazard mitigation grants provided pursuant to section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c).

COMPACT OF FREE ASSOCIATION

For grants and necessary expenses, $5,362,000, to remain available until expended, as provided for in sections 221(a)(2), 221(b), and 233 of the Compact of Free Association for the Republic of Palau; and section 221(a)(2) of the Compacts of Free Association for the Government of the Republic of the Marshall Islands and the Federated States of Micronesia, as authorized by Public Law 99–658 and Public Law 108–188.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for management of the Department of the Interior, $127,183,000; of which $7,441,000 is to be derived from the Land and Water Conservation Fund and shall remain available until expended; of which not to exceed $8,500 may be for official reception and representation expenses; and of which up to $1,000,000 shall be available for workers compensation payments and unemployment compensation payments associated with the orderly closure of the United States Bureau of Mines: Provided, That none of the funds in this Act or previous appropriations Acts may be used to establish reserves in the Working Capital Fund account other than for accrued annual leave and depreciation of equipment without prior approval of the House and Senate Committees on Appropriations.

PAYMENTS IN LIEU OF TAXES

For expenses necessary to implement the Act of October 20, 1976, as amended (31 U.S.C. 6901–6907), $236,000,000, of which not to exceed $400,000 shall be available for administrative ex-

penses: Provided, That no payment shall be made to otherwise eligible units of local government if the computed amount of the payment is less than $100.

CENTRAL HAZARDOUS MATERIALS FUND

For necessary expenses of the Department of the Interior and any of its component offices and bureaus for the remedial action, including associated activities, of hazardous waste substances, pollutants, or contaminants pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), $9,855,000, to remain available until expended: Provided, That hereafter, notwithstanding 31 U.S.C. 3302, sums recovered from or paid by a party in advance of or as reimbursement for remedial action or response activities conducted by the Department pursuant to section 107 or 113(f) of such Act, shall be credited to this account, to be available until expended without further appropriation: Provided further, That hereafter such sums recovered from or paid by any party are not limited to monetary payments and may include stocks, bonds or other personal or real property, which may be retained, liquidated, or otherwise disposed of by the Secretary and which shall be credited to this account.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, $55,440,000.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General, $39,116,000.

OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS

FEDERAL TRUST PROGRAMS

For the operation of trust programs for Indians by direct expenditure, contracts, cooperative agreements, compacts, and grants, $191,593,000, to remain available until expended, of which not to exceed $58,000,000 from this or any other Act, shall be available for historical accounting: Provided, That funds for trust management improvements and litigation support may, as needed, be transferred to or merged with the Bureau of Indian Affairs, "Operation of Indian Programs" account; the Office of the Solicitor, "Salaries and Expenses" account; and the Departmental Management, "Salaries and Expenses" account: Provided further, That funds made available to Tribes and Tribal organizations through contracts or grants obligated during fiscal year 2006, as authorized by the Indian Self-Determination Act of 1975 (25 U.S.C. 450 et seq.), shall remain available until expended by the contractor or grantee: Provided further, That, notwithstanding any other provision of law, the statute of limitations shall not commence to run on any claim, including any claim in litigation pending on the date of the enactment of this Act, concerning losses to or mismanagement of trust funds, until the

affected tribe or individual Indian has been furnished with an accounting of such funds from which the beneficiary can determine whether there has been a loss: Provided further, That, notwithstanding any other provision of law, the Secretary shall not be required to provide a quarterly statement of performance for any Indian trust account that has not had activity for at least 18 months and has a balance of $1.00 or less: Provided further, That the Secretary shall issue an annual account statement and maintain a record of any such accounts and shall permit the balance in each such account to be withdrawn upon the express written request of the account holder: Provided further, That not to exceed $50,000 is available for the Secretary to make payments to correct administrative errors of either disbursements from or deposits to Individual Indian Money or Tribal accounts after September 30, 2002: Provided further, That erroneous payments that are recovered shall be credited to and remain available in this account for this purpose.

INDIAN LAND CONSOLIDATION

For consolidation of fractional interests in Indian lands and expenses associated with redetermining and redistributing escheated interests in allotted lands, and for necessary expenses to carry out the Indian Land Consolidation Act of 1983, as amended, by direct expenditure or cooperative agreement, $34,514,000, to remain available until expended, and which may be transferred to the Bureau of Indian Affairs and Departmental Management accounts: Provided, That funds provided under this heading may be expended pursuant to the authorities contained in the provisos under the heading "Office of Special Trustee for American Indians, Indian Land Consolidation" of the Interior and Related Agencies Appropriations Act, 2001 (Public Law 106–291).

NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

To conduct natural resource damage assessment and restoration activities by the Department of the Interior necessary to carry out the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et seq.), the Oil Pollution Act of 1990 (Public Law 101–380) (33 U.S.C. 2701 et seq.), and Public Law 101–337, as amended (16 U.S.C. 19jj et seq.), $6,106,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

There is hereby authorized for acquisition from available resources within the Working Capital Fund, 15 aircraft, 10 of which shall be for replacement and which may be obtained by donation, purchase or through available excess surplus property: Provided, That existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft: Provided further, That no programs funded with appropriated funds in the "Departmental Management", "Office of the Solicitor", and "Office of Inspector General" may be augmented through the Working Capital Fund: Provided further, That the annual budget justification for Departmental Management shall de-

scribe estimated Working Capital Fund charges to bureaus and offices, including the methodology on which charges are based: Provided further, That departures from the Working Capital Fund estimates contained in the Departmental Management budget justification shall be presented to the Committees on Appropriations for approval: Provided further, That the Secretary shall provide a semiannual report to the Committees on Appropriations on reimbursable support agreements between the Office of the Secretary and the National Business Center and the bureaus and offices of the Department, including the amounts billed pursuant to such agreements.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: Provided, That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted: Provided further, That all funds used pursuant to this section must be replenished by a supplemental appropriation which must be requested as promptly as possible.

SEC. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of wildland fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oil spills; for response and natural resource damage assessment activities related to actual oil spills; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 1773(b) of Public Law 99–198 (99 Stat. 1658); for emergency reclamation projects under section 410 of Public Law 95–87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: Provided, That appropriations made in this title for wildland fire operations shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for wildland fire operations, such reimbursement to be credited to appropriations currently available at the time of receipt thereof: Provided further, That for wildland fire operations, no funds shall be made available under this authority until the Secretary determines that funds appropriated for "wildland fire operations" shall be exhausted within 30 days: Provided further, That all funds used pursuant to this section must be replenished by a supplemental appropriation which must be requested as promptly as possible: Pro-

vided further, That such replenishment funds shall be used to reimburse, on a pro rata basis, accounts from which emergency funds were transferred.

SEC. 103. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by 5 U.S.C. 3109, when authorized by the Secretary, in total amount not to exceed $500,000; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

SEC. 104. No funds provided in this title may be expended by the Department of the Interior for the conduct of offshore preleasing, leasing and related activities placed under restriction in the President's moratorium statement of June 12, 1998, in the areas of northern, central, and southern California; the North Atlantic; Washington and Oregon; and the eastern Gulf of Mexico south of 26 degrees north latitude and east of 86 degrees west longitude.

SEC. 105. No funds provided in this title may be expended by the Department of the Interior to conduct offshore oil and natural gas preleasing, leasing and related activities in the eastern Gulf of Mexico planning area for any lands located outside Sale 181, as identified in the final Outer Continental Shelf 5-Year Oil and Gas Leasing Program, 1997–2002.

SEC. 106. No funds provided in this title may be expended by the Department of the Interior to conduct oil and natural gas preleasing, leasing and related activities in the Mid-Atlantic and South Atlantic planning areas.

SEC. 107. Appropriations made in this Act under the headings Bureau of Indian Affairs and Office of Special Trustee for American Indians and any unobligated balances from prior appropriations Acts made under the same headings shall be available for expenditure or transfer for Indian trust management and reform activities, except that total funding for historical accounting activities shall not exceed amounts specifically designated in this Act for such purpose.

SEC. 108. Notwithstanding any other provision of law, in fiscal years 2006 through 2010, for the purpose of reducing the backlog of Indian probate cases in the Department of the Interior, the hearing requirements of chapter 10 of title 25, United States Code, are deemed satisfied by a proceeding conducted by an Indian probate judge, appointed by the Secretary without regard to the provisions of title 5, United States Code, governing the appointments in the competitive service, for such period of time as the Secretary determines necessary: Provided, That the basic pay of an Indian probate judge so appointed may be fixed by the Secretary without regard to the provisions of chapter 51, and subchapter III of chapter 53 of title 5, United States Code, governing the classification and pay of General Schedule employees, except that no such Indian probate judge may be paid at a level which exceeds the maximum rate payable for the highest grade of the General Schedule, including locality pay.

SEC. 109. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to redistribute any Tribal Priority Allocation funds, including tribal base funds, to alleviate tribal funding inequities by transferring funds to address identified, unmet needs, dual enrollment, overlapping service areas or inaccurate distribution methodologies. No tribe shall receive a reduction in Tribal Priority Allocation funds of more than 10 percent in fiscal year 2006. Under circumstances of dual enrollment, overlapping service areas or inaccurate distribution methodologies, the 10 percent limitation does not apply.

SEC. 110. (a) For fiscal year 2006 and each succeeding fiscal year, any funds made available by this Act for the Southwest Indian Polytechnic Institute and Haskell Indian Nations University for postsecondary programs of the Bureau of Indian Affairs in excess of the amount made available for those postsecondary programs for fiscal year 2005 shall be allocated in direct proportion to the need of the schools, as determined in accordance with the postsecondary funding formula adopted by the Office of Indian Education Programs.

(b) For fiscal year 2007 and each succeeding fiscal year, the Bureau of Indian Affairs shall use the postsecondary funding formula adopted by the Office of Indian Education Programs based on the needs of the Southwest Indian Polytechnic Institute and Haskell Indian Nations University to justify the amounts submitted as part of the budget request of the Department of the Interior.

SEC. 111. Notwithstanding any other provision of law, in conveying the Twin Cities Research Center under the authority provided by Public Law 104–134, as amended by Public Law 104–208, the Secretary may accept and retain land and other forms of reimbursement: Provided, That the Secretary may retain and use any such reimbursement until expended and without further appropriation: (1) for the benefit of the National Wildlife Refuge System within the State of Minnesota; and (2) for all activities authorized by Public Law 100–696; 16 U.S.C. 460zz.

SEC. 112. The Secretary of the Interior may use or contract for the use of helicopters or motor vehicles on the Sheldon and Hart National Wildlife Refuges for the purpose of capturing and transporting horses and burros. The provisions of subsection (a) of the Act of September 8, 1959 (18 U.S.C. 47(a)) shall not be applicable to such use. Such use shall be in accordance with humane procedures prescribed by the Secretary.

SEC. 113. Funds provided in this Act for Federal land acquisition by the National Park Service for Shenandoah Valley Battlefields National Historic District and Ice Age National Scenic Trail, and funds provided in division E of Public Law 108–447 (118 Stat. 3050) for land acquisition at the Niobrara National Scenic River, may be used for a grant to a State, a local government, or any other land management entity for the acquisition of lands without regard to any restriction on the use of Federal land acquisition funds provided through the Land and Water Conservation Fund Act of 1965 as amended.

SEC. 114. None of the funds made available by this Act may be obligated or expended by the National Park Service to enter into or implement a concession contract which permits or requires the re-

moval of the underground lunchroom at the Carlsbad Caverns National Park.

SEC. 115. None of the funds made available in this Act may be used: (1) to demolish the bridge between Jersey City, New Jersey, and Ellis Island; or (2) to prevent pedestrian use of such bridge, when such pedestrian use is consistent with generally accepted safety standards.

SEC. 116. None of the funds in this or any other Act can be used to compensate the Special Master and the Special Master-Monitor, and all variations thereto, appointed by the United States District Court for the District of Columbia in the Cobell v. Norton litigation at an annual rate that exceeds 200 percent of the highest Senior Executive Service rate of pay for the Washington-Baltimore locality pay area.

SEC. 117. The Secretary of the Interior may use discretionary funds to pay private attorney fees and costs for employees and former employees of the Department of the Interior reasonably incurred in connection with Cobell v. Norton to the extent that such fees and costs are not paid by the Department of Justice or by private insurance. In no case shall the Secretary make payments under this section that would result in payment of hourly fees in excess of the highest hourly rate approved by the District Court for the District of Columbia for counsel in Cobell v. Norton.

SEC. 118. The United States Fish and Wildlife Service shall, in carrying out its responsibilities to protect threatened and endangered species of salmon, implement a system of mass marking of salmonid stocks, intended for harvest, that are released from Federally operated or Federally financed hatcheries including but not limited to fish releases of coho, chinook, and steelhead species. Marked fish must have a visible mark that can be readily identified by commercial and recreational fishers.

SEC. 119. (a) IN GENERAL.—Nothing in section 134 of the Department of the Interior and Related Agencies Appropriations Act, 2002 (115 Stat. 443) affects the decision of the United States Court of Appeals for the 10th Circuit in Sac and Fox Nation v. Norton, 240 F.3d 1250 (2001).

(b) USE OF CERTAIN INDIAN LAND.—Nothing in this section permits the conduct of gaming under the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) on land described in section 123 of the Department of the Interior and Related Agencies Appropriations Act, 2001 (114 Stat. 944), or land that is contiguous to that land, regardless of whether the land or contiguous land has been taken into trust by the Secretary of the Interior.

SEC. 120. No funds appropriated for the Department of the Interior by this Act or any other Act shall be used to study or implement any plan to drain Lake Powell or to reduce the water level of the lake below the range of water levels required for the operation of the Glen Canyon Dam.

SEC. 121. Notwithstanding the limitation in subparagraph (2)(B) of section 18(a) of the Indian Gaming Regulatory Act (25 U.S.C. 2717(a)), the total amount of all fees imposed by the National Indian Gaming Commission for fiscal year 2007 shall not exceed $12,000,000.

SEC. 122. Notwithstanding any implementation of the Department of the Interior's trust reorganization or reengineering plans, or

the implementation of the "To Be" Model, funds appropriated for fiscal year 2006 shall be available to the tribes within the California Tribal Trust Reform Consortium and to the Salt River Pima-Maricopa Indian Community, the Confederated Salish and Kootenai Tribes of the Flathead Reservation and the Chippewa Cree Tribe of the Rocky Boys Reservation through the same methodology as funds were distributed in fiscal year 2003. This Demonstration Project shall continue to operate separate and apart from the Department of the Interior's trust reform and reorganization and the Department shall not impose its trust management infrastructure upon or alter the existing trust resource management systems of the above referenced tribes having a self-governance compact and operating in accordance with the Tribal Self-Governance Program set forth in 25 U.S.C. 458aa–458hh: Provided, That the California Trust Reform Consortium and any other participating tribe agree to carry out their responsibilities under the same written and implemented fiduciary standards as those being carried by the Secretary of the Interior: Provided further, That they demonstrate to the satisfaction of the Secretary that they have the capability to do so: Provided further, That the Department shall provide funds to the tribes in an amount equal to that required by 25 U.S.C. 458cc(g)(3), including funds specifically or functionally related to the provision of trust services to the tribes or their members.

SEC. 123. Notwithstanding any provision of law, including 42 U.S.C. 4321 et. seq., nonrenewable grazing permits authorized in the Jarbidge Field Office, Bureau of Land Management within the past 9 years, shall be renewed. The Animal Unit Months contained in the most recently expired nonrenewable grazing permit, authorized between March 1, 1997, and February 28, 2003, shall continue in effect under the renewed permit. Nothing in this section shall be deemed to extend the nonrenewable permits beyond the standard 1-year term.

SEC. 124. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to acquire lands, waters, or interests therein including the use of all or part of any pier, dock, or landing within the State of New York and the State of New Jersey, for the purpose of operating and maintaining facilities in the support of transportation and accommodation of visitors to Ellis, Governors, and Liberty Islands, and of other program and administrative activities, by donation or with appropriated funds, including franchise fees (and other monetary consideration), or by exchange; and the Secretary is authorized to negotiate and enter into leases, subleases, concession contracts or other agreements for the use of such facilities on such terms and conditions as the Secretary may determine reasonable.

SEC. 125. Upon the request of the permittee for the Clark Mountain Allotment lands adjacent to the Mojave National Preserve, the Secretary shall also issue a special use permit for that portion of the grazing allotment located within the Preserve. The special use permit shall be issued with the same terms and conditions as the most recently-issued permit for that allotment and the Secretary shall consider the permit to be one transferred in accordance with section 325 of Public Law 108–108.

SEC. 126. Notwithstanding any other provision of law, the National Park Service final winter use rules published in Part VII of

the Federal Register for November 10, 2004, 69 Fed. Reg. 65348 et seq., shall be in force and effect for the winter use season of 2005–2006 that commences on or about December 15, 2005.

SEC. 127. Section 1121(d) of the Education Amendments of 1978 (25 U.S.C. 2001(d)) is amended by striking paragraph (7) and inserting the following:

"(7) APPROVAL OF INDIAN TRIBES.—The Secretary shall not terminate, close, consolidate, contract, transfer to another authority, or take any other action relating to an elementary school or secondary school (or any program of such a school) of an Indian tribe without the approval of the governing body of any Indian tribe that would be affected by such an action.".

SEC. 128. Section 108(e) of the Act entitled "An Act to establish the Kalaupapa National Historical Park in the State of Hawaii, and for other purposes" (16 U.S.C. 410jj–7) is amended by striking "twenty-five years from" and inserting "on the date that is 45 years after".

Sec. 129. Section 402(b) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1232(b)) is amended by striking "September 30, 2005," and inserting "June 30, 2006,".

SEC. 130. None of the funds in this or any other Act may be used to set up Centers of Excellence and Partnership Skills Bank training without prior approval of the House and Senate Committees on Appropriations.

SEC. 131. Section 114 of the Department of the Interior and Related Agencies Appropriations Act, 2003 (16 U.S.C. 460bb–3 note; 117 Stat. 239; division F of Public Law 108–7), is amended—

(1) in the second sentence, by inserting ", including utility expenses of the National Park Service or lessees of the National Park Service" after "Fort Baker properties"; and

(2) by inserting between the first and second sentences the following: "In furtherance of a lease entered into under the first sentence, the Secretary of the Interior or a lessee may impose fees on overnight lodgers for the purpose of covering the cost of providing utilities and transportation services at Fort Baker properties at a rate not to exceed the annual cost of providing these services.".

SEC. 132. (a) Section 813(a) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6812(a)) is amended by striking "and (i)" and inserting "and (i) (except for paragraph (1)(C))".

(b) Section 4(i)(1)(C)(i) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–6a(i)(1)(C)(i)) is amended—

(1) by striking "Notwithstanding subparagraph (A)" and all that follows through "or section 107" and inserting "Notwithstanding section 107"; and

(2) by striking "account under subparagraph (A)" and inserting "account under section 807(a) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6806(a))".

(c) Except as provided in this section, section 4(i)(1)(C) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–6a(i)(1)(C)) shall be applied and administered as if section 813(a) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6812(a)) (and the amendments made by that section) had not been enacted.

(d) This section and the amendments made by this section take effect as of December 8, 2004.

SEC. 133. Section 5(c) of the National Trails System Act (16 U.S.C. 1244(c)) is amended by adding at the end the following:

"(43)(A) The Captain John Smith Chesapeake National Historic Watertrail, a series of routes extending approximately 3,000 miles along the Chesapeake Bay and the tributaries of the Chesapeake Bay in the States of Virginia, Maryland, Pennsylvania, and Delaware and the District of Columbia that traces Captain John Smith's voyages charting the land and waterways of the Chesapeake Bay and the tributaries of the Chesapeake Bay.

"(B) The study shall be conducted in consultation with Federal, State, regional, and local agencies and representatives of the private sector, including the entities responsible for administering—

"(i) the Chesapeake Bay Gateways and Watertrails Network authorized under the Chesapeake Bay Initiative Act of 1998 (16 U.S.C. 461 note; title V of Public Law 105–312); and

"(ii) the Chesapeake Bay Program authorized under section 117 of the Federal Water Pollution Control Act (33 U.S.C. 1267).

"(C) The study shall include an extensive analysis of the potential impacts the designation of the trail as a national historic watertrail is likely to have on land and water, including docks and piers, along the proposed route or bordering the study route that is privately owned at the time the study is conducted.".

Sec. 134. (a) Notwithstanding section 508(c) of the Omnibus Parks and Public Lands Management Act of 1996 (40 U.S.C. 8903 note; Public Law 104–333) there is hereby appropriated to the Secretary of the Interior $10,000,000, to remain available until expended, for necessary expenses for the Memorial to Martin Luther King, Jr. authorized in that Act.

(b) The funds appropriated in subsection (a) shall only be made available after the entire amount is matched by non-federal contributions (not including in-kind contributions) that are pledged and received after July 26, 2005, but prior to the date specified in subsection (c).

(c) Section 508(b)(2) of the Omnibus Parks and Public Lands Management Act of 1996 is amended by striking "November 12, 2006" and inserting "November 12, 2008".

TITLE II—ENVIRONMENTAL PROTECTION AGENCY

SCIENCE AND TECHNOLOGY

For science and technology, including research and development activities, which shall include research and development activities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended; necessary expenses for personnel and related costs and travel expenses, including uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376; procurement of laboratory equipment and supplies; other operating expenses in support of research and development; construction, alteration, repair, reha-

bilitation, and renovation of facilities, not to exceed $85,000 per project, $741,722,000, to remain available until September 30, 2007.

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

For environmental programs and management, including necessary expenses, not otherwise provided for, for personnel and related costs and travel expenses, including uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376; hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $85,000 per project; and not to exceed $19,000 for official reception and representation expenses, $2,381,752,000, to remain available until September 30, 2007, including administrative costs of the brownfields program under the Small Business Liability Relief and Brownfields Revitalization Act of 2002.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $85,000 per project, $37,455,000, to remain available until September 30, 2007.

BUILDINGS AND FACILITIES

For construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of, or for use by, the Environmental Protection Agency, $40,218,000, to remain available until expended.

HAZARDOUS SUBSTANCE SUPERFUND

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, including sections 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611), and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $85,000 per project; $1,260,621,000, to remain available until expended, consisting of such sums as are available in the Trust Fund upon the date of enactment of this Act as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA) and up to $1,260,621,000 as a payment from general revenues to the Hazardous Substance Superfund for purposes as authorized by section 517(b) of SARA, as amended: Provided, That funds appropriated under this heading may be allocated to other Federal agencies in accordance with section 111(a) of CERCLA: Provided further, That of the funds appropriated under this heading, $13,536,000 shall be transferred to the "Office of Inspector General"

appropriation to remain available until September 30, 2007, and $30,606,000 shall be transferred to the "Science and Technology" appropriation to remain available until September 30, 2007.

LEAKING UNDERGROUND STORAGE TANK PROGRAM

For necessary expenses to carry out leaking underground storage tank cleanup activities authorized by section 205 of the Superfund Amendments and Reauthorization Act of 1986, and for construction, alteration, repair, rehabilitation, and renovation of facilities, not to exceed $85,000 per project, $73,027,000, to remain available until expended.

OIL SPILL RESPONSE

For expenses necessary to carry out the Environmental Protection Agency's responsibilities under the Oil Pollution Act of 1990, $15,863,000, to be derived from the Oil Spill Liability trust fund, to remain available until expended.

STATE AND TRIBAL ASSISTANCE GRANTS

(INCLUDING RESCISSIONS OF FUNDS)

For environmental programs and infrastructure assistance, including capitalization grants for State revolving funds and performance partnership grants, $3,261,696,000, to remain available until expended, of which $900,000,000 shall be for making capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act, as amended (the "Act"); of which up to $50,000,000 shall be available for loans, including interest free loans as authorized by 33 U.S.C. 1383(d)(1)(A), to municipal, inter-municipal, interstate, or State agencies or nonprofit entities for projects that provide treatment for or that minimize sewage or stormwater discharges using one or more approaches which include, but are not limited to, decentralized or distributed stormwater controls, decentralized wastewater treatment, low-impact development practices, conservation easements, stream buffers, or wetlands restoration; $850,000,000 shall be for capitalization grants for the Drinking Water State Revolving Funds under section 1452 of the Safe Drinking Water Act, as amended, except that, notwithstanding section 1452(n) of the Safe Drinking Water Act, as amended, hereafter none of the funds made available under this heading in this or previous appropriations Acts shall be reserved by the Administrator for health effects studies on drinking water contaminants; $50,000,000 shall be for architectural, engineering, planning, design, construction and related activities in connection with the construction of high priority water and wastewater facilities in the area of the United States-Mexico Border, after consultation with the appropriate border commission; $35,000,000 shall be for grants to the State of Alaska to address drinking water and waste infrastructure needs of rural and Alaska Native Villages: Provided, That, of these funds: (1) the State of Alaska shall provide a match of 25 percent; (2) no more than 5 percent of the funds may be used for administrative and overhead expenses; and (3) not later than October 1, 2005 the State of Alaska shall make awards consistent with the State-wide priority list established in 2004 for all water,

sewer, waste disposal, and similar projects carried out by the State of Alaska that are funded under section 221 of the Federal Water Pollution Control Act (33 U.S.C. 1301) or the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) which shall allocate not less than 25 percent of the funds provided for projects in regional hub communities; $200,000,000 shall be for making special project grants for the construction of drinking water, wastewater and storm water infrastructure and for water quality protection in accordance with the terms and conditions specified for such grants in the joint explanatory statement of the managers accompanying this Act, and, for purposes of these grants, each grantee shall contribute not less than 45 percent of the cost of the project unless the grantee is approved for a waiver by the Agency; $90,000,000 shall be to carry out section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended, including grants, interagency agreements, and associated program support costs; $7,000,000 for making cost-shared grants for school bus retrofit and replacement projects that reduce diesel emissions; and $1,129,696,000 shall be for grants, including associated program support costs, to States, federally recognized tribes, interstate agencies, tribal consortia, and air pollution control agencies for multi-media or single media pollution prevention, control and abatement and related activities, including activities pursuant to the provisions set forth under this heading in Public Law 104–134, and for making grants under section 103 of the Clean Air Act for particulate matter monitoring and data collection activities subject to terms and conditions specified by the Administrator, of which $50,000,000 shall be for carrying out section 128 of CERCLA, as amended, $20,000,000 shall be for Environmental Information Exchange Network grants, including associated program support costs, and $16,856,000 shall be for making competitive targeted watershed grants: Provided further, That for fiscal year 2006 and thereafter, State authority under section 302(a) of Public Law 104–182 shall remain in effect: Provided further, That notwithstanding section 603(d)(7) of the Federal Water Pollution Control Act, the limitation on the amounts in a State water pollution control revolving fund that may be used by a State to administer the fund shall not apply to amounts included as principal in loans made by such fund in fiscal year 2006 and prior years where such amounts represent costs of administering the fund to the extent that such amounts are or were deemed reasonable by the Administrator, accounted for separately from other assets in the fund, and used for eligible purposes of the fund, including administration: Provided further, That for fiscal year 2006, and notwithstanding section 518(f) of the Act, the Administrator is authorized to use the amounts appropriated for any fiscal year under section 319 of that Act to make grants to Indian tribes pursuant to sections 319(h) and 518(e) of that Act: Provided further, That for fiscal year 2006, notwithstanding the limitation on amounts in section 518(c) of the Act, up to a total of 1½ percent of the funds appropriated for State Revolving Funds under title VI of that Act may be reserved by the Administrator for grants under section 518(c) of that Act: Provided further, That no funds provided by this legislation to address the water, wastewater and other critical infrastructure needs of the colonias in the United States along the United States-Mexico border shall be made avail-

able to a county or municipal government unless that government has established an enforceable local ordinance, or other zoning rule, which prevents in that jurisdiction the development or construction of any additional colonia areas, or the development within an existing colonia the construction of any new home, business, or other structure which lacks water, wastewater, or other necessary infrastructure: Provided further, That, notwithstanding this or any other appropriations Act, heretofore and hereafter, after consultation with the House and Senate Committees on Appropriations and for the purpose of making technical corrections, the Administrator is authorized to award grants under this heading to entities and for purposes other than those listed in the joint explanatory statements of the managers accompanying the Agency's appropriations Acts for the construction of drinking water, wastewater and stormwater infrastructure and for water quality protection.

In addition, $80,000,000 is hereby rescinded from prior year funds in appropriation accounts available to the Environmental Protection Agency: Provided, That such rescissions shall be taken solely from amounts associated with grants, contracts, and interagency agreements whose availability, under the original project period for such grant or interagency agreement or contract period for such contract, has expired: Provided further, That such rescissions shall include funds that were appropriated under this heading for special project grants in fiscal year 2000 or earlier that have not been obligated on an approved grant by September 1, 2006.

ADMINISTRATIVE PROVISIONS

For fiscal year 2006, notwithstanding 31 U.S.C. 6303(1) and 6305(1), the Administrator of the Environmental Protection Agency, in carrying out the Agency's function to implement directly Federal environmental programs required or authorized by law in the absence of an acceptable tribal program, may award cooperative agreements to federally-recognized Indian Tribes or Intertribal consortia, if authorized by their member Tribes, to assist the Administrator in implementing Federal environmental programs for Indian Tribes required or authorized by law, except that no such cooperative agreements may be awarded from funds designated for State financial assistance agreements.

The Administrator of the Environmental Protection Agency is authorized to collect and obligate pesticide registration service fees in accordance with section 33 of the Federal Insecticide, Fungicide, and Rodenticide Act (as added by subsection (f)(2) of the Pesticide Registration Improvement Act of 2003), as amended.

Notwithstanding CERCLA 104(k)(4)(B)(i)(IV), appropriated funds for fiscal year 2006 may be used to award grants or loans under section 104(k) of CERCLA to eligible entities that satisfy all of the elements set forth in CERCLA section 101(40) to qualify as a bona fide prospective purchaser except that the date of acquisition of the property was prior to the date of enactment of the Small Business Liability Relief and Brownfield Revitalization Act of 2001.

For fiscal years 2006 through 2011, the Administrator may, after consultation with the Office of Personnel Management, make not to exceed five appointments in any fiscal year under the authority provided in 42 U.S.C. 209 for the Office of Research and Development.

Beginning in fiscal year 2006 and thereafter, and notwithstanding section 306 of the Toxic Substances Control Act, the Federal share of the cost of radon program activities implemented with Federal assistance under section 306 shall not exceed 60 percent in the third and subsequent grant years.

GENERAL PROVISIONS, ENVIRONMENTAL PROTECTION AGENCY

SEC. 201. None of the funds made available by this Act may be used by the Administrator of the Environmental Protection Agency to accept, consider or rely on third-party intentional dosing human toxicity studies for pesticides, or to conduct intentional dosing human toxicity studies for pesticides until the Administrator issues a final rulemaking on this subject. The Administrator shall allow for a period of not less than 90 days for public comment on the Agency's proposed rule before issuing a final rule. Such rule shall not permit the use of pregnant women, infants or children as subjects; shall be consistent with the principles proposed in the 2004 report of the National Academy of Sciences on intentional human dosing and the principles of the Nuremberg Code with respect to human experimentation; and shall establish an independent Human Subjects Review Board. The final rule shall be issued no later than 180 days after enactment of this Act.

SEC. 202. None of the funds made available by this Act may be used in contravention of, or to delay the implementation of, Executive Order No. 12898 of February 11, 1994 (59 Fed. Reg. 7629; relating to Federal actions to address environmental justice in minority populations and low-income populations).

SEC. 203. None of the funds made available in this Act may be used to finalize, issue, implement, or enforce the proposed policy of the Environmental Protection Agency entitled "National Pollutant Discharge Elimination System (NPDES) Permit Requirements for Municipal Wastewater Treatment During Wet Weather Conditions", dated November 3, 2003 (68 Fed. Reg. 63042).

SEC. 204. None of the funds made available in this Act may be used in contravention of 15 U.S.C. 2682(c)(3) or to delay the implementation of that section.

SEC. 205. None of the funds provided in this Act or any other Act may be used by the Environmental Protection Agency to publish proposed or final regulations pursuant to the requirements of section 428(b) of division G of Public Law 108–199 until the Administrator of the Environmental Protection Agency, in coordination with other appropriate Federal agencies, has completed and published a technical study to look at safety issues, including the risk of fire and burn to consumers in use, associated with compliance with the regulations. Not later than six months after the date of enactment of this Act, the Administrator shall complete and publish the technical study.

TITLE III—RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

FOREST AND RANGELAND RESEARCH

For necessary expenses of forest and rangeland research as authorized by law, $283,094,000, to remain available until expended: Provided, That of the funds provided, $60,267,000 is for the forest inventory and analysis program.

STATE AND PRIVATE FORESTRY

For necessary expenses of cooperating with and providing technical and financial assistance to States, territories, possessions, and others, and for forest health management, including treatments of pests, pathogens, and invasive or noxious plants and for restoring and rehabilitating forests damaged by pests or invasive plants, cooperative forestry, and education and land conservation activities and conducting an international program as authorized, $283,577,000, to remain available until expended, as authorized by law of which $57,380,000 is to be derived from the Land and Water Conservation Fund: Provided, That none of the funds provided under this heading for the acquisition of lands or interests in lands shall be available until the Forest Service notifies the House Committee on Appropriations and the Senate Committee on Appropriations, in writing, of specific contractual and grant details including the non-Federal cost share: Provided further, That of the funds provided herein, $1,000,000 shall be provided to Custer County, Idaho, for economic development in accordance with the Central Idaho Economic Development and Recreation Act, subject to authorization: Provided further, That notwithstanding any other provision of law, of the funds provided under this heading, an advance lump sum payment of $1,000,000 shall be made available to Madison County, NC, for a forest recreation center, and a similar $500,000 payment shall be made available to Folkmoot USA in Haywood County, NC, for Appalachian folk programs including forest crafts.

NATIONAL FOREST SYSTEM

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Forest Service, not otherwise provided for, for management, protection, improvement, and utilization of the National Forest System, $1,424,348,000, to remain available until expended, which shall include 50 percent of all moneys received during prior fiscal years as fees collected under the Land and Water Conservation Fund Act of 1965, as amended, in accordance with section 4 of the Act (16 U.S.C. 460l–6a(i)): Provided, That unobligated balances under this heading available at the start of fiscal year 2006 shall be displayed by budget line item in the fiscal year 2007 budget justification: Provided further, That of the funds provided under this heading for Forest Products, $5,000,000 shall be allocated to the Alaska Region, in addition to its normal allocation for the purposes of preparing additional timber for sale, to establish a 3-year timber supply and such funds may be transferred to other

appropriations accounts as necessary to maximize accomplishment: Provided further, That within funds available for the purpose of implementing the Valles Caldera Preservation Act, notwithstanding the limitations of section 107(e)(2) of the Valles Caldera Preservation Act (Public Law 106–248), for fiscal year 2006, the Chair of the Board of Trustees of the Valles Caldera Trust may receive, upon request, compensation for each day (including travel time) that the Chair is engaged in the performance of the functions of the Board, except that compensation shall not exceed the daily equivalent of the annual rate in effect for members of the Senior Executive Service at the ES–1 level, and shall be in addition to any reimbursement for travel, subsistence and other necessary expenses incurred by the Chair in the performance of the Chair's duties.

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for forest fire presuppression activities on National Forest System lands, for emergency fire suppression on or adjacent to such lands or other lands under fire protection agreement, hazardous fuels reduction on or adjacent to such lands, and for emergency rehabilitation of burned-over National Forest System lands and water, $1,779,395,000, to remain available until expended: Provided, That such funds including unobligated balances under this heading, are available for repayment of advances from other appropriations accounts previously transferred for such purposes: Provided further, That such funds shall be available to reimburse State and other cooperating entities for services provided in response to wildfire and other emergencies or disasters to the extent such reimbursements by the Forest Service for non-fire emergencies are fully repaid by the responsible emergency management agency: Provided further, That not less than 50 percent of any unobligated balances remaining (exclusive of amounts for hazardous fuels reduction) at the end of fiscal year 2005 shall be transferred to the fund established pursuant to section 3 of Public Law 71–319 (16 U.S.C. 576 et seq.) if necessary to reimburse the fund for unpaid past advances: Provided further, That, notwithstanding any other provision of law, $8,000,000 of funds appropriated under this appropriation shall be used for Fire Science Research in support of the Joint Fire Science Program: Provided further, That all authorities for the use of funds, including the use of contracts, grants, and cooperative agreements, available to execute the Forest and Rangeland Research appropriation, are also available in the utilization of these funds for Fire Science Research: Provided further, That funds provided shall be available for emergency rehabilitation and restoration, hazardous fuels reduction activities in the urban-wildland interface, support to Federal emergency response, and wildfire suppression activities of the Forest Service: Provided further, That of the funds provided, $286,000,000 is for hazardous fuels reduction activities, $6,281,000 is for rehabilitation and restoration, $23,219,000 is for research activities and to make competitive research grants pursuant to the Forest and Rangeland Renewable Resources Research Act, as amended (16 U.S.C. 1641 et seq.), $46,500,000 is for State fire assistance, $7,889,000 is for volunteer fire assistance, $15,000,000 is for forest health activities on Federal lands and

$10,000,000 is for forest health activities on State and private lands: Provided further, That amounts in this paragraph may be transferred to the "State and Private Forestry", "National Forest System", and "Forest and Rangeland Research" accounts to fund State fire assistance, volunteer fire assistance, forest health management, forest and rangeland research, vegetation and watershed management, heritage site rehabilitation, and wildlife and fish habitat management and restoration: Provided further, That transfers of any amounts in excess of those authorized in this paragraph, shall require approval of the House and Senate Committees on Appropriations in compliance with reprogramming procedures contained in the report accompanying this Act: Provided further, That funds provided under this heading for hazardous fuels treatments may be transferred to and made a part of the "National Forest System" account at the sole discretion of the Chief of the Forest Service thirty days after notifying the House and the Senate Committees on Appropriations: Provided further, That the costs of implementing any cooperative agreement between the Federal Government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: Provided further, That in addition to funds provided for State Fire Assistance programs, and subject to all authorities available to the Forest Service under the State and Private Forestry Appropriation, up to $15,000,000 may be used on adjacent non-Federal lands for the purpose of protecting communities when hazard reduction activities are planned on national forest lands that have the potential to place such communities at risk: Provided further, That included in funding for hazardous fuel reduction is $5,000,000 for implementing the Community Forest Restoration Act, Public Law 106–393, title VI, and any portion of such funds shall be available for use on non-Federal lands in accordance with authorities available to the Forest Service under the State and Private Forestry Appropriation: Provided further, That the Secretary of the Interior and the Secretary of Agriculture may authorize the transfer of funds appropriated for wildland fire management, in an aggregate amount not to exceed $9,000,000, between the Departments when such transfers would facilitate and expedite jointly funded wildland fire management programs and projects: Provided further, That of the funds provided for hazardous fuels reduction, not to exceed $5,000,000, may be used to make grants, using any authorities available to the Forest Service under the State and Private Forestry appropriation, for the purpose of creating incentives for increased use of biomass from national forest lands: Provided further, That funds designated for wildfire suppression shall be assessed for indirect costs on the same basis as such assessments are calculated against other agency programs.

CAPITAL IMPROVEMENT AND MAINTENANCE

For necessary expenses of the Forest Service, not otherwise provided for, $441,178,000, to remain available until expended for construction, reconstruction, maintenance and acquisition of buildings and other facilities, and for construction, reconstruction, repair, decommissioning, and maintenance of forest roads and trails by the Forest Service as authorized by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205: Provided, That up to $15,000,000 of the funds provided herein for road maintenance shall be available for the decom-

missioning of roads, including unauthorized roads not part of the transportation system, which are no longer needed: Provided further, That no funds shall be expended to decommission any system road until notice and an opportunity for public comment has been provided on each decommissioning project: Provided further, That of funds provided, $3,000,000 is provided for needed rehabilitation and restoration work at Jarbidge Canyon, Nevada: Provided further, That the Secretary of Agriculture may authorize the transfer of up to $1,350,000 as necessary to the Department of the Interior, Bureau of Land Management and Fish and Wildlife Service when such transfers would facilitate and expedite needed rehabilitation work on Bureau of Land Management lands, and for the Fish and Wildlife Service to implement terms and conditions identified in the Biological Opinion.

LAND ACQUISITION

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l–4 through 11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the Forest Service, $42,500,000, to be derived from the Land and Water Conservation Fund and to remain available until expended: Provided further, That, subject to valid existing rights, all land and interests in land acquired in the Thunder Mountain area of the Payette National Forest (including patented claims and land that are encumbered by unpatented claims or previously appropriated funds under this section, or otherwise relinquished by a private party) are withdrawn from mineral entry or appropriation under Federal mining laws, and from leasing claims under Federal mineral and geothermal leasing laws.

ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL ACTS

For acquisition of lands within the exterior boundaries of the Cache, Uinta, and Wasatch National Forests, Utah; the Toiyabe National Forest, Nevada; and the Angeles, San Bernardino, Sequoia, and Cleveland National Forests, California, as authorized by law, $1,069,000, to be derived from forest receipts.

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

For acquisition of lands, such sums, to be derived from funds deposited by State, county, or municipal governments, public school districts, or other public school authorities, and for authorized expenditures from funds deposited by non-Federal parties pursuant to Land Sale and Exchange Acts, pursuant to the Act of December 4, 1967, as amended (16 U.S.C. 484a), to remain available until expended.

RANGE BETTERMENT FUND

For necessary expenses of range rehabilitation, protection, and improvement, 50 percent of all moneys received during the prior fiscal year, as fees for grazing domestic livestock on lands in National Forests in the 16 Western States, pursuant to section 401(b)(1) of Public Law 94–579, as amended, to remain available until expended, of which not to exceed 6 percent shall be available for ad-

ministrative expenses associated with on-the-ground range rehabilitation, protection, and improvements.

GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND RANGELAND RESEARCH

For expenses authorized by 16 U.S.C. 1643(b), $64,000, to remain available until expended, to be derived from the fund established pursuant to the above Act.

MANAGEMENT OF NATIONAL FOREST LANDS FOR SUBSISTENCE USES

For necessary expenses of the Forest Service to manage Federal lands in Alaska for subsistence uses under title VIII of the Alaska National Interest Lands Conservation Act (Public Law 96–487), $5,067,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS, FOREST SERVICE

Appropriations to the Forest Service for the current fiscal year shall be available for: (1) purchase of passenger motor vehicles; acquisition of passenger motor vehicles from excess sources, and hire of such vehicles; purchase, lease, operation, maintenance, and acquisition of aircraft from excess sources to maintain the operable fleet for use in Forest Service wildland fire programs and other Forest Service programs; notwithstanding other provisions of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft; (2) services pursuant to 7 U.S.C. 2225, and not to exceed $100,000 for employment under 5 U.S.C. 3109; (3) purchase, erection, and alteration of buildings and other public improvements (7 U.S.C. 2250); (4) acquisition of land, waters, and interests therein pursuant to 7 U.S.C. 428a; (5) for expenses pursuant to the Volunteers in the National Forest Act of 1972 (16 U.S.C. 558a, 558d, and 558a note); (6) the cost of uniforms as authorized by 5 U.S.C. 5901–5902; and (7) for debt collection contracts in accordance with 31 U.S.C. 3718(c).

None of the funds made available under this Act shall be obligated or expended to abolish any region, to move or close any regional office for National Forest System administration of the Forest Service, Department of Agriculture without the consent of the House and Senate Committees on Appropriations.

Any appropriations or funds available to the Forest Service may be transferred to the Wildland Fire Management appropriation for forest firefighting, emergency rehabilitation of burned-over or damaged lands or waters under its jurisdiction, and fire preparedness due to severe burning conditions upon notification of the House and Senate Committees on Appropriations and if and only if all previously appropriated emergency contingent funds under the heading "Wildland Fire Management" have been released by the President and apportioned and all wildfire suppression funds under the heading "Wildland Fire Management" are obligated.

The first transfer of funds into the Wildland Fire Management account shall include unobligated funds, if available, from the Land Acquisition account and the Forest Legacy program within the State and Private Forestry account.

Funds appropriated to the Forest Service shall be available for assistance to or through the Agency for International Development and the Foreign Agricultural Service in connection with forest and rangeland research, technical information, and assistance in foreign countries, and shall be available to support forestry and related natural resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with United States and international organizations.

None of the funds made available to the Forest Service under this Act shall be subject to transfer under the provisions of section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257) or 7 U.S.C. 147b, except that in fiscal year 2006 the Forest Service may transfer funds to the "National Forest System" account from other agency accounts to enable the agency's law enforcement program to pay full operating costs including overhead.

None of the funds available to the Forest Service may be reprogrammed without the advance approval of the House and Senate Committees on Appropriations in accordance with the reprogramming procedures contained in the report accompanying this Act.

Not more than $72,646,000 of funds available to the Forest Service shall be transferred to the Working Capital Fund of the Department of Agriculture. Nothing in this paragraph shall prohibit or limit the use of reimbursable agreements requested by the Forest Service in order to obtain services from the Department of Agriculture's National Information Technology Center.

Funds available to the Forest Service shall be available to conduct a program of not less than $2,500,000 for high priority projects within the scope of the approved budget which shall be carried out by the Youth Conservation Corps.

Of the funds available to the Forest Service, $4,000 is available to the Chief of the Forest Service for official reception and representation expenses.

Pursuant to sections 405(b) and 410(b) of Public Law 101–593, of the funds available to the Forest Service, $3,000,000 may be advanced in a lump sum to the National Forest Foundation to aid conservation partnership projects in support of the Forest Service mission, without regard to when the Foundation incurs expenses, for administrative expenses or projects on or benefitting National Forest System lands or related to Forest Service programs: Provided, That of the Federal funds made available to the Foundation, no more than $300,000 shall be available for administrative expenses: Provided further, That the Foundation shall obtain, by the end of the period of Federal financial assistance, private contributions to match on at least one-for-one basis funds made available by the Forest Service: Provided further, That the Foundation may transfer Federal funds to a non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds: Provided further, That authorized investments of Federal funds held by the Foundation may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.

Pursuant to section 2(b)(2) of Public Law 98–244, $2,650,000 of the funds available to the Forest Service shall be advanced to the National Fish and Wildlife Foundation in a lump sum to aid cost-

share conservation projects, without regard to when expenses are incurred, on or benefitting National Forest System lands or related to Forest Service programs: Provided, That such funds shall be matched on at least a one-for-one basis by the Foundation or its subrecipients.

Funds appropriated to the Forest Service shall be available for interactions with and providing technical assistance to rural communities for sustainable rural development purposes.

Funds appropriated to the Forest Service shall be available for payments to counties within the Columbia River Gorge National Scenic Area, pursuant to sections 14(c)(1) and (2), and section 16(a)(2) of Public Law 99–663.

Notwithstanding any other provision of law, any appropriations or funds available to the Forest Service not to exceed $500,000 may be used to reimburse the Office of the General Counsel (OGC), Department of Agriculture, for travel and related expenses incurred as a result of OGC assistance or participation requested by the Forest Service at meetings, training sessions, management reviews, land purchase negotiations and similar non-litigation related matters. Future budget justifications for both the Forest Service and the Department of Agriculture should clearly display the sums previously transferred and the requested funding transfers.

Any appropriations or funds available to the Forest Service may be used for necessary expenses in the event of law enforcement emergencies as necessary to protect natural resources and public or employee safety: Provided, That such amounts shall not exceed $500,000.

An eligible individual who is employed in any project funded under title V of the Older American Act of 1965 (42 U.S.C. 3056 et seq.) and administered by the Forest Service shall be considered to be a Federal employee for purposes of chapter 171 of title 28, United States Code.

Any funds appropriated to the Forest Service may be used to meet the non-Federal share requirement in section 502(c) of the Older American Act of 1965 (42 U.S.C. 3056(c)(2)).

For each fiscal year through 2009, funds available to the Forest Service in this Act may be used for the purpose of expenses associated with primary and secondary schooling for dependents of agency personnel stationed in Puerto Rico prior to the date of enactment of this Act, who are subject to transfer and reassignment to other locations in the United States, at a cost not in excess of those authorized for the Department of Defense for the same area, when it is determined by the Chief of the Forest Service that public schools available in the locality are unable to provide adequately for the education of such dependents.

Funds available to the Forest Service, not to exceed $35,000,000, shall be assessed for the purpose of performing facilities maintenance. Such assessments shall occur using a square foot rate charged on the same basis the agency uses to assess programs for payment of rent, utilities, and other support services.

In support of management of the National Wildlife Refuge System, Lot 6C of United States Survey 2538–A, containing 2.39 acres and the residential triplex situated thereon, located in Kodiak, Alaska, is hereby transferred from the USDA Forest Service to the U.S. Fish and Wildlife Service.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

For expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act with respect to the Indian Health Service, $2,732,298,000, together with payments received during the fiscal year pursuant to 42 U.S.C. 238(b) for services furnished by the Indian Health Service: Provided, That funds made available to tribes and tribal organizations through contracts, grant agreements, or any other agreements or compacts authorized by the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), shall be deemed to be obligated at the time of the grant or contract award and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: Provided further, That up to $18,000,000 shall remain available until expended, for the Indian Catastrophic Health Emergency Fund: Provided further, That $507,021,000 for contract medical care shall remain available for obligation until September 30, 2007: Provided further, That of the funds provided, up to $27,000,000, to remain available until expended, shall be used to carry out the loan repayment program under section 108 of the Indian Health Care Improvement Act: Provided further, That funds provided in this Act may be used for one-year contracts and grants which are to be performed in two fiscal years, so long as the total obligation is recorded in the year for which the funds are appropriated: Provided further, That the amounts collected by the Secretary of Health and Human Services under the authority of title IV of the Indian Health Care Improvement Act shall remain available until expended for the purpose of achieving compliance with the applicable conditions and requirements of titles XVIII and XIX of the Social Security Act (exclusive of planning, design, or construction of new facilities): Provided further, That funding contained herein, and in any earlier appropriations Acts for scholarship programs under the Indian Health Care Improvement Act (25 U.S.C. 1613) shall remain available until expended: Provided further, That amounts received by tribes and tribal organizations under title IV of the Indian Health Care Improvement Act shall be reported and accounted for and available to the receiving tribes and tribal organizations until expended: Provided further, That, notwithstanding any other provision of law, of the amounts provided herein, not to exceed $268,683,000 shall be for payments to tribes and tribal organizations for contract or grant support costs associated with contracts, grants, self-governance compacts or annual funding agreements between the Indian Health Service and a tribe or tribal organization pursuant to the Indian Self-Determination Act of 1975, as amended, prior to or during fiscal year 2006, of which not to exceed $5,000,000 may be used for contract support costs associated with new or expanded self-determination contracts, grants, self-governance compacts or annual funding agreements: Provided further, That the Bureau of Indian Affairs may collect from the Indian Health Service and tribes and tribal organizations operating health facilities pursuant to Public

Law 93–638 such individually identifiable health information relating to disabled children as may be necessary for the purpose of carrying out its functions under the Individuals with Disabilities Education Act, 20 U.S.C. 1400, et seq.: Provided further, That of the amounts provided to the Indian Health Service, $15,000,000 is provided for alcohol control, enforcement, prevention, treatment, sobriety and wellness, and education in Alaska, to be distributed in accordance with the instruction provided in Senate Report 109–80: Provided further, That none of the funds may be used for tribal courts or tribal ordinance programs or any program that is not directly related to alcohol control, enforcement, prevention, treatment, or sobriety: Provided further, That no more than 15 percent may be used by any entity receiving funding for administrative overhead including indirect costs.

INDIAN HEALTH FACILITIES

For construction, repair, maintenance, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites, purchase and erection of modular buildings, and purchases of trailers; and for provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-Determination Act, and the Indian Health Care Improvement Act, and for expenses necessary to carry out such Acts and titles II and III of the Public Health Service Act with respect to environmental health and facilities support activities of the Indian Health Service, $358,485,000, to remain available until expended: Provided, That notwithstanding any other provision of law, funds appropriated for the planning, design, construction or renovation of health facilities for the benefit of an Indian tribe or tribes may be used to purchase land for sites to construct, improve, or enlarge health or related facilities: Provided further, That not to exceed $500,000 shall be used by the Indian Health Service to purchase TRANSAM equipment from the Department of Defense for distribution to the Indian Health Service and tribal facilities: Provided further, That none of the funds appropriated to the Indian Health Service may be used for sanitation facilities construction for new homes funded with grants by the housing programs of the United States Department of Housing and Urban Development: Provided further, That not to exceed $1,000,000 from this account and the "Indian Health Services" account shall be used by the Indian Health Service to obtain ambulances for the Indian Health Service and tribal facilities in conjunction with an existing interagency agreement between the Indian Health Service and the General Services Administration: Provided further, That notwithstanding any other provision of law, the Indian Health Service is authorized to construct a replacement health care facility in Nome, Alaska, on land owned by the Norton Sound Health Corporation: Provided further, That not to exceed $500,000 shall be placed in a Demolition Fund, available until expended, to be used by the Indian Health Service for demolition of Federal buildings.

ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

Appropriations in this Act to the Indian Health Service shall be available for services as authorized by 5 U.S.C. 3109 but at rates not to exceed the per diem rate equivalent to the maximum rate payable for senior-level positions under 5 U.S.C. 5376; hire of passenger motor vehicles and aircraft; purchase of medical equipment; purchase of reprints; purchase, renovation and erection of modular buildings and renovation of existing facilities; payments for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and for uniforms or allowances therefor as authorized by 5 U.S.C. 5901–5902; and for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities.

In accordance with the provisions of the Indian Health Care Improvement Act, non-Indian patients may be extended health care at all tribally administered or Indian Health Service facilities, subject to charges, and the proceeds along with funds recovered under the Federal Medical Care Recovery Act (42 U.S.C. 2651–2653) shall be credited to the account of the facility providing the service and shall be available without fiscal year limitation. Notwithstanding any other law or regulation, funds transferred from the Department of Housing and Urban Development to the Indian Health Service shall be administered under Public Law 86–121 (the Indian Sanitation Facilities Act) and Public Law 93–638, as amended.

Funds appropriated to the Indian Health Service in this Act, except those used for administrative and program direction purposes, shall not be subject to limitations directed at curtailing Federal travel and transportation.

None of the funds made available to the Indian Health Service in this Act shall be used for any assessments or charges by the Department of Health and Human Services unless identified in the budget justification and provided in this Act, or approved by the House and Senate Committees on Appropriations through the reprogramming process. Personnel ceilings may not be imposed on the Indian Health Service nor may any action be taken to reduce the full time equivalent level of the Indian Health Service below the level in fiscal year 2002 adjusted upward for the staffing of new and expanded facilities, funding provided for staffing at the Lawton, Oklahoma hospital in fiscal years 2003 and 2004, critical positions not filled in fiscal year 2002, and staffing necessary to carry out the intent of Congress with regard to program increases.

Notwithstanding any other provision of law, funds previously or herein made available to a tribe or tribal organization through a contract, grant, or agreement authorized by title I or title V of the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), may be deobligated and reobligated to a self-determination contract under title I, or a self-governance agreement under title V of such Act and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation.

None of the funds made available to the Indian Health Service in this Act shall be used to implement the final rule published in the Federal Register on September 16, 1987, by the Department of

Health and Human Services, relating to the eligibility for the health care services of the Indian Health Service until the Indian Health Service has submitted a budget request reflecting the increased costs associated with the proposed final rule, and such request has been included in an appropriations Act and enacted into law.

With respect to functions transferred by the Indian Health Service to tribes or tribal organizations, the Indian Health Service is authorized to provide goods and services to those entities, on a reimbursable basis, including payment in advance with subsequent adjustment. The reimbursements received therefrom, along with the funds received from those entities pursuant to the Indian Self-Determination Act, may be credited to the same or subsequent appropriation account which provided the funding. Such amounts shall remain available until expended.

Reimbursements for training, technical assistance, or services provided by the Indian Health Service will contain total costs, including direct, administrative, and overhead associated with the provision of goods, services, or technical assistance.

The appropriation structure for the Indian Health Service may not be altered without advance notification to the House and Senate Committees on Appropriations.

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For necessary expenses for the National Institute of Environmental Health Sciences in carrying out activities set forth in section 311(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, and section 126(g) of the Superfund Amendments and Reauthorization Act of 1986, $80,289,000.

AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY

TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC HEALTH

For necessary expenses for the Agency for Toxic Substances and Disease Registry (ATSDR) in carrying out activities set forth in sections 104(i), 111(c)(4), and 111(c)(14) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended; section 118(f) of the Superfund Amendments and Reauthorization Act of 1986 (SARA), as amended; and section 3019 of the Solid Waste Disposal Act, as amended, $76,024,000, of which up to $1,500,000, to remain available until expended, is for Individual Learning Accounts for full-time equivalent employees of the Agency for Toxic Substances and Disease Registry: Provided, That notwithstanding any other provision of law, in lieu of performing a health assessment under section 104(i)(6) of CERCLA, the Administrator of ATSDR may conduct other appropriate health studies, evaluations, or activities, including, without limitation, biomedical testing, clinical evaluations, medical monitoring, and referral to accredited health care providers: Provided further, That in performing any such health assessment or health study, evaluation, or activity, the Administrator of ATSDR shall not be bound by the deadlines in section 104(i)(6)(A) of CERCLA: Provided further, That none of the funds appropriated under this head-

ing shall be available for ATSDR to issue in excess of 40 toxicological profiles pursuant to section 104(i) of CERCLA during fiscal year 2006, and existing profiles may be updated as necessary.

OTHER RELATED AGENCIES

EXECUTIVE OFFICE OF THE PRESIDENT

COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF ENVIRONMENTAL QUALITY

For necessary expenses to continue functions assigned to the Council on Environmental Quality and Office of Environmental Quality pursuant to the National Environmental Policy Act of 1969, the Environmental Quality Improvement Act of 1970, and Reorganization Plan No. 1 of 1977, and not to exceed $750 for official reception and representation expenses, $2,717,000: Provided, That notwithstanding section 202 of the National Environmental Policy Act of 1970, the Council shall consist of one member, appointed by the President, by and with the advice and consent of the Senate, serving as chairman and exercising all powers, functions, and duties of the Council.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

SALARIES AND EXPENSES

For necessary expenses in carrying out activities pursuant to section 112(r)(6) of the Clean Air Act, as amended, including hire of passenger vehicles, uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902, and for services authorized by 5 U.S.C. 3109 but at rates for individuals not to exceed the per diem equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376, $9,200,000: Provided, That the Chemical Safety and Hazard Investigation Board (Board) shall have not more than three career Senior Executive Service positions: Provided further, That notwithstanding any other provision of law, the individual appointed to the position of Inspector General of the Environmental Protection Agency (EPA) shall, by virtue of such appointment, also hold the position of Inspector General of the Board: Provided further, That notwithstanding any other provision of law, the Inspector General of the Board shall utilize personnel of the Office of Inspector General of EPA in performing the duties of the Inspector General of the Board, and shall not appoint any individuals to positions within the Board.

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Navajo and Hopi Indian Relocation as authorized by Public Law 93–531, $8,601,000, to remain available until expended: Provided, That funds provided in this or any other appropriations Act are to be used to relocate eligible individuals and groups including evictees from District 6, Hopi-partitioned lands residents, those in significantly substandard housing, and all others certified as eligible and not included in the preceding categories: Provided further, That none of the funds con-

tained in this or any other Act may be used by the Office of Navajo and Hopi Indian Relocation to evict any single Navajo or Navajo family who, as of November 30, 1985, was physically domiciled on the lands partitioned to the Hopi Tribe unless a new or replacement home is provided for such household: Provided further, That no relocatee will be provided with more than one new or replacement home: Provided further, That the Office shall relocate any certified eligible relocatees who have selected and received an approved homesite on the Navajo reservation or selected a replacement residence off the Navajo reservation or on the land acquired pursuant to 25 U.S.C. 640d–10.

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

For payment to the Institute of American Indian and Alaska Native Culture and Arts Development, as authorized by title XV of Public Law 99–498, as amended (20 U.S.C. 56 part A), $6,300,000.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

For necessary expenses of the Smithsonian Institution, as authorized by law, including research in the fields of art, science, and history; development, preservation, and documentation of the National Collections; presentation of public exhibits and performances; collection, preparation, dissemination, and exchange of information and publications; conduct of education, training, and museum assistance programs; maintenance, alteration, operation, lease (for terms not to exceed 30 years), and protection of buildings, facilities, and approaches; not to exceed $100,000 for services as authorized by 5 U.S.C. 3109; up to five replacement passenger vehicles; purchase, rental, repair, and cleaning of uniforms for employees, $524,281,000, of which not to exceed $10,992,000 for the instrumentation program, collections acquisition, exhibition reinstallation, the National Museum of African American History and Culture, and the repatriation of skeletal remains program shall remain available until expended; and of which $9,086,000 for the reopening of the Patent Office Building and for fellowships and scholarly awards shall remain available until September 30, 2007; and including such funds as may be necessary to support American overseas research centers and a total of $125,000 for the Council of American Overseas Research Centers: Provided, That funds appropriated herein are available for advance payments to independent contractors performing research services or participating in official Smithsonian presentations: Provided further, That the Smithsonian Institution may expend Federal appropriations designated in this Act for lease or rent payments for long term and swing space, as rent payable to the Smithsonian Institution, and such rent payments may be deposited into the general trust funds of the Institution to the extent that federally supported activities are housed in the 900 H Street, N.W. building in the District of Columbia: Provided further, That this use of Federal appropriations shall not be construed as debt service, a Federal guarantee of, a transfer of risk to, or an obli-

gation of, the Federal Government: Provided further, That no appropriated funds may be used to service debt which is incurred to finance the costs of acquiring the 900 H Street building or of planning, designing, and constructing improvements to such building.

FACILITIES CAPITAL

For necessary expenses of repair, revitalization, and alteration of facilities owned or occupied by the Smithsonian Institution, by contract or otherwise, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 623), and for construction, including necessary personnel, $100,000,000, to remain available until expended, of which not to exceed $10,000 is for services as authorized by 5 U.S.C. 3109: Provided, That contracts awarded for environmental systems, protection systems, and repair or restoration of facilities of the Smithsonian Institution may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

ADMINISTRATIVE PROVISIONS, SMITHSONIAN INSTITUTION

None of the funds in this or any other Act may be used to make any changes to the existing Smithsonian science programs including closure of facilities, relocation of staff or redirection of functions and programs without the advance approval of the House and Senate Committees on Appropriations.

None of the funds in this or any other Act may be used to initiate the design for any proposed expansion of current space or new facility without consultation with the House and Senate Appropriations Committees.

None of the funds in this or any other Act may be used for the Holt House located at the National Zoological Park in Washington, D.C., unless identified as repairs to minimize water damage, monitor structure movement, or provide interim structural support.

None of the funds available to the Smithsonian may be reprogrammed without the advance approval of the House and Senate Committees on Appropriations in accordance with the reprogramming procedures contained in the statement of the managers accompanying this Act.

None of the funds in this or any other Act may be used to purchase any additional buildings without prior consultation with the House and Senate Committees on Appropriations.

NATIONAL GALLERY OF ART

SALARIES AND EXPENSES

For the upkeep and operations of the National Gallery of Art, the protection and care of the works of art therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including services as authorized by 5 U.S.C. 3109; payment in advance when authorized by the treasurer of the Gallery for membership in library, museum, and art associations or societies whose publications or services are available to members only, or to members at a price lower than to the general public; purchase, repair, and cleaning of uniforms for guards, and uniforms, or allowances therefor, for other

employees as authorized by law (5 U.S.C. 5901–5902); purchase or rental of devices and services for protecting buildings and contents thereof, and maintenance, alteration, improvement, and repair of buildings, approaches, and grounds; and purchase of services for restoration and repair of works of art for the National Gallery of Art by contracts made, without advertising, with individuals, firms, or organizations at such rates or prices and under such terms and conditions as the Gallery may deem proper, $96,600,000, of which not to exceed $3,157,000 for the special exhibition program shall remain available until expended.

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

For necessary expenses of repair, restoration and renovation of buildings, grounds and facilities owned or occupied by the National Gallery of Art, by contract or otherwise, as authorized, $16,200,000, to remain available until expended: Provided, That contracts awarded for environmental systems, protection systems, and exterior repair or renovation of buildings of the National Gallery of Art may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price: Provided further, That, notwithstanding any other provision of law, a single procurement for the Master Facilities Plan renovation project at the National Gallery of Art may be issued which includes the full scope of the Work Area #3 project: Provided further, That the solicitation and the contract shall contain the clause "availability of funds" found at 48 CFR 52.232.18.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

OPERATIONS AND MAINTENANCE

For necessary expenses for the operation, maintenance and security of the John F. Kennedy Center for the Performing Arts, $17,800,000.

CONSTRUCTION

For necessary expenses for capital repair and restoration of the existing features of the building and site of the John F. Kennedy Center for the Performing Arts, $13,000,000, to remain available until expended.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

SALARIES AND EXPENSES

For expenses necessary in carrying out the provisions of the Woodrow Wilson Memorial Act of 1968 (82 Stat. 1356) including hire of passenger vehicles and services as authorized by 5 U.S.C. 3109, $9,201,000.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, $126,264,000

shall be available to the National Endowment for the Arts for the support of projects and productions in the arts through assistance to organizations and individuals pursuant to sections 5(c) and 5(g) of the Act, including $17,922,000 for support of arts education and public outreach activities through the Challenge America program, for program support, and for administering the functions of the Act, to remain available until expended: Provided, That funds previously appropriated to the National Endowment for the Arts "Matching Grants" account and "Challenge America" account may be transferred to and merged with this account: Provided further, That funds appropriated herein shall be expended in accordance with sections 309 and 311 of Public Law 108–108.

NATIONAL ENDOWMENT FOR THE HUMANITIES

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, $127,605,000, shall be available to the National Endowment for the Humanities for support of activities in the humanities, pursuant to section 7(c) of the Act, and for administering the functions of the Act, to remain available until expended.

MATCHING GRANTS

To carry out the provisions of section 10(a)(2) of the National Foundation on the Arts and the Humanities Act of 1965, as amended, $15,449,000, to remain available until expended, of which $10,000,000 shall be available to the National Endowment for the Humanities for the purposes of section 7(h): Provided, That this appropriation shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the chairman or by grantees of the Endowment under the provisions of subsections 11(a)(2)(B) and 11(a)(3)(B) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

ADMINISTRATIVE PROVISIONS

None of the funds appropriated to the National Foundation on the Arts and the Humanities may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: Provided, That none of the funds appropriated to the National Foundation on the Arts and the Humanities may be used for official reception and representation expenses: Provided further, That funds from nonappropriated sources may be used as necessary for official reception and representation expenses: Provided further, That the Chairperson of the National Endowment for the Arts may approve grants up to $10,000, if in the aggregate this amount does not exceed 5 percent of the sums appropriated for grant-making purposes per year: Provided further, That such small grant actions are taken pursuant to the terms of an expressed and direct delegation of authority from the National Council on the Arts to the Chairperson.

Commission of Fine Arts

SALARIES AND EXPENSES

For expenses made necessary by the Act establishing a Commission of Fine Arts (40 U.S.C. 104), $1,893,000: Provided, That the Commission is authorized to charge fees to cover the full costs of its publications, and such fees shall be credited to this account as an offsetting collection, to remain available until expended without further appropriation.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

For necessary expenses as authorized by Public Law 99–190 (20 U.S.C. 956a), as amended, $7,250,000.

Advisory Council on Historic Preservation

SALARIES AND EXPENSES

For necessary expenses of the Advisory Council on Historic Preservation (Public Law 89–665, as amended), $4,860,000: Provided, That none of these funds shall be available for compensation of level V of the Executive Schedule or higher positions.

National Capital Planning Commission

SALARIES AND EXPENSES

For necessary expenses, as authorized by the National Capital Planning Act of 1952 (40 U.S.C. 71–71i), including services as authorized by 5 U.S.C. 3109, $8,244,000: Provided, That one-quarter of 1 percent of the funds provided under this heading may be used for official reception and representational expenses associated with hosting international visitors engaged in the planning and physical development of world capitals.

United States Holocaust Memorial Museum

HOLOCAUST MEMORIAL MUSEUM

For expenses of the Holocaust Memorial Museum, as authorized by Public Law 106–292 (36 U.S.C. 2301–2310), $42,780,000, of which $1,874,000 for the museum's repair and rehabilitation program and $1,246,000 for the museum's exhibition design and production program shall remain available until expended.

Presidio Trust

PRESIDIO TRUST FUND

For necessary expenses to carry out title I of the Omnibus Parks and Public Lands Management Act of 1996, $20,000,000 shall be available to the Presidio Trust, to remain available until expended.

WHITE HOUSE COMMISSION ON THE NATIONAL MOMENT OF REMEMBRANCE

SALARIES AND EXPENSES

For necessary expenses of the White House Commission on the National Moment of Remembrance, $250,000.

TITLE IV—GENERAL PROVISIONS

SEC. 401. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive Order issued pursuant to existing law.

SEC. 402. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which Congressional action is not complete other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

SEC. 403. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 404. None of the funds provided in this Act to any department or agency shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of such department or agency except as otherwise provided by law.

SEC. 405. Estimated overhead charges, deductions, reserves or holdbacks from programs, projects, activities and subactivities to support government-wide, departmental, agency or bureau administrative functions or headquarters, regional or central operations shall be presented in annual budget justifications and subject to approval by the Committees on Appropriations. Changes to such estimates shall be presented to the Committees on Appropriations for approval.

SEC. 406. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer provided in, this Act or any other Act.

SEC. 407. None of the funds in this Act may be used to plan, prepare, or offer for sale timber from trees classified as giant sequoia (Sequoiadendron giganteum) which are located on National Forest System or Bureau of Land Management lands in a manner different than such sales were conducted in fiscal year 2005.

SEC. 408. (a) LIMITATION OF FUNDS.—None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to accept or process applications for a patent for any mining or mill site claim located under the general mining laws.

(b) EXCEPTIONS.—The provisions of subsection (a) shall not apply if the Secretary of the Interior determines that, for the claim concerned: (1) a patent application was filed with the Secretary on or before September 30, 1994; and (2) all requirements established under sections 2325 and 2326 of the Revised Statutes (30 U.S.C. 29

and 30) for vein or lode claims and sections 2329, 2330, 2331, and 2333 of the Revised Statutes (30 U.S.C. 35, 36, and 37) for placer claims, and section 2337 of the Revised Statutes (30 U.S.C. 42) for mill site claims, as the case may be, were fully complied with by the applicant by that date.

(c) REPORT.—On September 30, 2006, the Secretary of the Interior shall file with the House and Senate Committees on Appropriations and the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on actions taken by the Department under the plan submitted pursuant to section 314(c) of the Department of the Interior and Related Agencies Appropriations Act, 1997 (Public Law 104–208).

(d) MINERAL EXAMINATIONS.—In order to process patent applications in a timely and responsible manner, upon the request of a patent applicant, the Secretary of the Interior shall allow the applicant to fund a qualified third-party contractor to be selected by the Bureau of Land Management to conduct a mineral examination of the mining claims or mill sites contained in a patent application as set forth in subsection (b). The Bureau of Land Management shall have the sole responsibility to choose and pay the third-party contractor in accordance with the standard procedures employed by the Bureau of Land Management in the retention of third-party contractors.

SEC. 409. Notwithstanding any other provision of law, amounts appropriated to or earmarked in committee reports for the Bureau of Indian Affairs and the Indian Health Service by Public Laws 103–138, 103–332, 104–134, 104–208, 105–83, 105–277, 106–113, 106–291, 107–63, 108–7, 108–108, and 108–447 for payments to tribes and tribal organizations for contract support costs associated with self-determination or self-governance contracts, grants, compacts, or annual funding agreements with the Bureau of Indian Affairs or the Indian Health Service as funded by such Acts, are the total amounts available for fiscal years 1994 through 2005 for such purposes, except that, for the Bureau of Indian Affairs, tribes and tribal organizations may use their tribal priority allocations for unmet contract support costs of ongoing contracts, grants, self-governance compacts or annual funding agreements.

SEC. 410. The National Endowment for the Arts and the National Endowment for the Humanities are hereafter authorized to solicit, accept, receive, and invest in the name of the United States, gifts, bequests, or devises of money and other property or services and to use such in furtherance of the functions of the National Endowment for the Arts and the National Endowment for the Humanities. Any proceeds from such gifts, bequests, or devises, after acceptance by the National Endowment for the Arts or the National Endowment for the Humanities, shall be paid by the donor or the representative of the donor to the Chairman. The Chairman shall enter the proceeds in a special interest-bearing account to the credit of the appropriate endowment for the purposes specified in each case.

SEC. 411. No part of any appropriation contained in this Act shall be expended or obligated to complete and issue the 5-year program under the Forest and Rangeland Renewable Resources Planning Act.

SEC. 412. Section 3(a) of the Act of June 9, 1930 (commonly known as the Knutson-Vandenberg Act; 16 U.S.C. 576b), is amended—

(1) by striking "or" following "stand of timber," in (3); and

(2) by striking the period following "wildlife habitat management" in (4), and inserting ", or (5) watershed restoration, wildlife habitat improvement, control of insects, disease and noxious weeds, community protection activities, and the maintenance of forest roads, within the Forest Service region in which the timber sale occurred: Provided, That such activities may be performed through the use of contracts, forest product sales, and cooperative agreements.".

SEC. 413. Amounts deposited during fiscal year 2005 in the roads and trails fund provided for in the 14th paragraph under the heading "FOREST SERVICE" of the Act of March 4, 1913 (37 Stat. 843; 16 U.S.C. 501), shall be used by the Secretary of Agriculture, without regard to the State in which the amounts were derived, to repair or reconstruct roads, bridges, and trails on National Forest System lands or to carry out and administer projects to improve forest health conditions, which may include the repair or reconstruction of roads, bridges, and trails on National Forest System lands in the wildland-community interface where there is an abnormally high risk of fire. The projects shall emphasize reducing risks to human safety and public health and property and enhancing ecological functions, long-term forest productivity, and biological integrity. The projects may be completed in a subsequent fiscal year. Funds shall not be expended under this section to replace funds which would otherwise appropriately be expended from the timber salvage sale fund. Nothing in this section shall be construed to exempt any project from any environmental law.

SEC. 414. Other than in emergency situations, none of the funds in this Act may be used to operate telephone answering machines during core business hours unless such answering machines include an option that enables callers to reach promptly an individual on-duty with the agency being contacted.

SEC. 415. Prior to October 1, 2006, the Secretary of Agriculture shall not be considered to be in violation of subparagraph 6(f)(5)(A) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604(f)(5)(A)) solely because more than 15 years have passed without revision of the plan for a unit of the National Forest System. Nothing in this section exempts the Secretary from any other requirement of the Forest and Rangeland Renewable Resources Planning Act (16 U.S.C. 1600 et seq.) or any other law: Provided, That if the Secretary is not acting expeditiously and in good faith, within the funding available, to revise a plan for a unit of the National Forest System, this section shall be void with respect to such plan and a court of proper jurisdiction may order completion of the plan on an accelerated basis.

SEC. 416. No timber sale in Region 10 shall be advertised if the indicated rate is deficit when appraised using a residual value approach that assigns domestic Alaska values for western redcedar. Program accomplishments shall be based on volume sold. Should Region 10 sell, in the current fiscal year, the annual average portion of the decadal allowable sale quantity called for in the current Tongass Land Management Plan in sales which are not deficit

when appraised using a residual value approach that assigns domestic Alaska values for western redcedar, all of the western redcedar timber from those sales which is surplus to the needs of domestic processors in Alaska, shall be made available to domestic processors in the contiguous 48 United States at prevailing domestic prices. Should Region 10 sell, in the current fiscal year, less than the annual average portion of the decadal allowable sale quantity called for in the Tongass Land Management Plan in sales which are not deficit when appraised using a residual value approach that assigns domestic Alaska values for western redcedar, the volume of western redcedar timber available to domestic processors at prevailing domestic prices in the contiguous 48 United States shall be that volume: (1) which is surplus to the needs of domestic processors in Alaska; and (2) is that percent of the surplus western redcedar volume determined by calculating the ratio of the total timber volume which has been sold on the Tongass to the annual average portion of the decadal allowable sale quantity called for in the current Tongass Land Management Plan. The percentage shall be calculated by Region 10 on a rolling basis as each sale is sold (for purposes of this amendment, a "rolling basis" shall mean that the determination of how much western redcedar is eligible for sale to various markets shall be made at the time each sale is awarded). Western redcedar shall be deemed "surplus to the needs of domestic processors in Alaska" when the timber sale holder has presented to the Forest Service documentation of the inability to sell western redcedar logs from a given sale to domestic Alaska processors at a price equal to or greater than the log selling value stated in the contract. All additional western redcedar volume not sold to Alaska or contiguous 48 United States domestic processors may be exported to foreign markets at the election of the timber sale holder. All Alaska yellow cedar may be sold at prevailing export prices at the election of the timber sale holder.

SEC. 417. No funds provided in this Act may be expended to conduct preleasing, leasing and related activities under either the Mineral Leasing Act (30 U.S.C. 181 et seq.) or the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) within the boundaries of a National Monument established pursuant to the Act of June 8, 1906 (16 U.S.C. 431 et seq.) as such boundary existed on January 20, 2001, except where such activities are allowed under the Presidential proclamation establishing such monument.

SEC. 418. In entering into agreements with foreign countries pursuant to the Wildfire Suppression Assistance Act (42 U.S.C. 1856m) the Secretary of Agriculture and the Secretary of the Interior are authorized to enter into reciprocal agreements in which the individuals furnished under said agreements to provide wildfire services are considered, for purposes of tort liability, employees of the country receiving said services when the individuals are engaged in fire suppression: Provided, That the Secretary of Agriculture or the Secretary of the Interior shall not enter into any agreement under this provision unless the foreign country (either directly or through its fire organization) agrees to assume any and all liability for the acts or omissions of American firefighters engaged in firefighting in a foreign country: Provided further, That when an agreement is reached for furnishing fire fighting services, the only remedies for acts or omissions committed while fighting fires shall

be those provided under the laws of the host country, and those remedies shall be the exclusive remedies for any claim arising out of fighting fires in a foreign country: Provided further, That neither the sending country nor any legal organization associated with the firefighter shall be subject to any legal action whatsoever pertaining to or arising out of the firefighter's role in fire suppression.

SEC. 419. Notwithstanding any other provision of law or regulation, to promote the more efficient use of the health care funding allocation for fiscal year 2006, the Eagle Butte Service Unit of the Indian Health Service, at the request of the Cheyenne River Sioux Tribe, may pay base salary rates to health professionals up to the highest grade and step available to a physician, pharmacist, or other health professional and may pay a recruitment or retention bonus of up to 25 percent above the base pay rate.

SEC. 420. In awarding a Federal contract with funds made available by this Act, notwithstanding Federal Government procurement and contracting laws, the Secretary of Agriculture and the Secretary of the Interior (the "Secretaries") may, in evaluating bids and proposals, give consideration to local contractors who are from, and who provide employment and training for, dislocated and displaced workers in an economically disadvantaged rural community, including those historically timber-dependent areas that have been affected by reduced timber harvesting on Federal lands and other forest-dependent rural communities isolated from significant alternative employment opportunities: Provided, That notwithstanding Federal Government procurement and contracting laws the Secretaries may award contracts, grants or cooperative agreements to local non-profit entities, Youth Conservation Corps or related partnerships with State, local or non-profit youth groups, or small or micro-business or disadvantaged business: Provided further, That the contract, grant, or cooperative agreement is for forest hazardous fuels reduction, watershed or water quality monitoring or restoration, wildlife or fish population monitoring, or habitat restoration or management: Provided further, That the terms "rural community" and "economically disadvantaged" shall have the same meanings as in section 2374 of Public Law 101–624: Provided further, That the Secretaries shall develop guidance to implement this section: Provided further, That nothing in this section shall be construed as relieving the Secretaries of any duty under applicable procurement laws, except as provided in this section.

SEC. 421. No funds appropriated in this Act for the acquisition of lands or interests in lands may be expended for the filing of declarations of taking or complaints in condemnation without the approval of the House and Senate Committees on Appropriations: Provided, That this provision shall not apply to funds appropriated to implement the Everglades National Park Protection and Expansion Act of 1989, or to funds appropriated for Federal assistance to the State of Florida to acquire lands for Everglades restoration purposes.

SEC. 422. (a) LIMITATION ON COMPETITIVE SOURCING STUDIES.—

(1) Of the funds made available by this or any other Act to the Department of the Interior for fiscal year 2006, not more than $3,450,000 may be used by the Secretary of the Interior to initiate or continue competitive sourcing studies in fiscal year

2006 for programs, projects, and activities for which funds are appropriated by this Act until such time as the Secretary concerned submits a reprogramming proposal to the Committees on Appropriations of the Senate and the House of Representatives, and such proposal has been processed consistent with the reprogramming guidelines included in the report accompanying this Act.

(2) Of the funds appropriated by this Act, not more than $3,000,000 may be used in fiscal year 2006 for competitive sourcing studies and related activities by the Forest Service.

(b) COMPETITIVE SOURCING STUDY DEFINED.—In this section, the term "competitive sourcing study" means a study on subjecting work performed by Federal Government employees or private contractors to public-private competition or on converting the Federal Government employees or the work performed by such employees to private contractor performance under the Office of Management and Budget Circular A–76 or any other administrative regulation, directive, or policy.

(c) COMPETITIVE SOURCING EXEMPTION FOR FOREST SERVICE STUDIES CONDUCTED PRIOR TO FISCAL YEAR 2006.—The Forest Service is hereby exempted from implementing the Letter of Obligation and post-competition accountability guidelines where a competitive sourcing study involved 65 or fewer full-time equivalents, the performance decision was made in favor of the agency provider; no net savings was achieved by conducting the study, and the study was completed prior to the date of this Act.

(d) In preparing any reports to the Committees on Appropriations on competitive sourcing activities, agencies funded in this Act shall include the incremental cost directly attributable to conducting the competitive sourcing competitions, including costs attributable to paying outside consultants and contractors and, in accordance with full cost accounting principles, all costs attributable to developing, implementing, supporting, managing, monitoring, and reporting on competitive sourcing, including personnel, consultant, travel, and training costs associated with program management.

(e) In carrying out any competitive sourcing study involving Forest Service employees, the Secretary of Agriculture shall—

(1) determine whether any of the employees concerned are also qualified to participate in wildland fire management activities; and

(2) take into consideration the effect that contracting with a private sector source would have on the ability of the Forest Service to effectively and efficiently fight and manage wildfires.

SEC. 423. None of the funds in this Act or prior Acts making appropriations for the Department of the Interior and Related Agencies may be provided to the managing partners or their agents for the SAFECOM or Disaster Management projects.

SEC. 424. (a) IN GENERAL.—An entity that enters into a contract with the United States to operate the National Recreation Reservation Service (as solicited by the solicitation numbered WO–04–06vm) shall not carry out any duties under the contract using:

(1) a contact center located outside the United States; or

(2) a reservation agent who does not live in the United States.

(b) NO WAIVER.—The Secretary of Agriculture may not waive the requirements of subsection (a).

(c) TELECOMMUTING.—A reservation agent who is carrying out duties under the contract described in subsection (a) may not telecommute from a location outside the United States.

(d) LIMITATIONS.—Nothing in this Act shall be construed to apply to any employee of the entity who is not a reservation agent carrying out the duties under the contract described in subsection (a) or who provides managerial or support services.

SEC. 425. Section 331 of the Department of the Interior and Related Agencies Appropriations Act, 2000 (as enacted into law by section 1000(a)(3) of Public Law 106–113; 113 Stat. 1501A–196; 16 U.S.C. 497 note), as amended, is amended—

(1) in subsection (a) by striking "2005" and inserting "2006"; and

(2) in subsection (b) by striking "2005" and inserting "2006".

SEC. 426. Section 321 of the Department of the Interior and Related Agencies Appropriations Act, 2003 (division F of Public Law 108–7; 117 Stat. 274; 16 U.S.C. 565a–1 note) is amended by striking "September 30, 2005" and inserting "September 30, 2007".

SEC. 427. Section 5 of the Arts and Artifacts Indemnity Act (20 U.S.C. 974) is amended—

(1) in subsection (b), by striking "$8,000,000,000" and inserting "$10,000,000,000"; and

(2) in subsection (c), by striking "$600,000,000" and inserting "$1,200,000,000".

SEC. 428. Section 330 of the Department of the Interior and Related Agencies Appropriations Act, 2001 (Public Law 106–291; 114 Stat. 996; 43 U.S.C. 1701 note), is amended—

(1) in the first sentence, by striking "2005" and inserting "2008";

(2) in the first sentence by striking "may pilot test agency-wide joint permitting and leasing programs" and inserting after "Congress," the following: "may establish pilot programs involving the land management agencies referred to in this section to conduct projects, planning, permitting, leasing, contracting and other activities, either jointly or on behalf of one another; may co-locate in Federal offices and facilities leased by an agency of either Department;";

(3) in the third sentence, by inserting ", National Park Service, Fish and Wildlife Service," after "Bureau of Land Management"; and

(4) by adding at the end the following new sentence: "To facilitate the sharing of resources under the Service First initiative, the Secretaries of the Interior and Agriculture may make transfers of funds and reimbursement of funds on an annual basis, including transfers and reimbursements for multi-year projects, except that this authority may not be used to circumvent requirements and limitations imposed on the use of funds.".

SEC. 429. The Secretary of Agriculture may acquire, by exchange or otherwise, a parcel of real property, including improvements thereon, of the Inland Valley Development Agency of San Bernardino, California, or its successors and assigns, generally

comprising Building No. 3 and Building No. 4 of the former Defense Finance and Accounting Services complex located at the southwest corner of Tippecanoe Avenue and Mill Street in San Bernardino, California, adjacent to the former Norton Air Force Base. As full consideration for the property to be acquired, the Secretary of Agriculture may terminate the leasehold rights of the United States received pursuant to section 8121(a)(2) of the Department of Defense Appropriations Act, 2005 (Public Law 108–287; 118 Stat. 999). The acquisition of the property shall be on such terms and conditions as the Secretary of Agriculture considers appropriate and may be carried out without appraisals, environmental or administrative surveys, consultations, analyses, or other considerations of the condition of the property.

SEC. 430. None of the funds in this Act may be used to prepare or issue a permit or lease for oil or gas drilling in the Finger Lakes National Forest, New York, during fiscal year 2006.

SEC. 431. (a) IN GENERAL.—

(1) The Secretary of Agriculture and the Secretary of the Interior are authorized to make grants to the Eastern Nevada Landscape Coalition for the study and restoration of rangeland and other lands in Nevada's Great Basin in order to help assure the reduction of hazardous fuels and for related purposes.

(2) Notwithstanding 31 U.S.C. secs. 6301–6308, the Director of the Bureau of Land Management may enter into a cooperative agreement with the Eastern Nevada Landscape Coalition for the Great Basin Restoration Project, including hazardous fuels and mechanical treatments and related work.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

SEC. 432. (a) Section 108(g) of the Valles Caldera Preservation Act (16 U.S.C. 698v–6(g)) is amended—

(1) in the first sentence, by striking "The Secretary" and inserting the following:

"(1) LAW ENFORCEMENT.—

"(A) IN GENERAL.—The Secretary";

(2) in the second sentence, by striking "The Trust" and inserting the following:

"(B) FEDERAL AGENCY.—The Trust"; and

(3) by striking "At the request of the Trust" and all that follows through the end of the subsection and inserting the following:

"(2) FIRE MANAGEMENT.—

"(A) NON-REIMBURSABLE SERVICES.—

"(i) DEVELOPMENT OF PLAN.—Subject to the availability of appropriations under section 111(a), the Secretary shall, in consultation with the Trust, develop a plan to carry out fire preparedness, suppression, and emergency rehabilitation services on the Preserve.

"(ii) CONSISTENCY WITH MANAGEMENT PROGRAM.—The plan shall be consistent with the management program developed pursuant to subsection (d).

"(iii) COOPERATIVE AGREEMENT.—To the extent generally authorized at other units of the National Forest System, the Secretary shall provide the services to

be carried out pursuant to the plan under a cooperative agreement entered into between the Secretary and the Trust.

"(B) REIMBURSABLE SERVICES.—To the extent generally authorized at other units of the National Forest System and subject to the availability of appropriations under section 111(a), the Secretary shall provide presuppression and nonemergency rehabilitation and restoration services for the Trust at any time on a reimbursable basis."

(b) The amendments made by subsection (a) take effect as of January 1, 2005.

SEC. 433. None of the funds made available to the Forest Service under this Act shall be expended or obligated for the demolition of buildings at the Zephyr Shoals property, Lake Tahoe, Nevada.

SEC. 434. Section 323(a) of the Department of the Interior and Related Agencies Appropriations Act, 1999 (16 U.S.C. 1011 note; as contained in section 101(e) of Public Law 105–277), is amended by striking "fiscal year 1999" and all that follows through "2005" and inserting "each of fiscal years 2006 through 2011".

SEC. 435. CONGRESSIONAL SECURITY RELATING TO CERTAIN REAL PROPERTY. (a) IN GENERAL.—Except as provided under subsection (b)—

(1) the District of Columbia Board of Zoning Adjustments and the District of Columbia Zoning Commission may not take any action to grant any variance relating to the property located at 51 Louisiana Avenue NW, Square 631, Lot 17 in the District of Columbia; and

(2) if any variance described under paragraph (1) is granted before the effective date of this section, such variance shall be set aside and shall have no force or effect.

(b) CONDITIONS FOR VARIANCE.—A variance described under subsection (a) may be granted or shall be given force or effect if—

(1) the Capitol Police Board makes a determination that any such variance shall not—

(A) negatively impact congressional security; and

(B) increase Federal expenditures relating to congressional security;

(2) the Majority and Minority Leaders of the Senate and the Speaker and Minority Leader of the House of Representatives approve such determination; and

(3) the Capitol Police Board certifies the determination in writing to the District of Columbia Board of Zoning Adjustments and the District of Columbia Zoning Commission.

(c) EFFECTIVE DATE.—This section shall take effect on the date of enactment of this Act and apply to the remaining portion of the fiscal year in which enacted and each fiscal year thereafter.

SEC. 436. WISCONSIN NATIONAL FOREST ACQUISITION. (a) PROSPECTIVE MANAGEMENT REQUIREMENTS.—The Secretary of Agriculture is authorized to acquire property located within Sections 1 and 2, Township 44 North, Range 4 West; Section 31, Township 45 North, Range 3 West; and Section 36, Township 45 North, Range 4 West; Fourth Principal Meridian, Ashland County, State of Wisconsin, and upon such acquisition, such lands shall be subject to the special management requirements of subsection (b).

(b) SPECIAL MANAGEMENT.—Subject to valid existing rights of record, upon acquisition by the Secretary of Agriculture of any land referenced in subsection (a), that area of the land encompassed within 300 feet of the ordinary high water mark of the Brunsweiler River or Beaverdam Lake, whether or not the waterways are impounded, shall be subject to the laws and regulations pertaining to the National Forest System with the following management emphasis:

(1) Enhancing the physical, biological, and cultural features and values for public use, interpretation, research, and monitoring;

(2) Maintenance of the natural character of Brunsweiler River, whether or not impounded; and

(3) Prohibition of structures, motorized use of trails, developed recreation facilities, and surface occupancy for mineral exploration or extraction.

(c) NATIONAL FOREST BOUNDARIES.—Without further action by the Secretary of Agriculture, the boundaries of the Chequamegon National Forest are hereby expanded to encompass the lands referenced in subsection (a).

(d) SAVINGS PROVISION.—Nothing in this section shall be construed to prohibit the maintenance or reconstruction of the existing dam on the Brunsweiler River, located within the area referenced in subsection (a).

SEC. 437. In addition to amounts provided to the Department of the Interior in this Act, $5,000,000 is provided for a grant to Kendall County, Illinois.

SEC. 438. Section 344 of the Department of the Interior and Related Agencies Appropriations Act, 2005 as contained in division E of the Consolidated Appropriations Act, 2005 (Public Law 108–447) is amended as follows:

(1) by striking: "seven"; "14910001,"; and ", 14913007, and 14913008";

(2) by inserting "and" after "14913005,"; and

(3) by striking all language after "(2)" and inserting in lieu thereof "immediately transfer to the Alaska SeaLife Center for various acquisitions, waterfront improvements and facilities that complement the new Federal facility, any remaining balance of previously appropriated funds."

SEC. 439. (a) ACROSS-THE-BOARD RESCISSIONS.—There is hereby rescinded an amount equal to 0.476 percent of the budget authority provided for fiscal year 2006 for any discretionary appropriation in titles I through IV of this Act.

(b) PROPORTIONATE APPLICATION.—Any rescission made by subsection (a) shall be applied proportionately—

(1) to each discretionary account and each item of budget authority described in subsection (a); and

(2) within each such account and item, to each program, project, and activity (with programs, projects, and activities as delineated in the appropriation Act or accompanying reports for the relevant fiscal year covering such account or item, or for accounts and items not included in appropriation Acts, as delineated in the most recently submitted President's budget).

(c) INDIAN LAND AND WATER CLAIM SETTLEMENTS.—Under the heading "Bureau of Indian Affairs, Indian Land and Water Claim

Settlements and Miscellaneous Payments to Indians", the across-the-board rescission in this section, and any subsequent across-the-board rescission for fiscal year 2006, shall apply only to the first dollar amount in the paragraph and the distribution of the rescission shall be at the discretion of the Secretary of the Interior who shall submit a report on such distribution and the rationale therefor to the House and Senate Committees on Appropriations.

TITLE V—FOREST SERVICE FACILITY REALIGNMENT AND ENHANCEMENT

SECTION 501. SHORT TITLE.

This title may be cited as the "Forest Service Facility Realignment and Enhancement Act of 2005".

SEC. 502. DEFINITIONS.

In this title:

(1) ADMINISTRATIVE SITE.—The term "administrative site" means—

(A) any facility or improvement, including curtilage, that was acquired or is used specifically for purposes of administration of the National Forest System;

(B) any Federal land associated with a facility or improvement described in subparagraph (A) that was acquired or is used specifically for purposes of administration of Forest Service activities and underlies or abuts the facility or improvement; or

(C) not more than 10 isolated, undeveloped parcels per fiscal year of not more than 40 acres each that were acquired or used for purposes of administration of Forest Service activities, but are not being so utilized, such as vacant lots outside of the proclaimed boundary of a unit of the National Forest System.

(2) FACILITY OR IMPROVEMENT.—The term "facility or improvement" includes—

(A) a forest headquarters;

(B) a ranger station;

(C) a research station or laboratory;

(D) a dwelling;

(E) a warehouse;

(F) a scaling station;

(G) a fire-retardant mixing station;

(H) a fire-lookout station;

(I) a guard station;

(J) a storage facility;

(K) a telecommunication facility; and

(L) other administrative installations for conducting Forest Service activities.

(3) MARKET ANALYSIS.—The term "market analysis" means the identification and study of the real estate market for a particular economic good or service.

(4) SECRETARY.—The term "Secretary" means the Secretary of Agriculture.

SEC. 503. AUTHORIZATION FOR CONVEYANCE OF FOREST SERVICE ADMINISTRATIVE SITES.

(a) CONVEYANCES AUTHORIZED.—In the manner provided by this title, the Secretary may convey an administrative site, or an interest in an administrative site, that is under the jurisdiction of the Secretary.

(b) MEANS OF CONVEYANCE.—The conveyance of an administrative site under this title may be made—

(1) by sale;

(2) by lease;

(3) by exchange;

(4) by a combination of sale and exchange; or

(5) by such other means as the Secretary considers appropriate.

(c) SIZE OF CONVEYANCE.—An administrative site or compound of administrative sites disposed of in a single conveyance under this title may not exceed 40 acres.

(d) CERTAIN LANDS EXCLUDED.—The following Federal land may not be conveyed under this title:

(1) Any land within a unit of the National Forest System that is exclusively designated for natural area or recreational purposes.

(2) Any land included within the National Wilderness Preservation System, the Wild and Scenic River System, or a National Monument.

(3) Any land that the Secretary determines—

(A) is needed for resource management purposes or to provide access to other land or water;

(B) is surrounded by National Forest System land or other publicly owned land, if conveyance would not be in the public interest due to the creation of a non-Federal inholding that would preclude the efficient management of the surrounding land; or

(C) would be in the public interest to retain.

(e) CONGRESSIONAL NOTIFICATIONS.—

(1) NOTICE OF ANTICIPATED USE OF AUTHORITY.—As part of the annual budget justification documents provided to the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate, the Secretary shall include—

(A) a list of the anticipated conveyances to be made, including the anticipated revenue that may be obtained, using the authority provided by this title or other conveyance authorities available to the Secretary;

(B) a discussion of the intended purposes of any new revenue obtained using this authority or other conveyance authorities available to the Secretary, and a list of any individual projects that exceed $500,000; and

(C) a presentation of accomplishments of previous years using this authority or other conveyance authorities available to the Secretary.

(2) NOTICE OF CHANGES TO CONVEYANCE LIST.—If the Secretary proposes to convey an administrative site under this title or using other conveyance authorities available to the Secretary and the administrative site is not included on a list provided

under paragraph (1)(A), the Secretary shall submit to the congressional committees specified in paragraph (3) written notice of the proposed conveyance, including the anticipated revenue that may be obtained from the conveyance.

(3) NOTICE OF USE OF AUTHORITY.—At least once a year, the Secretary shall submit to the Committee on Agriculture, the Committee on Appropriations, and the Committee on Resources of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry, the Committee on Appropriations, and the Committee on Energy and Natural Resources of the Senate a report containing a description of all conveyances of National Forest System land made by the Secretary under this title or other conveyance authorities during the period covered by the report.

(f) DURATION OF AUTHORITY.—The authority of the Secretary to initiate the conveyance of an administrative site under this title expires on September 30, 2008.

(g) REPEAL OF PILOT CONVEYANCE AUTHORITY.—Effective September 30, 2006, section 329 of the Department of the Interior and Related Agencies Appropriations Act, 2002 (16 U.S.C. 580d note; Public Law 107–63), is repealed. Notwithstanding the repeal of such section, the Secretary may complete the conveyance under such section of any administrative site whose conveyance was initiated under such section before that date.

SEC. 504. CONVEYANCE REQUIREMENTS.

(a) CONFIGURATION OF ADMINISTRATIVE SITES.—

(1) CONFIGURATION.—To facilitate the conveyance of an administrative site under this title, the Secretary may configure the administrative site—

(A) to maximize the marketability of the administrative site; and

(B) to achieve management objectives.

(2) SEPARATE TREATMENT OF FACILITY OR IMPROVEMENT.—A facility or improvement on an administrative site to be conveyed under this title may be severed from the land and disposed of in a separate conveyance.

(3) RESERVATION OF INTERESTS.—In conveying an administrative site under this title, the Secretary may reserve such right, title, and interest in and to the administrative site as the Secretary determines to be necessary.

(b) CONSIDERATION.—

(1) CONSIDERATION REQUIRED.—A person or entity acquiring an administrative site under this title shall provide to the Secretary consideration in an amount that is at least equal to the market value of the administrative site.

(2) FORM OF CONSIDERATION.—

(A) SALE.—Consideration for an administrative site conveyed by sale under this title shall be paid in cash on conveyance of the administrative site.

(B) EXCHANGE.—If the administrative site is conveyed by exchange, the consideration shall be provided in the form of a conveyance to the Secretary of land or improvements that are equal in market value to the conveyed administrative site. If the market values are not equal, the market values may be equalized by—

(i) the Secretary making a cash payment to the person or entity acquiring the administrative site; or

(ii) the person or entity acquiring the administrative site making a cash equalization payment to the Secretary.

(c) DETERMINATION OF MARKET VALUE.—The Secretary shall determine the market value of an administrative site to be conveyed under this title or of non-Federal land or improvements to be provided as consideration in exchange for an administrative site—

(1) by conducting an appraisal that is performed in accordance with—

(A) the Uniform Appraisal Standards for Federal Land Acquisitions, established in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.); and

(B) the Uniform Standards of Professional Appraisal Practice; or

(2) by competitive sale.

(d) RELATION TO OTHER LAWS.—

(1) FEDERAL PROPERTY DISPOSAL.—Subchapter I of chapter 5 of title 40, United States Code, shall not apply to the conveyance of an administrative site under this title.

(2) LAND EXCHANGES.—Section 206 of the Federal Land Policy and Management Act (43 U.S.C. 1716) shall not apply to the conveyance of an administrative site under this title carried out by means of an exchange or combination of sale and exchange.

(3) LEAD-BASED PAINT AND ASBESTOS ABATEMENT.—Notwithstanding any provision of law relating to the mitigation or abatement of lead-based paint or asbestos-containing building materials, the Secretary is not required to mitigate or abate lead-based paint or asbestos-containing building materials with respect to an administrative site to be conveyed under this title. However, if the administrative site has lead-based paint or asbestos-containing building materials, the Secretary shall—

(A) provide notice to the person or entity acquiring the administrative site of the presence of the lead-based paint or asbestos-containing building material; and

(B) obtain written assurance from the person or entity acquiring the administrative site that the person or entity will comply with applicable Federal, State, and local laws relating to the management of the lead-based paint and asbestos-containing building materials.

(4) ENVIRONMENTAL REVIEW.—The National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall apply to the conveyance of administrative sites under this title, except that, in any environmental review or analysis required under such Act for the conveyance of an administrative site under this title, the Secretary is only required to—

(A) analyze the most reasonably foreseeable use of the administrative site, as determined through a market analysis;

(B) determine whether or not to reserve any right, title, or interest in the administrative site under subsection (a)(3); and

(C) evaluate the alternative of not conveying the administrative site, consistent with the National Environmental Policy Act of 1969.

(e) REJECTION OF OFFERS.—The Secretary shall reject any offer made for the acquisition of an administrative site under this title if the Secretary determines that the offer is—

(1) not adequate to cover the market value of the administrative site; or

(2) not otherwise in the public interest.

(f) CONSULTATION AND PUBLIC NOTICE.—As appropriate, the Secretary is encouraged to work with the Administrator of the General Services Administration with respect to the conveyance of administrative sites under this title. Before making an administrative site available for conveyance under this title, the Secretary shall consult with local governmental officials of the community in which the administrative site is located and provide public notice of the proposed conveyance.

SEC. 505. DISPOSITION OF PROCEEDS RECEIVED FROM ADMINISTRATIVE SITE CONVEYANCES.

(a) DEPOSIT.—The Secretary shall deposit in the fund established under Public Law 90–171 (commonly known as the Sisk Act; 16 U.S.C. 484a) all of the proceeds from the conveyance of an administrative site under this title.

(b) USE.—Amounts deposited under paragraph (1) shall be available to the Secretary, until expended and without further appropriation, to pay any necessary and incidental costs incurred by the Secretary in connection with—

(1) the acquisition, improvement, maintenance, reconstruction, or construction of a facility or improvement for the National Forest System; and

(2) the conveyance of administrative sites under this title, including costs described in subsection (c).

(c) BROKERAGE SERVICES.—The Secretary may use the proceeds from the conveyance of an administrative site under this title to pay reasonable commissions or fees for brokerage services obtained in connection with the conveyance if the Secretary determines that the services are in the public interest. The Secretary shall provide public notice of any brokerage services contract entered into in connection with a conveyance under this title.

TITLE VI—VETERANS HEALTH CARE

SEC. 601. From the money in the Treasury not otherwise appropriated, there is appropriated to the Department of Veterans Affairs an additional amount for "Medical Services" of $1,500,000,000 to be available for obligation upon enactment of this Act and to remain available until September 30, 2006.

This Act may be cited as the "Department of the Interior, Environment, and Related Agencies Appropriations Act, 2006".

And the Senate agree to the same.

CHARLES H. TAYLOR,
JERRY LEWIS,
ZACH WAMP,
JOHN E. PETERSON,
DON SHERWOOD,

ERNEST J. ISTOOK, Jr.,
ROBERT B. ADERHOLT,
JOHN T. DOOLITTLE,
MICHAEL SIMPSON,
NORMAN D. DICKS,
JAMES P. MORAN,
MAURICE D. HINCHEY,
JOHN W. OLVER,
ALAN B. MOLLOHAN,
Managers on the Part of the House.

CONRAD BURNS,
TED STEVENS,
THAD COCHRAN,
PETE V. DOMENICI,
ROBERT F. BENNETT,
JUDD GREGG,
LARRY CRAIG,
WAYNE ALLARD,
BYRON L. DORGAN,
ROBERT C. BYRD,
PATRICK J. LEAHY,
HARRY REID,
DIANNE FEINSTEIN,
BARBARA A. MIKULSKI,
HERB KOHL,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2361), making appropriations for the Department of the Interior, Environment, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

The conference agreement on H.R. 2361 incorporates some of the provisions of both the House and the Senate versions of the bill. Report language and allocations set forth in either House Report 109–80 or Senate Report 109–80 that are not changed by the conference are approved by the committee of conference. The statement of the managers, while repeating some report language for emphasis, does not negate the language referenced above unless expressly provided herein.

REPROGRAMMING GUIDELINES

The managers have revised the reprogramming guidelines to add an exception for certain Environmental Protection Agency grants (section 3(b)) and to delete certain instructions to the Forest Service dealing with boundary adjustments and transfer of funds.

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

1. *Definitions.*—(a) "Reprogramming," as defined in these procedures, includes the reallocation of funds from one budget activity to another. In cases where either the House or Senate 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 justification or Committee report) 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.

(b) "Committees" refer to the House and Senate Committees on Appropriations and, specifically, the Subcommittee on Interior, Environment, and Related Agencies.

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 changes, proposals shall be submitted in advance to the Committees, regardless of amounts involved, and be fully explained and justified.

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

(e) Proposed changes to estimated working capital fund bills and estimated overhead charges, deductions, reserves or holdbacks, as such estimates were presented in annual budget justifications, shall be submitted through the reprogramming process.

3. *Criteria and Exceptions.*—Any proposed reprogramming must be submitted to the Committees 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 exceptions:

(a) With regard to the tribal priority allocations activity of the Bureau of Indian Affairs, Operation 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 6 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.

(b) With regard to the Environmental Protection Agency, State and Tribal Assistance Grants account, reprogramming requests associated with States and Tribes applying for partnership grants do not need to be submitted to the Committees for approval should such grants exceed the normal reprogramming limitations. In addition, the Agency need not submit a request to move funds between wastewater and drinking water objectives for those grants targeted to specific communities.

4. *Quarterly Reports.*—(a) All reprogrammings shall be reported to the Committees quarterly and shall include cumulative totals.

(b) Any significant shifts of funding among object classifications also should be reported to the Committees.

5. *Administrative Overhead Accounts.*—For all appropriations where costs of 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 Committees expect a full explanation, as part of

the budget justification, consistent with section 405 of this Act. The explanation shall show the amount of the assessment, the activities assessed, and the purpose of the fund. The Committees expect 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. *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.

8. *Assessments.*—No assessments shall be levied against any program, budget activity, subactivity, or project funded by the Interior, Environment, and Related Agencies Appropriations Act unless such assessments and the basis therefore are presented to the Committees and are approved by such Committees, in compliance with these procedures.

9. *Land Acquisitions and Forest Legacy.*—(a) 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 for approval in compliance with these procedures.

(b) Subsection (a) does not apply to the National Park Service for tracts with an appraised value of $500,000 or less.

10. *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 have had a 30–day period in which to examine the proposed exchange.

11. *Appropriations Structure.*—The appropriation structure for any agency shall not be altered without advance approval of the Committees.

TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

The conference agreement provides $860,791,000 for management of lands and resources instead of $845,783,000 as proposed by the House and $867,045,000 as proposed by the Senate.

Land Resources.—Changes to the House level for land resources include an increase of $1,000,000 for the National Center for Invasive Plant Management, and decreases of $100,000 for Santa Ana River land management, $156,000 for Wyoming soil surveys, which is addressed under realty and ownership management, and $250,000 for Santa Ana River conservation efforts.

The managers encourage the Bureau to work with the Bighorn Institute to conserve and recover the peninsular desert bighorn sheep.

The managers are aware of the Salt Cedar Task Force's work in northeast Montana and encourage the Bureau to explore methods of partnering with the task force on control and eradication efforts surrounding Fort Peck Reservoir.

Within the funds provided for Santa Ana River conservation efforts, $100,000 should be directed to the land management planning effort.

Recreation Management.—Changes to the House level for recreation management include an increase of $1,000,000 for the undaunted stewardship program and a decrease of $500,000 for Santa Rosa and San Jacinto National Monument management plans.

Energy and Minerals.—Changes to the House level for energy and minerals include an increase of $1,000,000 for oil and gas management.

The managers do not include funding for the Utah Oil and Gas internet pilot program due to the Bureau's inability to perform the pilot at this time but encourage the Bureau to work to develop this capability.

Realty Ownership and Management.—Changes to the House level for realty ownership and management include increases of $7,000,000 for Alaska conveyance, $300,000 for GIS mapping in Utah, $750,000 for recordable disclaimer applications in Alaska, $160,000 for Wyoming soil surveys and $950,000 for a cadastral survey in Montana.

Resource Protection and Maintenance.—Changes to the House level for resource protection and maintenance include a decrease of $250,000 for California desert conservation plans.

The managers agree that law enforcement funds provided above the requested level should be used in National Landscape Conservation System lands in Montana, Colorado, California, and other NLCS lands not included in the Administration's requested increased above the enacted level.

Transportation and Facilities Maintenance.—Changes to the House level for transportation and facilities maintenance include increases of $750,000 for capping oil wells in the National Petroleum Reserve Alaska and $750,000 for Pacific Crest, Continental Divide and Iditarod trails.

Challenge Cost Share.—Changes to the House level for challenge cost share include an increase of $2,604,000 for the traditional challenge cost share program.

The Administration's budget request included a proposal to eliminate the range improvement account and included $3,000,000 in the cooperative conservation initiative and $7,000,000 in the deferred maintenance program to fund the activities performed by the range improvement account. The managers have restored the range improvement account, but direct the Bureau to focus no less than $4,000,000 from the deferred maintenance program to the range improvement activities suggested in the budget justification. Furthermore, the Bureau is expected to focus at least $3,000,000 of challenge cost share activities on range activities including sagebrush restoration and invasive weed control.

Bill Language.—The conference agreement retains language included in the Senate bill that earmarks $1,250,000 for the Youth

Conservation Corps program. The House bill recommended $1,000,000 for this purpose.

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $766,564,000 for wildland fire management as proposed by the Senate instead of $761,564,000 as proposed by the House.

State and Local Fire Assistance.—The change to the House level for State and local fire assistance is an increase of $5,000,000.

The managers agree that funding for the National Center for Landscape Fire Analysis shall remain at or above the fiscal year 2005 enacted level.

Bill Language.—The conference agreement includes language contained in the House bill allowing for the transfer of up to $9,000,000 of wildland fire management funds between the Department of the Interior and the Department of Agriculture. The Senate contained similar language.

CONSTRUCTION

The conference agreement provides $11,926,000 for construction instead of $11,476,000 as proposed by the House and $9,976,000 as proposed by the Senate.

Changes to the House level for construction include increases of $1,500,000 for the Sand Hollow Recreation MOU with the State of Utah, which completes the project, $450,000 for the Paiute Meadows Trail project, and a decrease of $1,500,000 for general construction projects.

LAND ACQUISITION

The conference agreement provides $8,750,000 for land acquisition instead of $3,817,000 as proposed by the House and $12,250,000 as proposed by the Senate.

The managers agree to the following distribution of funds:

Area (State)	*Amount*
Colorado River SRMA (UT)	$1,200,000
Oregon NWSR/North Fork Owyhee NWSR (OR)	650,000
Sandy River/Oregon NHT (OR)	1,600,000
Santa Rosa and San Jacinto Mountains NM (CA)	500,000
Upper Snake/South Fork Snake River ACEC/SRMA (ID)	1,500,000
Subtotal	5,450,000
Emergencies and Hardships	1,000,000
Acquisition Management	2,300,000
Total	8,750,000

OREGON AND CALIFORNIA GRANT LANDS

The conference agreement provides $110,070,000 for Oregon and California grant lands as proposed by both the House and Senate.

RANGE IMPROVEMENTS

The conference agreement provides an indefinite appropriation for range improvements of not less than $10,000,000 as proposed by both the House and the Senate.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

The conference agreement provides an indefinite appropriation for service charges, deposits, and forfeitures, which is estimated to be $32,940,000, as proposed by both the House and the Senate.

MISCELLANEOUS TRUST FUNDS

The conference agreement provides an indefinite appropriation of $12,405,000 for miscellaneous trust funds as proposed by both the House and the Senate.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

The conference agreement provides $1,008,880,000 for resource management instead of $1,005,225,000 as proposed by the House and $993,485,000 as proposed by the Senate. Changes to the House recommended level are described below.

Ecological Services.—In Endangered Species Act recovery programs, there are decreases of $298,000 for wolf recovery and $150,000 for the Northern aplomado falcon and increases of $1,114,000 for the Yellowstone grizzly bear conservation strategy, $500,000 for Lahontan cutthroat trout, $1,000,000 for the Penobscot River restoration project, $1,000,000 for Atlantic salmon recovery activities managed through the National Fish and Wildlife Foundation, $1,200,000 for eider and sea otter recovery at the Alaska SeaLife Center, and $350,000 for White Sulphur Springs NFH, WV, mussel recovery.

In habitat conservation, increases for the partners for fish and wildlife program include $1,000,000 for Seattle, WA, shoreline restoration for salmon habitat, $700,000 for Big Hole watershed restoration in Montana, $500,000 for the Montana Water Center wild fish habitat initiative, $1,250,000 for the Nevada biodiversity research and conservation project, $100,000 for Bald eagle restoration with the Vermont Natural Heritage Partners program, $540,000 for conservation work at Don Edwards NWR, CA, $1,000,000 for the wildlife enterprises program at Mississippi State University, $150,000 for the Thunder Basin initiative in Wyoming, $100,000 for invasive species control by the Friends of Lake Sakakawea, $550,000 for endangered bird conservation in Hawaii, $500,000 for geographic information system mapping of NWRs in Alaska, and $425,000 for the study of declining wildlife populations on Lake Umbagog NWR with the New Hampshire Audubon Society. These increases are offset by a decrease of $100,000 for a study of Colorado River flow and aquatic habitats (Blue sucker) from Longhorn Dam to Matagorda Bay and a $9,000,000 reduction to the general program increase proposed in the budget request.

In coastal programs, there is an increase of $200,000 in support of the proposed general program expansion.

Refuges and Wildlife.—In refuge operations/refuge visitor services, there is a decrease of $1,000,000 for visitor facility enhancements. The managers note that $5,000,000 is provided in the construction account for visitor contact facilities.

In migratory bird management, there are increases in conservation and monitoring of $375,000 for focal species management, $100,000 for survey and monitoring, and $100,000 for population and habitat assessment. In the joint ventures program, there is an increase of $100,000 in national administration for a program assessment of existing joint ventures and an increase of $400,000 to initiate the Central Hardwoods and the Northern Great Plains joint ventures.

In law enforcement operations, there is a decrease of $100,000 for vehicle replacement.

Fisheries.—In the fisheries program, there are increases in hatchery operations of $600,000 for hatchery operations, $1,400,000 for whirling disease and related fish health issues, and $500,000 for the wildlife health center in Montana. In hatchery maintenance, there is a decrease of $1,500,000 for whirling disease; funds for this program have been moved to hatchery operations. In fish and wildlife management, there are decreases of $750,000 for the national fish habitat initiative and $350,000 for Yukon River Salmon Treaty implementation and an increase of $102,000 for aquatic nuisance species control.

General Administration.—In general operations, increases include $250,000 for National Conservation Training Center operations and $397,000 for NCTC maintenance. In international programs, increases include $300,000 for the Caddo Lake Ramsar Center in Texas and $100,000 for the wildlife without borders Africa program.

Bill Language.—Language is included earmarking $2,500,000 for the Youth Conservation Corps as proposed by the Senate instead of $2,000,000 as proposed by the House.

The managers agree to the following:

1. The funds provided for wolf recovery include $350,000 for the Nez Perce Tribe, $730,000 for the Idaho Office of Species Conservation, $100,000 for the Service's Snake River Basin Office pursuant to a memorandum of agreement between the Nez Perce Tribe and the State of Idaho, and $320,000 for wolf monitoring and related activities by the State of Montana.

2. The $1,000,000 provided in the ESA recovery program for the Penobscot River restoration project represents the first time funding has been provided in the Service's budget. Funds were provided for the project by the National Oceanic and Atmospheric Administration last fiscal year; additional funds are anticipated through the Army Corps of Engineers and NOAA in fiscal year 2006; and the State of Maine along with private groups are also expected to provide funds for removing dams on the Penobscot River. The managers will carefully analyze any future requests for funding from the Fish and Wildlife Service budget for this project with the expectation that the aforementioned other entities will be the primary contributors to the project.

3. The Peregrine Fund is funded at $550,000 in fiscal year 2006, which includes $150,000 for Northern aplomado falcon recovery activities.

4. The funding provided in the partners for fish and wildlife program for a study of declining wildlife populations on Lake Umbagog NWR in cooperation with the New Hampshire Audubon Society, will complete this project.

5. The managers are concerned that for the past two years the white pelican population at Chase Lake NWR, ND, has experienced unexplained disturbances. In 2004, nearly 30,000 pelicans abandoned the colony and in 2005, inspections revealed only about 500 live chicks out of a potential summer hatch of 9,000. The managers are aware that the Service is working to determine the scope of these problems and expects the Service to report to the House and Senate Committees on Appropriations no later than October 1, 2005, on what it believes is the cause of the 2004 abandonment and the 2005 deaths and what steps it believes are necessary to reverse this trend.

6. The managers are aware that the Service is currently working on the Comprehensive Conservation Plan for Vieques NWR in Puerto Rico. In an effort to keep the House and Senate Committees on Appropriations informed on the progress and scope of the CCP, the Service should report to the Committees by January 1, 2006, on plan development and on environmental cleanup efforts currently being conducted on Vieques NWR, the expected cost of the cleanup, if known, and the methods being used to dispose of ordinance.

7. The managers continue to be concerned about the Service's share of the cost of airport operations at Midway Atoll NWR. The managers also are concerned about the unresolved issues surrounding a new contract for airport operations and funding by the Federal Aviation Administration. The managers understand that FAA will cover the costs associated with the airfield in fiscal year 2006 and beyond and that the Service will pay an appropriate share of the indirect costs in addition to paying ongoing refuge operations costs. The total cost to the Service for all operations at Midway is expected to be $4.3 million in fiscal year 2006. The managers note that the airport is not needed for refuge operations and the managers will not agree to a reprogramming for additional funds for airport-related expenses in fiscal year 2006 unless there is a compelling, unanticipated, emergency requirement. Further, to the extent the new airport contract results in savings, the Service should share in those savings. The House and Senate Committees on Appropriations should be notified when the contract is awarded.

8. No additional funding is provided for existing joint ventures in fiscal year 2006. The $100,000 provided in the migratory bird management program for national administration of joint venture activities is for a program assessment of the existing joint venture programs. To the extent that future funding increases are requested for joint ventures, the funding should be based on the results of the program assessment. Likewise, if the assessment determines that certain joint ventures are not yielding desired results, the managers believe the Service should consider decreased funding for those projects in future budget requests.

9. The $1,400,000 provided for whirling disease research includes $1,000,000 for the National Partnership on the Management of Wild and Native Coldwater Fisheries and $400,000 for the Whirling Disease Foundation.

10. Funding for whirling disease research and related fish health issues and for the wildlife health center in Montana is provided in the hatchery operations budget. The Service should reprogram any other base budget funds for these activities in fiscal year 2006 to the hatchery operations budget and should budget for these activities in hatchery operations in future budget requests.

11. An increase of $1,000,000 is provided for continued development of the National Fish Habitat Initiative. Distribution of these funds should follow the direction in House Report 109–80.

12. The fisheries program should continue to keep the House and Senate Committees on Appropriations apprised of its efforts to address base budget erosion and inequities in field station funding, including consideration of reimbursable funding.

13. The funds provided for the Caddo Lake Ramsar Center in Texas are for conservation and education programs directly related to Caddo Lake and may not be used for infrastructure, construction-related projects, legal or management fees, or any other purposes. The Center should work cooperatively with Texas A&M University on preparing a program of work for fiscal year 2006.

CONSTRUCTION

The conference agreement provides $45,891,000 for construction instead of $41,206,000 as proposed by the House and $31,811,000 as proposed by the Senate. The managers agree to the following distribution of funds:

[Dollars in thousands]

Project	Description	Amount
Allegheny NFH, PA	Water Supply Improvements [complete planning]	$250
Balcones Canyonlands NWR, TX	Martin Lake and Martin West Dams [p/d/cc]	500
Big Oaks NWR, IN	Old Timbers Lake Dam Rehabilitation—Phase II [d/cc].	150
Clark R. Bavin Forensics Laboratory, OR	Renovation/Upgrade Facility—Phase II [cc]	3,355
Crab Orchard NWR, IL	Visitor Center Dam Rehabilitation [cc]	2,625
Craig Brook NFH, ME	Wastewater Treatment Compliance—Phase III [cc]	2,480
Division of Safety, Security and Aviation	Replacement of Survey Aircraft—Phase III	1,500
Garrison Dam NFH, ND	Hatchery renovation [completes 9 of 17 pond liners]	200
Hakalau Forest NWR, HI	Ungulate Control Fencing [c]	700
Hanford Reach NM/Saddle Mountain NWR, WA	Visitor Center	2,250
Kenai NWR, AK	Visitor Center/Water and Sewer Lines [cc]	500
Klamath Basin NWR Complex, CA	Water Supply and Management—Phase V	1,000
Kodiak NWR, AK	Visitor Center [cc]	4,000
Kofa NWR, AZ	Structural Replacement of Four Buildings—Phase II [cc].	1,515
Northwest Power Planning Area	Fish Screens, etc	2,000
Ohio River Islands NWR, WV	Erosion protection for Middle & Buckley Islands	435
Servicewide	Bridge Safety Inspections	570
Servicewide	Dam Safety Programs & Inspections	720
Servicewide	Visitor Contact Facilities	5,000
Sevilleta NWR, NM	Laboratory Construction [cc]	2,100
Tualatin NWR, OR	Visitor Center and Administration Building [cc]	3,900
White Sulphur Springs NFH, WV	Maintenance, grounds improvements, quarters rehabilitation.	525

[Dollars in thousands]

Project	Description	Amount
Subtotal, Line Item Construction		36,275
Nationwide Engineering Services:		
Cost Allocation Methodology		2,456
Environmental Compliance		1,000
Other, non-project specific Nationwide Engineering Services.		5,900
Seismic Safety Program		130
Waste Prevention, Recycling Environmental Management.		130
Subtotal, Nationwide Engineering Services.		9,616
Total		45,891

Bill Language.—The conference agreement includes language proposed by the Senate transferring funds appropriated in fiscal year 2005 for the Chase Lake and Arrowwood NWRs, ND, to North Dakota State University to complete planning and design for a joint interpretive center. The House had no similar provision.

The managers agree to the following:

1. The $700,000 in funding for Hakalau Forest NWR, HI, ungulate control fencing is provided with the understanding that an additional $400,000 will need to be provided in fiscal year 2007 to complete the project.

2. The funding provided for the Hanford Reach, WA visitor center completes the Federal commitment to this project.

3. The $4,000,000 in funding for Kodiak NWR, AK, visitor center is sufficient to complete construction. The managers agree that an additional $400,000 will need to be provided in fiscal year 2007 to complete the acquisition of furnishings and equipment for the center.

4. The Service should reprogram $350,000 from the completed Orangeburg dam project at Orangeburg NFH, SC, to complete the waterline construction project at the National Conservation Training Center.

5. The funding provided for laboratory construction at Sevilleta NWR, NM completes this project.

6. The $525,000 provided for White Sulphur Springs NFH, WV, includes $400,000 for maintenance and grounds improvements and $125,000 for quarters rehabilitation. An additional $125,000 will need to be provided in fiscal year 2007 to complete the quarters renovation.

LAND ACQUISITION

The conference agreement provides $28,408,000 for land acquisition instead of $14,937,000 as proposed by the House and $40,827,000 as proposed by the Senate.

The managers agree to the following distribution of funds:

Area (State)	*Amount*
Alaska Peninsula NWR (AK)	$400,000
Balcones Canyonlands NWR (TX)	500,000
Cache River NWR (AR)	809,000
Cahaba NWR (AL)	421,000

Area (State)	*Amount*
Canaan Valley NWR (WV)	190,000
Clark's River NWR (KY)	200,000
Dakota Tallgrass Prairie WMA (SD/ND)	500,000
Eastern Shore NWR (VA)	2,000,000
Edwin B. Forsythe NWR (NJ)	300,000
Lake Atascosa NWR (TX)	400,000
Lake Umbagog NWR (NH)	500,000
Lower Rio Grande Valley NWR (TX)	800,000
Northern Tallgrass Prairie NWR (MN/IA)	500,000
Primehook NWR (DE)	250,000
Rachel Carson NWR (ME)	600,000
Rhode Island Refuge Complex (RI)	525,000
Rocky Mountain Front (MT)	1,000,000
San Joaquin River NWR (CA)	450,000
Silvio O. Conte NFWR (NH, VT, CT, MA)	650,000
Tensas River NWR (LA)	1,900,000
Togiak NWR (AK)	300,000
Upper Klamath Lake NWR, Barnes Tract (OR)	2,000,000
Use of carryover/anticipated slippage	−1,500,000
Subtotal	13,695,000
Inholdings	1,500,000
Emergencies and Hardships	1,500,000
Exchanges	1,500,000
Acquisition Management	8,393,000
Cost Allocation Methodology	1,820,000
Total	28,408,000

Bill Language.—The conference agreement retains language proposed by the House providing that none of the funds appropriated for specific land acquisition projects can be used to pay for any administrative overhead, planning or other management costs.

The managers agree to the following:

1. Funds appropriated in fiscal year 2006 for Tensas River NWR (LA) completes this land acquisition project.

2. Within funds provided for the Silvio Conte NWR, not less than $500,000 is for the Pondicherry Division.

3. Within funds provided for acquisition management, $500,000 is for an environmental impact statement of the proposed Yukon Flats land exchange between Doyon Ltd. and the United States Fish and Wildlife Service.

LANDOWNER INCENTIVE PROGRAM

The conference agreement provides $24,000,000 for the landowner incentive program instead of $23,700,000 as proposed by the House and $25,000,000 as proposed by the Senate.

PRIVATE STEWARDSHIP GRANTS

The conference agreement provides $7,386,000 for private stewardship grants as proposed by the House instead of $7,500,000 as proposed by the Senate.

COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

The conference agreement provides $82,200,000 for the cooperative endangered species conservation fund instead of $84,400,000 as proposed by the House and $80,000,000 as proposed by the Senate.

Bill Language.—The conference agreement includes language earmarking $62,039,000 to be derived from the Land and Water Conservation Fund instead of $64,239,000 as proposed by the House and $45,653,000 as proposed by the Senate. A total of $20,161,000 is derived from the Cooperative Endangered Species Conservation Fund as proposed by the House instead of $34,347,000 as proposed by the Senate.

NATIONAL WILDLIFE REFUGE FUND

The conference agreement provides $14,414,000 for the national wildlife refuge fund as proposed by both the House and the Senate.

NORTH AMERICAN WETLANDS CONSERVATION FUND

The conference agreement provides $40,000,000 for the North American wetlands conservation fund as proposed by the House instead of $39,500,000 as proposed by the Senate.

NEOTROPICAL MIGRATORY BIRD CONSERVATION

The conference agreement provides $4,000,000 for neotropical migratory bird conservation as proposed by both the House and the Senate.

MULTINATIONAL SPECIES CONSERVATION FUND

The conference agreement provides $6,500,000 for the multinational species conservation fund as proposed by the Senate instead of $5,900,000 as proposed by the House. Changes to the House recommended level include increases of $200,000 for rhinoceros and tiger conservation and $400,000 for marine turtle conservation.

STATE AND TRIBAL WILDLIFE GRANTS

The conference agreement provides $68,500,000 for State and Tribal wildlife grants instead of $65,000,000 as proposed by the House and $72,000,000 as proposed by the Senate.

Bill Language.—The conference agreement includes language proposed by the House restating the October 1, 2005, deadline for completion of State comprehensive wildlife conservation plans and providing direction on distributing funds for States with disapproved plans. The Senate had no similar provisions.

ADMINISTRATIVE PROVISIONS

The conference agreement does not specify the number of replacement passenger motor vehicles that may be purchased by the Service.

The conference agreement includes a reference to the current reprogramming guidelines, which are contained in the front of the statement of the managers in this report.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

The conference agreement provides $1,744,074,000 for the operation of the national park system instead of $1,754,199,000 as proposed by the House and $1,748,486,000 as proposed by the Senate.

The managers have provided an additional $20,000,000 for recurring park base increases. Of this amount $15,000,000 is provided for across the board increases for all park units and $5,000,000 is available for high priority program increases to specific parks. Within the $5,000,000, $500,000 is provided for national trails. This amount is in addition to the increases provided in the budget request for pay and fixed costs.

The conference agreement provides $354,141,000 for resource stewardship, instead of $354,116,000 as proposed by the House and $354,841,000 as proposed by the Senate. Changes to the House level include a reduction of $1,000,000 for inventory and monitoring and increases of $225,000 for the International Center for Science and Learning at Mammoth Cave NP, $500,000 for air tour management and $300,000 for Vanishing Treasures.

The conference agreement provides $346,181,000 for visitor services, the same as the House and Senate.

The conference agreement provides $594,686,000 for maintenance as proposed by the House instead of $595,186,000 as proposed by the Senate.

Within the amount provided for repair and rehabilitation, $80,000 is for campground rehabilitation at Ozark NSR, $200,000 is for historic landscaping at Gettysburg NMP, $200,000 is for Alice Ferguson (Wareham Lodge), $497,000 is for Indiana Dunes NL (West Beach), $206,000 is for Indiana Dunes NL (Dunbar Beach), $300,000 is for Death Valley NP (Cow Creek), $140,000 is for San Juan NHS (sewer repairs), $243,000 is for El Morro (restrooms), $250,000 is for Timucuan NP&P (Kingsley Plantation), $250,000 is for the George Washington Memorial Parkway, $310,000 is for Saratoga NHP (Victory Woods), $375,000 is for Dayton Aviation NHP (Wright Dunbar Plaza), $400,000 is for New River Gorge NR (building stabilization), $340,000 is for New River Gorge NR (HVAC), $350,000 is for Harpers Ferry NHP (building repairs), $490,000 is for Harpers Ferry NHP (exhibits/trails), and $640,000 is for Natchez Trace Parkway (re-striping and sealing).

The conference agreement provides $298,509,000 for park support, instead of $298,659,000 as proposed by the House and $301,721,000 as proposed by the Senate. Changes to the House level include a decrease of $400,000 for Jamestown 2007 and an increase of $250,000 for wild and scenic rivers. Funding for Jamestown has been moved to the statutory or contractual aid program.

The conference agreement provides $130,557,000 for external administrative costs, the same as the House and Senate.

Bill language.—The conference agreement does not include language proposed by the House relating to across the board increases for parks. The managers agree to provide $97,600,000 in 2-year funding for maintenance, repair and rehabilitation, and an earmark of $2,000,000 for Youth Conservation Corps projects.

The conference agreement continues to earmark one-third of the challenge cost share program for the National Trails System. Foreign travel must continue to be pre-approved by the Committees on Appropriations.

The conference agreement has provided $48,000 for Johnstown Area Heritage Association Museum and $785,000 for Ice Age National Scientific Reserve in the statutory or contractual aid program in the national recreation and preservation account.

The managers are aware of the recent completion of the Natchez Trace Parkway. Given the historic significance of the Parkway and its high visitation levels, the managers encourage the Secretary to consider elevating the superintendent's position to the senior executive service.

UNITED STATES PARK POLICE

The conference agreement provides $81,411,000 for the United States Park Police instead of $82,411,000 as proposed by the House and $80,411,000 as proposed by the Senate. The additional funds are for new recruit classes.

NATIONAL RECREATION AND PRESERVATION

The conference agreement provides $54,965,000 for national recreation and preservation, instead of $48,997,000 as proposed by the House and $56,729,000 as proposed by the Senate.

The conference agreement provides $554,000 for recreation programs, the same as the House and the Senate. The conference agreement provides $9,845,000 for natural programs instead of $9,545,000 as proposed by the House and $10,045,000 as proposed by the Senate. The change to the House level is an increase of $300,000 for rivers, trails and conservation assistance.

The conference agreement provides $20,028,000 for cultural programs instead of $19,953,000 as proposed by the House and $20,403,000 as proposed by the Senate. Changes to the House level include an increase of $375,000 for underground railroad to freedom grants. Decreases to the House level include $300,000 for a digitization design plan. Within available funds, $300,000 is provided for Heritage Preservation Inc.

Within the funds provided for the cultural program, $200,000 is to initiate planning authorized in the American Revolution Commemoration Act. The Service is strongly encouraged to include funding for this in the fiscal year 2007 budget. The managers expect the Service to address the management and program issues detailed in the House report regarding the Chesapeake Bay Gateways and Water Trails program.

The managers have once again provided funding for the Center for Preservation Technology and Training in Louisiana. The creation of this facility was recommended to the Committee by the National Park Service, yet the budget request did not include these funds. The managers strongly urge the Service to include adequate funding for the Center in future budget requests.

The conference agreement provides $1,618,000 for international park affairs, the same as the House and Senate. The conference agreement provides $399,000 for environmental and compliance review, the same as the House and the Senate. The con-

ference agreement provides $1,913,000 for grant administration, the same as the House and the Senate.

The conference agreement provides $13,400,000 for designated heritage areas and $100,000 for administration. Funds are to be distributed as follows:

Project	*Amount*
America's Agricultural Heritage Partnership	$700,000
Augusta Canal National Heritage Area	350,000
Automobile National Heritage Area	450,000
Blue Ridge National Heritage Area	800,000
Cane River National Heritage Area	800,000
Delaware and Lehigh National Heritage Corridor	750,000
Erie Canalway National Heritage Corridor	650,000
Essex National Heritage Area	800,000
Hudson River Valley National Heritage Area	450,000
John H. Chafee Blackstone River Valley National Heritage Corridor	800,000
Lackawanna Valley National Heritage Area	500,000
Mississippi Gulf Coast National Heritage Area	200,000
National Aviation Heritage Area	200,000
National Coal Heritage Area	100,000
Ohio & Erie Canal National Heritage Corridor	800,000
Oil Region National Heritage Area	200,000
Quinnebaug & Shetucket Rivers Valley National Heritage Corridor	800,000
Rivers of Steel National Heritage Area	800,000
Schuykill River Valley National Heritage Center	450,000
Shenandoah Valley Battlefields National Historic District	450,000
South Carolina National Heritage Corridor	800,000
Tennessee Civil War Heritage Area	400,000
Wheeling National Heritage Area	800,000
Yuma Crossing National Heritage Area	350,000
Subtotal	13,400,000
Technical Support	100,000
Total, Heritage Partnership Programs	13,500,000

The conference agreement provides $7,108,000 for statutory or contractual aid, instead of no funding as proposed by the House and $8,225,000 as proposed by the Senate. The funds provided are to be distributed as follows:

Project	*Amount*
Brown Foundation	$250,000
Chesapeake Bay Gateways & Water Trails	1,500,000
Crossroads of the West Historic District	500,000
Delta Interpretive Center, MS	1,000,000
Ft. Mandan, Ft. Lincoln, and No. Plains Foundations	625,000
Harper's Ferry NHP (Niagara Movement)	300,000
Ice Age National Scientific Reserve	785,000
Jamestown 2007 (moved from ONPS)	400,000
Johnstown Area Heritage Association	48,000
Lamprey River	600,000
Native Hawaiian culture & arts program	600,000
Siege and Battle of Corinth Commission (Contraband Camp)	500,000
Total	7,108,000

HISTORIC PRESERVATION FUND

The conference agreement provides $73,250,000 for the historic preservation fund instead of $72,705,000 as proposed by the House and $74,500,000 as proposed by the Senate.

Changes to the House level include increases of $250,000 for States and Territories and $795,000 for Indian tribes. Decreases to the House level include $500,000 for historically black colleges and universities.

The conference agreement includes a total of $30,000,000 for Save America's Treasures. Of this amount, $13,250,000 is for competitive grants, of which $5,000,000 is provided for Preserve America grants, and the balance of the funds are to be distributed as follows:

Project/State	*Amount*
Actors Theatre, KY	$150,000
Anaconda-Deer Lodge Courthouse, MT	150,000
Athenaeum, VA	75,000
Beacon Island Agate Basin Site, ND	250,000
Bethel Cultural Arts Center, SC	200,000
Black Horse Tavern, PA	150,000
Brooklyn Arts Center at St. Andrews, Wilmington, NC	180,000
Brookville Historic District, PA	150,000
Bulgarian-Macedonian National Educational and Cultural Center	150,000
Bushrod Crawford/MoClellan's HQ Building, WV	250,000
Calfax Depot, CA	50,000
Cambria Iron Works, PA	200,000
Campo de Cahuenga, CA	75,000
Carlyle House, VA	50,000
Carnegie Library Building, Missoula, MT	400,000
Church of the Advocate, PA	125,000
Copiah County Courthouse, MS ,	225,000
Elson Mill, OH	200,000
Fair Park, TX	100,000
Fort Mitchell NHL, AL	140,000
Freedmen's Cemetery, VA	75,000
Ft. Gratiot Lighthouse, MI	400,000
Ft. Ticonderoga Pavillion, NY	150,000
Gadsby's Tavern, VA	50,000
Graycliff Estate, NY	150,000
Greene Courthouse, MO,	100,000
Hayes Presidential Home, OH	400,000
Heroine Steamboat, OK	200,000
Hickman House, MO	250,000
High Bridge Stairway, Bronx, NY	200,000
Hinds County Courthouse, Raymond, MS	225,000
Historic Bethlehem Partnership, 1762 Waterworks, PA	150,000
Hudson Coal Company Shanty & Fan House, PA	200,000
Indiana Harbor Branch library, IN	200,000
Jasper Courthouse, MO	100,000
Jens Jensen Park, IL	175,000
John C. Campbell Folk School, NC	200,000
John List House, WV	250,000
Kam Wah Chung & Co. Museum, OR	400,000
Lac du Flambeau Boys & Girls Indian School	95,000
Landmark Theatre, NY	240,000
Las Vegas Historic Post Office, NV	540,000
Liberty Memorial Museum, MO	300,000
McKelvy House at Lafayette College, PA	250,000
Minnequa Steel Works Archives & Museum, CO	200,000
Mission San Miguel, CA	300,000
Monroe Courthouse, MS	150,000
Montrose City Hall Renovation, CO	100,000
Moravian College, PA	140,000
Morristown College, Morristown, TN	175,000
Moundville Archaeological Park, AL	500,000
Mount Royal Station & Train Shed, MD	300,000
Mt. Sterling Methodist Church, KY	250,000
Murray Schoolhouse, CA	30,000
Ocean Springs Community Center, MS	100,000
Old Capitol Museum, IA	365,000

Project/State	*Amount*
Olympic Stadium, WA	150,000
Palace Theatre Renovations, Columbus, OH	250,000
Pantages Theater, WA	150,000
Pearl Buck House, PA	140,000
Pelham Picture House, NY	200,000
Pennsylvania House, OH	200,000
Plaza House and Vickrey-Brunswig Complex, CA	200,000
Preservation Maryland Tobacco Barns, MD	200,000
President Benjamin Harrison Home, IN	200,000
Randolph County Community Arts Center, WV	140,000
Rev. Harrison House Museum, MA	250,000
Roberson Museum and Science Center, NY	100,000
Shafter Research Center, CA	200,000
Slater Memorial Park Bandshell, RI	100,000
Soldiers and Sailors Monument, OH	100,000
St. Ann Arts & Cultural Center, RI	300,000
St. Luke AME Church, KS	100,000
St. Martin Parish Courthouse, LA	150,000
Stanley Theater, NY	250,000
Tecumseh Theatre, OH	200,000
Tioga County Council on the Arts, NY	20,000
Tule Lake Interment Camp, CA	200,000
USS *Joseph P. Kennedy*, MA	300,000
Vermont History Center Auditorium, VT	300,000
Victory Memorial Drive Historic District, MN	200,000
Waco Texas Mammoth Paleontology Site (preservation building), TX	200,000
Walker-Eisen Building, CA	150,000
Waterbury Historic Preservations, CT	200,000
Wilox Park, Westerly, RI	150,000
Woodstock Craftsmen Guild/Byrdcille Art Colony, NY	130,000
Woodward Opera House, OH	140,000
Total	16,750,000

CONSTRUCTION

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $301,291,000 for construction instead of $291,230,000 as proposed by the House and $299,201,000 as proposed by the Senate. The funds are to be distributed as follows:

Project	*Amount*
Abraham Lincoln Presidential Library & Museum	$1,000,000
Amistad NRA (upgrade water & wastewater systems, Diablo East)	1,003,000
Big Bend NP (curatorial)	2,100,000
Blue Ridge Parkway (replace Otter Creek Bridge & campground services)	804,000
Blue Ridge Parkway (visitor center)	3,500,000
Boston Harbor Islands NRA (construct floating docks)	832,000
Boston NHP (Bldg. 5)	3,082,000
Chaco Culture NHP (replace & upgrade curation facilities w/ UNM)	4,238,000
Chesapeake & Ohio Canal NHP (rehab Great Falls visitor ctr. & facilities)	1,847,000
Cumberland Island NS (Plum Orchard home)	3,247,000
Cuyahoga Valley NP (rehab)	2,500,000
Delaware Water Gap NRA (cabins)	700,000
Delaware Water Gap NRA (replace Depew recreations site)	2,871,000
Everglades NP (modified water delivery system)	25,000,000
Fire Island NS (West Entrance Ranger Sta. and construct restrooms)	764,000
Flight 93 Memorial	1,000,000
Fort Larned NHS (North Officers' Quarters)	1,159,000
Fort Washington Park (stabilization)	2,876,000

Project	*Amount*
George Washington Mem. Parkway (rehab Arlington House)	1,251,000
Glacier NP (remove hazmat and correct fire egress at Many Glacier hotel)	758,000
Grand Portage NM (establish heritage center)	4,000,000
Gulf Islands NS (rehab Ft. Pickens water system)	971,000
Harpers Ferry NHP (rehab Jackson Hs, School Hs Ridge trails/ways., Arm.)	510,000
Homestead NM (visitor center/heritage museum and education center)	3,690,000
Hopewell Culture NHP (salvage arch. resources threatened by erosion)	389,000
Hot Springs NP (rehab bathhouses)	6,059,000
Independence NHP (Mall landscaping/infrastructure)	2,000,000
John H. Chafee Blackstone River Valley NHC	500,000
Kalaupapa NHP (replace non-compliant cesspools)	3,779,000
Kenai Fjords NP (multi-agency center)	495,000
Keweenaw NHP (Calumet & Hecla Bldg rehab, Phase II)	1,650,000
Little Rock Central High School NHS (complete visitor center)	5,100,000
Mark Twain Boyhood Home NHL (restoration)	400,000
Moccasin Bend NAD (erosion)	2,000,000
Mt. Rainier NP (rehab structural components at Paradise Inn and Annex)	7,900,000
Mt. Rainier NP (replace Jackson Visitor Ctr and rehab parking areas)	14,307,000
New River Gorge NR (various)	769,000
Olympic NP (Elwha River ecosystem)	5,000,000
Pinnacles NM (relocate and replace maintenance & visitor facilities)	4,794,000
Redwood NP (protect park resources by removing failing roads)	2,169,000
San Francisco Maritime NHP (repair Sala Burton Maritime Museum bldg.)	4,350,000
Saugus Iron Works NHS (rehab resources for accessibility and safety)	1,334,000
Shenandoah NP (rehab & remodel Panorama facility as visitor/learning ctr)	4,835,000
Shiloh NMP (Corinth interpretation)	500,000
Southwest Pennsylvania Heritage Commission	2,500,000
Statue of Liberty/Ellis Island NM (rehab Ellis Island seawall)	8,452,000
Tuskegee Airmen NHS (preserve and rehab Moton Airfield site)	6,767,000
Utah Public Lands Artifact Preservation Act	4,000,000
Valley Forge NHP (George Washington's headquarters)	2,326,000
Western Artic National Parklands (NW Alaska Heritage Ctr & admin. facil.)	12,733,000
White House (structural and utility rehab)	6,523,000
Wind Cave NP (replace failing wastewater treatment facility)	4,928,000
Wolf Trap NP (replace Main Gate facility, Filene Ctr; Phase 2)	3,000,000
Yellowstone NP (Old Faithful Inn)	11,118,000
Yellowstone NP (replace Madison wastewater facility)	4,114,000
Yellowstone NP (replace Old Faithful Visitor Center)	11,175,000
Yosemite NP (replace haz. gas disinfect. sys., El Portal waste. plant)	2,176,000
Subtotal, Line Item	217,845,000
Emergency/unscheduled projects	3,000,000
Housing replacement	7,000,000
Dam safety	2,662,000
Equipment replacement	26,000,000
Construction planning	19,925,000
Construction program management	28,105,000
General management planning	13,754,000
Subtotal, (before use of priors)	318,291,000
Use of prior year unobligated balances	−17,000,000
Total	301,291,000

The funds provided for general management planning should be expended consistent with project directives in both the House and Senate reports.

Funds provided for Big Bend NP (curatorial facility), Grand Portage NM (heritage center), Homestead NM (visitor center), Little Rock Central High School NHS (visitor center), Wolf Trap (main gate facility) and Yellowstone NP (Old Faithful visitor center) are intended to complete these projects.

Funds provided for the Flight 93 National Memorial may not be used for land acquisition. The Service is strongly encouraged to reduce dramatically the amount of land required for this project.

The managers expect the National Park Service and the legislated partners for the Dayton Aviation Heritage National Historical Park to collaborate in the development of a priority list of requirements needed to fulfill the authorized mission of the park. Such a list should give consideration to both the recurring and non-recurring needs of the park, and should serve as a framework for guiding decisions about the most important investments needed to further the park's purpose. The managers recognize that the National Aviation Heritage Area may have a separate set of priorities, but the priorities for the park and heritage area should complement one another.

The managers direct the National Park Service to explore viable ways to encourage the sale, by concessioners or via lease agreements (in accordance with real property leasing authority, 36 CFR Part 17), of authentic American made souvenirs, which reflect, educate, and celebrate the unique history, spirit, culture, and natural treasures of the designated region and individual park, either through existing concessioner retail operations or other appropriate agreements. The managers expect a written report detailing progress made by December 1, 2006.

The managers encourage the Secretary to give priority consideration for funding in the next round of Southern Nevada Public Lands Management Act project approvals to the water and wastewater system improvements that were proposed in the fiscal year 2006 budget request for Lake Mead National Recreation Area. The managers are aware that nearly $1 billion in revenues will be available in fiscal year 2006. Of that amount, the Secretary of the Interior controls 85 percent. Projects such as these should be funded from this source and not requested in the budget.

The managers understand that private funds already raised toward replacement visitor facilities at the U.S.S. Arizona Memorial are available for planning and design of the new facility. The National Park Service is nearing completion of its review of this partnership construction project, and is encouraged to complete the review and advance the project to the next stage as expeditiously as possible. Before final approval, the Director of the National Park Service should forward to the House and Senate Committees on Appropriations the details of the financing of this project. The managers understand that the present facility is undersized for the visitation to this park site, and that a new facility is needed to address functional and structural requirements.

Bill language.—The conference agreement provides $400,000 for the Mark Twain Boyhood Home NHL to be derived from the

Historic Preservation Fund. The agreement also includes language proposed by the Senate permitting a solicitation that includes the full scope of the contract for the Jackson Visitor Center replacement and rehabilitation of the Paradise Inn and Annex at Mount Rainier NP.

The managers have included $25,000,000 for the purpose of implementing the Modified Water Deliveries to Everglades National Park project which will allow the Army Corps of Engineers to continue this important restoration project so as to restore more natural water flows to the park. The $25,000,000 is subject to the reporting requirements of P.L. 108–108 and the availability of the funds is contingent upon the appropriation and full availability of funds appropriated to the Army Corps of Engineers for the purpose of implementing the project, including the development of detailed design documents for a bridge or series of bridges for Tamiami Trail that will allow for restored water flows between the water conservation areas and Everglades National Park.

LAND AND WATER CONSERVATION FUND

(RESCISSION)

The conference agreement rescinds the contract authority provided for fiscal year 2006 by 16 U.S.C. 460l–10a as proposed by both the House and the Senate.

LAND ACQUISITION AND STATE ASSISTANCE

The conference agreement provides $64,909,000 for land acquisition and State assistance instead of $9,421,000 as proposed by the House and $86,005,000 as proposed by the Senate.

The managers agree to the following distribution of funds:

Area (State)	*Amount*
Big Thicket National Preserve (TX)	$2,000,000
Chickamauga-Chattanooga NMP (TN)	1,800,000
Civil War Battlefield Sites (Grants)	3,000,000
Gauley River NRA (WV)	500,000
Golden Gate NRA (CA)	525,000
Haleakala NP (HI)	3,700,000
Harpers Ferry NHP (WV)	2,000,000
Ice Age NST (WI)	1,000,000
Lewis and Clark NHP (OR/WA)	1,600,000
New River Gorge NSR (WV)	2,000,000
Pinnacles NM (CA)	3,000,000
Piscataway Park (MD)	700,000
Shenandoah Valley Battlefields NHD (VA)	1,000,000
Sleeping Bear Dunes NL (MI)	5,300,000
Wilson's Creek NB (MO)	1,200,000
Wrangell-St. Elias NP & P (AK)	750,000
Subtotal	30,075,000
Emergencies and Hardships	2,500,000
Acquisition Management	9,749,000
Inholdings	2,500,000
Use of Prior Year Balances	−9,915,000
Stateside Grants	28,413,000
Stateside Administration	1,587,000
Total	64,909,000

Bill Language.—The conference agreement includes language proposed by the Senate, providing that none of the funds provided

for the State assistance program may be used to establish a contingency fund.

The conference agreement rescinds $9,915,000 in prior year funds from the Cat Island project at Gulf Islands National Seashore, as proposed by the House.

The managers agree that the heroic efforts by the passengers of Flight 93 should be remembered with a lasting memorial. Although no funds are provided for land acquisition, $1,000,000 is included in the construction account for planning activities.

The managers have revised the reprogramming guidelines to specify that the reprogramming requirement for acquisitions in excess of appraised values does not apply to the National Park Service for condemnations, declarations of taking, and tracts with an appraised value of $500,000 or less. The revised reprogramming guidelines are contained in the front of the statement of the managers in this report.

ADMINISTRATIVE PROVISIONS

The conference agreement does not include the longstanding proviso providing that none of the funds may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

The conference agreement provides $976,035,000 for surveys, investigations, and research instead of $974,586,000 as proposed by the House and $963,057,000 as proposed by the Senate.

Mapping, Remote Sensing and Geographic Investigations.—The change to the House level for mapping, remote sensing and geographic investigations is a decrease of $2,000,000 for the Landsat program.

The managers direct the Survey to offset the decrease with reductions in travel, administrative streamlining and buyout savings throughout the Bureau.

Geologic Hazards, Resources and Processes. Changes to the House level for geologic hazards, resources and processes include increases of $500,000 for Alaska gas hydrates, and decreases of $648,000 for Florida shelf research, $412,000 for Puget Sound and $1,134,000 for Alaska mineral assessments.

The managers strongly disagree with the Administration's proposed reductions to the minerals assessment program and believe it is irresponsible for the Administration to decrease or eliminate funding for what is clearly an inherently Federal responsibility. The conference agreement restores funding for this vital program to the enacted level.

Water Resources Investigations.—Changes to the House level for water resources investigations include increases of $500,000 for the Memphis aquifer study, $230,000 for the Ozark aquifer study, $1,250,000 to continue Tar Creek remediation with the University of Oklahoma, $900,000 for coalbed methane research on the Tongue River, $450,000 for water monitoring in Hawaii, $295,000

for Lake Champlain monitoring and a decrease of $450,000 for the San Pedro partnership.

The managers are concerned by continuing reports that suggest the Survey's water resources program is providing or seeking to provide a variety of commercial services to Federal and non-Federal entities in direct competition with the private sector. The managers have previously encouraged the Survey to use the services of the private sector in the conduct of its activities wherever feasible, cost effective, and consistent with the quality standards and principles pertaining to the effective performance of governmental functions. The managers expect that the Survey should strive to implement such a policy to the best of its ability in the performance of its work.

The managers agree that if the San Francisco South Bay salt ponds project is a priority for the Survey, additional funding should be requested in future budgets.

The managers agree to continue the Lake Champlain monitoring and research assessment activities and have included increased funding of $295,000 to restore the program to the enacted level. Future budget requests should include sufficient funds for these operations.

The managers agree that the Survey's participation in the Long Term Estuary Assessment program should be continued at the current year enacted level.

Biological Research.—Changes to the House level for biological research include increases of $100,000 for the invasive species initiative, $350,000 to complete the Mark Twain National Forest mining study, $800,000 for molecular biology research at the Leetown Science Center, $200,000 for the multidisciplinary water study at Leetown Science Center, $350,000 for pallid sturgeon research, $200,000 for the diamondback terrapin study, $400,000 to complete the Northern Continental Divide Ecosystem study in Montana, $55,000 to restore the base funding for Cooperative Research Units, $400,000 for remote survey and monitoring equipment for the ivory-billed woodpecker in Arkansas, $200,000 for the University of Missouri-Columbia to establish a wetland ecology center for excellence, and decreases of $150,000 for a database of invasive species on national wildlife refuges and $185,000 for equipment for the Anadromous Fish Research Center.

The managers have included a portion of the requested funding increase for the invasive species initiative and direct the Survey to fund the leafy spurge eradication program proposed in the request.

The managers have included funding for ivory-billed woodpecker survey efforts in Arkansas. The funding should be used in collaboration with Cornell University's Laboratory of Ornithology and the U.S. Fish and Wildlife Service to conduct aerial and ground surveys using remote video and acoustic technologies.

The managers understand funding provided to the University of Missouri-Columbia for the establishment of a wetland ecology center of excellence should be used for one-time start-up costs and this funding will not be included in future appropriations.

The managers remain concerned about the National Biological Information Infrastructure program. No clearly coordinated budgetary and programmatic plan has emerged for its expansion, and

the managers remain concerned about the reason an Internet-based program that hosts biological information must be geographically distributed.

The managers understand that the multidisciplinary water study at Leetown Science Center is nearing completion. The Survey should provide a brief report to the House and Senate Committees on Appropriations by December 31, 2005, evaluating the research that has been conducted to date and outlining what, if any, issues remain to be addressed in order to finish the project.

Science Support.—The change to the House level for science support is a decrease of $2,000,000 for the Landsat program.

The managers direct the Survey to offset the decrease with reductions in travel, administrative streamlining and buyout savings throughout the Bureau.

Bill Language.—The conference agreement modifies language included in both the House and Senate bills allowing the Survey to publish and disseminate data.

ADMINISTRATIVE PROVISIONS

The conference agreement includes language proposed by the Senate that contained minor technical differences from the House.

MINERALS MANAGEMENT SERVICE

ROYALTY AND OFFSHORE MINERALS MANAGEMENT

The conference agreement provides $153,651,000 for royalty and offshore minerals management instead of $152,676,000 as proposed by the House and $152,516,000 as proposed by the Senate. The managers agree to the following changes to the House recommendations:

1. The leasing and environmental program includes an earmark of $150,000 within available funds for the Alaska Whaling Commission as proposed by the Senate and there is a decrease of $175,000 for fixed costs.

2. Resource evaluation includes an increase of $900,000 for the Center for Marine Resources, MS as proposed by the Senate and a decrease of $100,000 for fixed costs.

3. The regulatory program has a decrease of $200,000 for fixed costs.

4. The information management program has a decrease of $200,000 for fixed costs.

5. Royalty management includes an increase of $1,000,000 for the State and tribal audit program.

6. General administration includes fixed cost decreases of $250,000 for administrative operations and $150,000 for general support services.

7. The Department is undertaking a study of the impacts of the merger of the GovWorks program into the National Business Center. This study will also include an assessment of the impact that this organizational realignment will have on MMS's ability to carry out its mission. The managers understand that an initial organizational transfer will commence at the beginning of the fiscal year, but before the final commencement of the restructuring, the managers expect to receive a report on the impacts of the merger.

OIL SPILL RESEARCH

The conference agreement provides $7,006,000 for oil spill research as proposed by both the House and the Senate.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

The conference agreement provides $110,535,000 for regulation and technology as proposed by both the House and the Senate. This total includes an indefinite appropriation estimated to be $100,000.

ABANDONED MINE RECLAMATION FUND

The conference agreement provides $188,014,000 for the abandoned mine reclamation fund as proposed by both the House and the Senate. The managers note that bill language within Title I, general provisions, provides an extension until June 30, 2006, of the Secretary's authority to collect fees pursuant to the Surface Mining Control and Reclamation Act. The conference agreement includes the bill language proposed by the House which provides for a one-time transfer of the balance in the fund for the rural abandoned mine program, which has not been used for 10 years, to the Federal share fund, so the funds could be used in the future for emergencies and other Federal obligations. The conference agreement also includes the bill language recommended by the Senate concerning special grant authorities for Maryland's acid mine abatement program.

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

The conference agreement provides $1,991,490,000 for the operation of Indian programs instead of $1,992,737,000 as proposed by the House and $1,971,132,000 as proposed by the Senate.

The managers agree that an alternative budget structure for the operation of Indian programs would provide greater opportunity for reviewing funding levels and assessing performance on a programmatic level. The managers are concerned that there was inadequate consultation with Tribes when preparing this new budget structure. The Bureau should follow previous guidance given in the House and Senate reports on this issue.

Tribal Priority Allocations.—The change to the House level for tribal priority allocations is a decrease of $750,000 for the Indian Child Welfare Act.

Other Recurring Programs.—Changes to the House level for other recurring programs include increases of $12,500,000 for tribally controlled community colleges, $500,000 for technical assistance for tribally controlled community colleges, $210,000 for fish hatchery maintenance, $98,000 for the Alaska Sea Otter Commission, $450,000 for the Bering Sea Fishermen's Association, $300,000 for the Chugach Regional Resources Commission, $350,000 for Lake Roosevelt management, and decreases of $12,000,000 for ISEP formula funding, $1,500,000 for student transportation, $200,000 for irrigation operations and maintenance,

$1,000,000 for the Washington State Fish and Wildlife program and $1,250,000 for the Chippewa Ottawa Resource Authority.

The managers have included funding in the ISEP program and direct this increase to the Bureau's FOCUS program for assisting at-risk children, encouraging more parental participation in schools, and encouraging participation in after-school activities.

The managers are aware that the Department is examining how to strengthen management of education programs and would consider a reprogramming from education program adjustments to support education management.

The managers have retained the increases provided in both the House and Senate bills for the Intertribal Bison Cooperative.

Non-recurring Programs.—Changes to the House level for non-recurring programs include increases of $500,000 for the Rocky Mountain Patient Advocate program, $750,000 for the rural Alaska fire program, $1,500,000 for the Salish and Kootenai College information technology program, $1,500,000 for water management planning, $400,000 for Alaska legal services, and a decrease of $970,000 for the endangered species program.

The managers expect funding provided for the Rocky Mountain Patient Advocate Program to be the last installment from this account. The program is expected to seek other methods of funding to become a self-sufficient, long term, advocacy program for Native Americans seeking health care.

The managers agree that within the water management and planning program, $200,000 is for the operation, maintenance, and repair of the Fort Peck Reservation tribal water system.

Special Programs and Pooled Overhead.—Changes to the House level for special programs and pooled overhead include increases of $49,000 for the United Tribes Technical College, $450,000 for the United Sioux Tribes Development Corporation, $1,250,000 for the Western Heritage Center tribal history and education project, $100,000 for the Rocky Mountain Tribal education symposia, $74,000 for the Crownpoint Institute and decreases of $4,500,000 for public safety and justice law enforcement and $58,000 for the National Ironworkers Training program.

The managers believe that the United Tribes Technical College and Crownpoint Institute are institutions of higher learning that provide an educational benefit to Indian country and should be included in future budget requests.

Bill Language.—The conference agreement includes language proposed by the Senate that continues to allow the use of contract support funds for indirect contract support costs. The House included language that allowed the use of contract support funds for both direct and indirect costs.

The managers believe that any change to the allocation of contract support costs must be done formally with tribal consultation and any funding for direct contract support costs should be above the current levels provided for indirect contract support costs.

CONSTRUCTION

The conference agreement provides $275,637,000 for construction instead of $284,137,000 as proposed by the House and $267,137,000 as proposed by the Senate. Changes to the House

level include an increase of $7,500,000 for irrigation projects and decreases of $10,000,000 for replacement school construction, $1,000,000 for employee housing, and $5,000,000 for facilities improvement and repair.

The addition of $7,500,000 in non-reimbursable construction funds for Indian irrigation rehabilitation is separate from the Navajo Indian Irrigation Project, which retains its own construction budget of $12,773,000. Within the funds provided for Indian irrigation rehabilitation, a number of Bureau and tribal projects are in desperate need of immediate attention to continue delivering water to users. The Bureau is expected to consult with the House and Senate Committees on Appropriations, in the form of a detailed proposal, prior to obligating funds. The Bureau is expected to administer these funds from the central office program level to address projects with the greatest need of rehabilitation. Construction of new projects or expansion of existing projects is secondary to the rehabilitation, reconstruction, and necessary upgrade of current irrigation projects and systems. Specific projects to be addressed under these guidelines, and to be addressed in the Bureau's proposal for the obligation of these funds are: the Fort Yates Unit of the Standing Rock Sioux Project, the Blackfeet Irrigation Project, the Crow Irrigation Project, the Fort Belknap Irrigation Project, the Fort Peck Irrigation Project, and the Wind River Irrigation Project.

indian land and water claim settlements and miscellaneous

PAYMENTS TO INDIANS

The conference agreement provides $34,754,000 for Indian land and water claim settlements and miscellaneous payments to Indians as proposed by the House instead of $24,754,000 as proposed by the Senate.

The managers have agreed to $10,000,000 for the Quinault Indian Nation settlement and retained bill language included in the House that authorized the payment. The managers understand that this is the final payment for this settlement.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

The conference agreement provides $6,348,000 for the Indian guaranteed loan program as proposed by both the House and the Senate.

DEPARTMENTAL OFFICES

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

The conference agreement provides $76,883,000 for assistance to territories instead of $76,563,000 as proposed by the House and $76,683,000 as proposed by the Senate. Changes in funding levels from the House recommendation include the Senate recommendation for an additional $320,000 to continue judicial, court education, and court administration training.

COMPACT OF FREE ASSOCIATION

The conference agreement provides $5,362,000 for the compact of free association as proposed by the House instead of $4,862,000 as proposed by the Senate. The conference agreement follows the funding recommendations made by the House.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

The conference agreement provides $127,183,000 for departmental management instead of $97,755,000 as proposed by the House and $104,627,000 as proposed by the Senate. The changes described below are to the House recommended funding level.

Management and Coordination.—Performance data contracting/financial management is reduced by $250,000.

Central Services.—IT certification and accreditation is reduced by $322,000.

Financial and Business Management System.—The conference agreement reduces the Financial and Business Management System by $1,000,000.

Other Items.—The conference agreement restores $21,000,000 for necessary expenses for management of the Department of the Interior.

Bill Language.—The conference agreement retains language proposed by the Senate deriving $7,441,000 from the Land and Water Conservation Fund for consolidated land acquisition appraisal services, and prohibiting the use of funds in this Act or previous appropriations Acts to establish reserves in the Working Capital Fund other than for accrued annual leave and depreciation of equipment without prior House and Senate Committee approval.

PAYMENTS IN LIEU OF TAXES

The conference agreement provides $236,000,000 for payments in lieu of taxes instead of $242,000,000 as proposed by the House and $235,000,000 as proposed by the Senate.

CENTRAL HAZARDOUS MATERIALS FUND

The conference agreement provides $9,855,000 for the central hazardous materials fund as proposed by the House and the Senate.

The conference agreement includes language included in the Senate bill that makes provisions for this account permanent. The House did not include permanent language.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

The conference agreement provides $55,440,000 for the office of the solicitor instead of $55,340,000 as proposed by the House and $55,652,000 as proposed by the Senate. The change described below is to the House recommended funding level.

General Administration.—Funding for a FOIA appeals support position is increased by $100,000.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

The conference agreement provides $39,116,000 for office of inspector general as proposed by the Senate, instead of $39,566,000 as proposed by the House. The changes described below are to the House recommended funding level.

Audits.—Funding for FISMA/audit capability is decreased by $300,000.

Investigations.—Funding for additional audit staff is decreased by $150,000.

OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS

FEDERAL TRUST PROGRAMS

The conference agreement provides $191,593,000 for Federal trust programs as proposed by both the House and the Senate. The managers have retained language contained in the House bill that caps the total amount of funding that can be used for historical accounting activities at $58,000,000.

The managers are closely following efforts to settle the longstanding Cobell v. Norton case and reiterate their position that any settlement to the case must be implemented in such a way that the programs in this bill are not adversely affected. The House and Senate Committees on Appropriations will not consider any settlement that decreases available funding for programs in Indian country funded in this bill. Further, the managers disagree with the continued insistence by the court that the Department of the Interior, to fulfill the intent of Congress, must perform a full historical accounting. This results in the Department of the Interior being forced to divert resources and negatively impacts programs in Indian country.

INDIAN LAND CONSOLIDATION

The conference agreement provides $34,514,000 for Indian land consolidation programs as proposed by both the House and the Senate.

NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

The conference agreement provides $6,106,000 for the natural resource damage assessment fund as proposed by both the House and the Senate.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

Sec. 101. The conference agreement modifies a provision in section 101 of both the House and Senate bills, providing Secretarial authority to transfer program funds for expenditures in cases of emergency when all other emergency funds are exhausted.

Sec. 102. The conference agreement modifies a provision in section 102 of both the House and Senate bills, providing for expenditure or transfer of funds by the Secretary in the event of actual or

potential emergencies including forest fires, range fires, earthquakes, floods, volcanic eruptions, storms, oil spills, grasshopper and Mormon cricket outbreaks, and surface mine reclamation emergencies. The modification requires transferred funds to be replenished by a supplemental appropriation and to be reimbursed on a pro rata basis.

Sec. 103. The conference agreement retains an identical provision in section 103 of both the House and Senate bills, continuing a provision providing for use of appropriated funds for contracts, rental cars and aircraft, certain library memberships, and certain telephone expenses.

Sec. 104–106. The conference agreement retains identical provisions in sections 104–106 of both the House and Senate bills, continuing provisions prohibiting the expenditure of funds for Outer Continental Shelf (OCS) leasing activities in certain areas.

Sec. 107. The conference agreement retains an identical provision in section 108 of the House bill and section 107 of the Senate bill, continuing a provision permitting the transfer of funds between the Bureau of Indian Affairs and the Office of Special Trustee for American Indians.

Sec. 108. The conference agreement retains a provision in section 108 of the Senate bill, continuing through fiscal year 2010 a provision that allows the hiring of administrative law judges to address the Indian probate backlog. The House had a similar provision in section 109 of the House bill.

Sec. 109. The conference agreement retains an identical provision in section 110 of the House bill and section 109 of the Senate bill, continuing a provision permitting the redistribution of tribal priority allocation and tribal base funds to alleviate funding inequities.

Sec. 110. The conference agreement retains a provision in section 110 of the Senate bill, continuing a provision requiring the allocation of Bureau of Indian Affairs postsecondary schools funds consistent with unmet needs. The House had a similar provision in section 111 of the House bill.

Sec. 111. The conference agreement retains an identical provision in section 112 of the House bill and section 111 of the Senate bill, continuing 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.

Sec. 112. The conference agreement retains an identical provision in section 113 of the House bill and section 112 of the Senate bill, continuing a provision authorizing the Secretary of the Interior to use helicopters or motor vehicles to capture and transport horses and burros at the Sheldon and Hart National Wildlife Refuges.

Sec. 113. The conference agreement modifies an identical provision in section 114 of the House bill and section 113 of the Senate bill, continuing a provision allowing certain funds provided for land acquisition at the Shenandoah Valley Battlefield NHD and Ice Age NST to be granted to a State, a local government, or any other land management entity. The modification adds Niobrara NSR.

Sec. 114. The conference agreement retains an identical provision in section 115 of the House bill and section 114 of the Senate

bill, continuing a provision prohibiting the closure of the underground lunchroom at Carlsbad Caverns NP, NM.

Sec. 115. The conference agreement retains a provision in section 116 of the House bill, continuing a provision preventing the demolition of a bridge between New Jersey and Ellis Island. The Senate had no similar provision.

Sec. 116. The conference agreement retains an identical provision in section 117 of the House bill and section 115 of the Senate bill, continuing 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.

Sec. 117. The conference agreement retains an identical provision in section 118 of the House bill and section 116 of the Senate bill, continuing a provision allowing the Secretary to pay private attorney fees for employees and former employees incurred in connection with Cobell v. Norton.

Sec. 118. The conference agreement retains a provision in section 119 of the House bill dealing with the U.S. Fish and Wildlife Service's responsibilities for mass marking of salmonid stocks. The Senate had no similar provision.

Sec. 119. The conference agreement retains an identical provision in section 121 of the House bill and section 117 of the Senate bill, continuing a provision prohibiting certain activities on lands described in section 123 of the Department of the Interior and Related Agencies Appropriations Act, 2001, or land that is contiguous to that land.

Sec. 120. The conference agreement retains an identical provision in section 122 of the House bill and 118 of the Senate bill, continuing a provision prohibiting the use of funds to study or implement a plan to drain or reduce water levels in Lake Powell.

Sec. 121. The conference agreement retains an identical provision in section 123 of the House bill and section 119 of the Senate bill, continuing a provision allowing the National Indian Gaming Commission to collect $12,000,000 in fees for fiscal year 2007.

Sec. 122. The conference agreement retains a provision in section 120 of the Senate bill, continuing a provision making funds available to the tribes within the California Tribal Trust Reform Consortium and others on the same basis as funds were distributed in fiscal year 2003 and separates this demonstration project from the Department of the Interior's trust reform organization. The House had a similar provision in section 124 of the House bill.

Sec. 123. The conference agreement retains an identical provision in section 125 of the House bill and section 121 of the Senate bill, continuing a provision dealing with grazing permits in the Jarbidge field office of the Bureau of Land Management.

Sec. 124. The conference agreement retains an identical provision in section 126 of the House bill and section 122 of the Senate bill, continuing a provision authorizing the Secretary of the Interior to acquire lands for the operation and maintenance of facilities in support of transportation of visitors to Ellis, Governors, and Liberty Islands.

Sec. 125. The conference agreement retains a provision in section 127 of the House bill, continuing a provision regarding special

use grazing permits on the Mojave National Preserve, CA. The Senate had no similar provision.

Sec. 126. The conference agreement retains a provision in section 123 of the Senate bill, continuing a provision implementing rules concerning winter snowmobile use in Yellowstone National Park. The House had a similar provision with a slight technical difference in section 128 of the House bill.

Sec. 127. The conference agreement retains a provision in section 124 of the Senate bill, requiring the Secretary of the Interior to obtain the approval of the governing body of an Indian tribe before closing or taking any other action relating to a school of the tribe. The House had no similar provision.

Sec. 128. The conference agreement retains a provision in section 126 of the Senate bill, extending authority of the Kalaupapa National Historic Park Advisory Commission. The House had no similar provision.

Sec. 129. The conference agreement retains a provision in section 127 of the Senate bill, extending the authority of the Secretary of the Interior to collect fees pursuant to the Surface Mining Control and Reclamation Act until June 20, 2006.

Sec. 130. The conference agreement includes a new provision prohibiting the use of funds to set up Centers of Excellence and Partnership Skills Bank training without prior approval.

Sec. 131. The conference agreement modifies a provision in section 430 of the Senate bill that authorizes the National Park Service to assess a fee on overnight lodging guests at leased Fort Baker buildings in Golden Gate National Recreation Area to pay the operating expenses associated with the utilities and shuttle system of those facilities at Fort Baker. The House had no similar provision.

Sec. 132. The conference agreement modifies a provision in section 431 of the Senate bill, authorizing the retention of campground fees at Great Smoky Mountains National Park. The House had no similar provision.

Sec. 133. The conference agreement modifies a provision in section 438 of the Senate bill, providing for a feasibility study on designation of the Captain John Smith Chesapeake National Historic Watertrail as a national historic trail. The modification requires an analysis of the impacts on privately owned land and water. The House had no similar provision.

Sec. 134. Provides $10,000,000 for the Martin Luther King, Jr. Memorial in Washington, DC, and extends for two years the authorization for the Memorial. The funds provided in this section are to be matched by the newly raised, non-Federal funds.

The conference agreement does not include a provision in section 107 of the House bill prohibiting the National Park Service from reducing recreation fees for non-local travel through any park unit.

The conference agreement does not include a provision in section 120 of the House bill dealing with paying for operational needs at the Midway Atoll National Wildlife Refuge airport using funds appropriated under the "Departmental Management, Salaries and Expenses" appropriation.

The conference agreement does not include a provision in section 129 of the House bill, limiting the use of funds for staffing for

the Department of the Interior's Office of Law Enforcement and Security. The Department has assured the managers that staffing will be limited to 34 full time equivalent employees and eight detailed staff, except in the event of an emergency.

The conference agreement does not include a provision in section 125 of the Senate bill authorizing the Secretary of the Interior to collect and retain parking fees at the U.S.S. Arizona Memorial. The managers understand that the Department has determined that the Secretary currently has such authority pursuant to the Federal Lands Recreation Enhancement Act (FLREA).

TITLE II—ENVIRONMENTAL PROTECTION AGENCY

SCIENCE AND TECHNOLOGY

The conference agreement provides $741,722,000 for science and technology instead of $765,340,000 as proposed by the House and $730,795,000 as proposed by the Senate. Changes to the House recommended level are described below.

Air Toxics and Quality.—In air toxics and quality, there is a decrease of $619,000 for the clean air allowance trading programs.

Climate Protection.—In climate protection programs, there is a decrease of $1,000,000.

Research/Congressional Priorities.—The conference agreement provides a total of $33,275,000 for high priority projects, a decrease of $6,725,000 below the House recommended level. The managers have not agreed to a competitive solicitation this year for these programs. This issue may be revisited in future years. The managers agree to the following distribution of funds:

State	Project name	Amount
1. AL	University of South Alabama Center for Estuarine Research	$500,000
2. CA	Central California Ozone Study, San Joaquin Valleywide Air Pollution Study Agency.	375,000
3. CA	Irrigation Training and Research Center—Cal Poly., San Luis Obispo Flow Rate Measurement.	1,200,000
4. DE	Center for the Study of Metals in the Environment at the University of Delaware.	250,000
5. FL	FL Dept. of Citrus Abscission Chemical Studies	1,000,000
6. ID	Boise State University to continue research on multi-purpose sensors to detect and analyze contaminants and time-lapse imaging of shallow subsurface fluid flow.	500,000
7. IL	Clean Air Counts program emission reduction partnership with the Illinois Environmental Protection Agency.	800,000
8. KY	University of Louisville Lung Biology/Translational Lung Disease Program.	1,500,000
9. LA	Louisiana Smart Growth program in the State of Louisiana	500,000
10. NC	UNC Charlotte VisualGRID	500,000
11. ND	Center for Air Toxic Metals, EERC at the University of North Dakota	2,000,000
12. NM	National Environmental Respiratory Center [NERC] at the Lovelace Respiratory Research Institute in Albuquerque, New Mexico.	500,000
13. NY	Alfred University Center for Environmental and Energy Research	750,000
14. NY	Environmental Systems Center of Excellence at Syracuse Univ., NY Indoor Environment Quality.	2,000,000
15. OH	Ohio University Consortium for Energy, Economics, and the Environment.	500,000
16. OH	The Ohio State University Olentangy River Wetlands Park Teaching, Research, and Outreach Initiative.	500,000
17. SD	Missouri River Institute at the University of South Dakota	400,000
18. TN	University of Memphis Groundwater Institute to conduct a groundwater study.	500,000

State	Project name	Amount
19. TN	University of Tennessee at Knoxville Natural Resources Policy Center	500,000
20. TX	Comprehensive assessment of Lake Whitney at Baylor University	200,000
21. TX	Environmental program at the Water Policy Institute at Texas Tech University.	450,000
22. TX	Mickey Leland National Urban Air Toxic Research Center	1,500,000
23. TX	Poultry science project at Stephen F. Austin State University	200,000
24. TX	Texas Air Quality Study 2	2,000,000
25. TX	Texas Institute for Applied Environmental Research	400,000
26. TX	Texas State University System Geography and Geology Project	800,000
27. VT	Aiken Greening at the University of Vermont	400,000
28. VT	Proctor Maple Research Station in Underhill, Vermont	200,000
29. WI	Paper industry byproduct waste reduction research in Wisconsin	250,000
30. WV	National Alternative Fuels Training Consortium at West Virginia University.	2,000,000
31.	American Water Works Association Research Foundation	1,000,000
32.	Consortium for Plant Biotechnology Research	750,000
33.	Mine Waste Technology program at the National Environmental Waste Technology, Testing, and Evaluation Center.	2,100,000
34.	New England Green Chemistry Consortium	750,000
35.	Southwest Center for Environmental Research and Policy	1,500,000
36.	Water Environment Research Foundation	3,000,000
37.	Water Systems Council Wellcare Program	1,000,000
Total		33,275,000

Research: Clean Air.—In research: clean air, there are decreases of $600,000 for global change and $2,000,000 for national ambient air quality standards.

Research: Clean Water.—In research: clean water, there is a decrease of $4,800,000 for water quality programs.

Research: Human Health and Ecosystems.—In research: human health and ecosystems, there is an increase of $15,000 for fellowships and decreases of $213,000 for endocrine disruptor research and $5,376,000 for other research, which includes decreases of $2,000,000 for exploratory grants, $600,000 for aggregate risks, $500,000 for condition assessments of estuaries in the Gulf of Mexico, and $2,276,000 for a general program reduction, which should be applied after consultation with the House and Senate Committees on Appropriations.

Research: Land Protection.—In research: land protection, there is a decrease of $2,300,000 for land protection and restoration.

Other.—The managers do not agree with the transfer of research funds to other offices. In addition to the offices mentioned in House Report 109–80, this direction applies to the Office of the Administrator, which was inadvertently omitted from the House report.

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

The conference agreement provides $2,381,752,000 for environmental programs and management instead of $2,389,491,000 as proposed by the House and $2,333,416,000 as proposed by the Senate. Changes to the House recommended level are described below.

Air Toxics and Quality.—In Federal support for air quality management, there are decreases of $5,000,000 for the clean diesel initiative and $5,000,000 for other program activities. Other decreases include $400,000 for radiation protection programs,

$156,000 for stratospheric ozone domestic programs, and $1,600,000 for stratospheric ozone multilateral programs.

Brownfields.—There is an increase of $362,000 for brownfields support.

Climate Protection Programs.—In climate protection, there are increases of $500,000 for the energy star program and $1,500,000 for the methane to markets program.

Compliance Monitoring.—There is a decrease of $3,184,000 for compliance monitoring.

Enforcement Programs.—In enforcement, there are increases of $1,500,000 for civil enforcement, $1,900,000 for criminal enforcement, and $500,000 for enforcement training.

Environmental Protection/Congressional Priorities.—The conference agreement provides a total of $50,543,000 for high priority projects, an increase of $10,543,000 above the House recommended level. The managers have not agreed to a competitive solicitation this year for these programs. This issue may be revisited in future years. The managers agree to the following distribution of funds:

State	Project Name	Amount
1. AL	Alabama Department of Environmental Management for a water and wastewater training program.	$500,000
2. CA	Highland Learning Center	1,750,000
3. CT	Waste to Energy project in Stamford, Connecticut	250,000
4. CT	Wastewater turbine technology project for the City of New Haven, Connecticut.	500,000
5. FL	University of West Florida Partnership for Environmental Research and Community Health [PERCH] program.	500,000
6. HI	Hawaii Island Economic Development Board's Big Island Recycle program.	500,000
7. IA	University of Northern Iowa to develop new environmental technologies for small business outreach.	500,000
8. IA	Water quality project in Storm Lake, Iowa	500,000
9. IL	For an aquifer model of groundwater resources	938,000
10. LA	Grambling University in Louisiana for a water quality research program.	200,000
11. LA	Lake Pontchartrain Basin Foundation lake restoration in Louisiana	500,000
12. MA	Environmental and science education program in New Bedford, Massachusetts.	500,000
13. MD	Anacostia River Tidal Wetlands Project	1,000,000
14. MO	Ozarks Environmental and Water Resources Institute at Southwest Missouri State University.	500,000
15. MO	Southwest Missouri Water Quality Improvement Project	1,500,000
16. MS	Environmental education initiative at Crow's Neck Environmental Education Center in Tishomingo County, Mississippi.	130,000
17. MT	Air quality improvement program in Lincoln County, Montana	1,000,000
18. NC	EPA National Computer Center Research Triangle Park, NC Continuity of Operations/Disaster Recovery.	2,000,000
19. NE	Lead-based paint hazard control program in Omaha, Nebraska	500,000
20. NJ	Restoration project in Greenwood Lake, New Jersey	300,000
21. NV	Walker Lake, Nevada Working Group's lake restoration program	250,000
22. NY	Central NY Watersheds in Onondaga and Cayuga Counties Water Quality Management.	1,500,000
23. NY	Long Island Sound restoration	1,800,000
24. NY	Mohawk Valley, New York Water Authority's bacteria detection program	250,000
25. OK	Oklahoma Department of Environmental Quality to complete remediation work on Tar Creek.	2,000,000
26. OR	Oregon Department of Environmental Quality site assessment program	250,000
27. RI	Waterfront stormwater management analysis in East Providence, Rhode Island.	250,000
28. VT	Environmental clean-up and research programs in Lake Champlain, Vermont.	775,000
29. VT	Storm water research program at the University of Vermont	450,000

State	Project Name	Amount
30. WA	Northwest Straits Commission, Washington State University beach watchers marine resources program.	250,000
31. WA	Rathdrum Prairie/Spokane Valley Aquifer study	300,000
32. WA	Spokane River Bi-State Non-Point Phosphorus study	250,000
33. WV	Canaan Valley Institute—On-going Operations	2,000,000
34.	America's Clean Water Foundation On-Farm Assessment and Environmental Review Program.	3,000,000
35.	EPA Region 10 environmental compliance	1,000,000
36.	Groundwater Protection Council	650,000
37.	National Assoc. of Development Organizations Training and Information Dissemination Related to Rural Brownfields, Air Quality Standards, and Water Infrastructure.	500,000
38.	National Biosolids Partnership	1,000,000
39.	National Rural Water Association, including source water protection programs.	11,000,000
40.	Ohio River Pollutant Reduction Program	1,500,000
41.	Rural Community Assistance Program	3,500,000
42.	Small Public Water System Technology Centers at Western Kentucky University, the University of New Hampshire, the University of Alaska-Sitka, Pennsylvania State University, the University of Missouri-Columbia, Montana State University, the University of Illinois, and Mississippi State University.	4,000,000
Total		50,543,000

Geographic Programs.—In geographic programs, there are increases of $2,000,000 for the Chesapeake Bay program, $532,000 for the Gulf of Mexico program, and $1,167,000 in other activities for Lake Pontchartrain, and decreases of $45,000 for the Lake Champlain program and $1,523,000 for the Long Island Sound program.

Indoor Air Programs.—In indoor air, there is a decrease of $400,000 for radon programs.

Information Exchange/Outreach.—In information exchange/outreach, there is a decrease of $400,000 for State and local prevention and preparedness programs.

International Programs.—In international programs, there are decreases of $250,000 for international capacity building and $1,000,000 for the persistent organic pollutants program.

Legal/Science/Regulatory/Economic Review.—There is a decrease of $600,000 for the regulatory innovation program.

Pesticide Licensing.—In pesticide licensing, there is an increase of $3,041,000 for review/re-registration of existing pesticides.

Toxics Risk Review and Prevention.—In the toxics risk review and prevention program, there is an increase of $1,356,000 for the high production volume challenge and high production volume information system and a decrease of $1,582,000 for the pollution prevention program.

Water: Ecosystems.—There is an increase of $2,000,000 for Great Lakes Legacy Act programs.

Water: Human Health Protection.—There are decreases of $1,500,000 for drinking water programs and $10,000,000 for the National Rural Water Association, which is funded under the environmental protection/Congressional priorities activity detailed above.

Water Quality Protection.—There is a decrease of $2,000,000 for the water quality monitoring program.

Bill Language.—Language is included increasing the earmark for official reception and representation expenses to $19,000 for fiscal year 2006 only.

The managers agree to the following:

1. A total of $5,000,000 is provided for the clean diesel initiative as described in House Report 109–80.

2. Within stratospheric ozone domestic programs, the Sunwise program should be continued at the fiscal year 2005 funding level.

3. A total of $2,000,000 is provided for the Puget Sound geographic program under section 320 of the Federal Water Pollution Control Act, as amended. This program is to be administered by the Washington State Department of Ecology.

4. Within indoor air programs, $2,000,000 should be used to continue environmental tobacco-related programs. The managers note that, after this set-aside, there is still an increase for asthma programs above the fiscal year 2005 level.

OFFICE OF INSPECTOR GENERAL

The conference agreement provides $37,455,000 for the Office of Inspector General instead of $37,955,000 as proposed by the House and $36,955,000 as proposed by the Senate.

BUILDINGS AND FACILITIES

The conference agreement provides $40,218,000 for buildings and facilities as proposed by both the House and the Senate.

HAZARDOUS SUBSTANCE SUPERFUND

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides $1,260,621,000 for hazardous substance superfund instead of $1,258,333,000 as proposed by the House and $1,256,165,000 as proposed by the Senate. Changes to the House recommended level are detailed below.

Air Toxics and Quality.—In air toxics and quality, there is a decrease of $175,000 for radiation protection programs.

Enforcement.—In enforcement, there are increases of $200,000 for civil enforcement and $3,000,000 for Superfund enforcement.

Compliance.—In compliance, there are decreases of $11,000 for compliance assistance and centers, $11,000 for compliance incentives, and $200,000 for compliance monitoring.

Information Exchange and Outreach.—There is a decrease of $6,000 for congressional, intergovernmental, and external relations activities.

Information Technology/Data Management/Security.—There is a decrease of $3,000 for information security.

Operations and Administration.—In operations and administration, there is a decrease of $1,000,000 for facilities infrastructure and operations.

Superfund Cleanup.—In Superfund cleanup, there is an increase of $494,000 for emergency response and removal.

Bill Language.—Language is included earmarking $1,260,621,000 as the maximum payment from general revenues

for Superfund instead of $1,258,333,000 as proposed by the House and $1,256,165,000 as proposed by the Senate.

The managers are concerned that EPA has not yet issued a Record of Decision (ROD) for Libby, Montana, despite years of cleanup efforts. The managers direct the Agency to issue its Record of Decision for Libby, Montana no later than May 1, 2006. EPA should also provide a report on the contents of the ROD to both the House and Senate Committees on Appropriations no later than June 15, 2006. The managers are disappointed that the Agency could not meet an earlier deadline, originally proposed by the Senate, and expect periodic updates on the progress of completion of the ROD for Libby, Montana.

The House proposed a study by the National Academy of Sciences of Superfund mega sites that involve dredging. Upon further reflection, the managers believe that the appropriate role for the NAS is to act as an independent peer review body that will conduct an objective evaluation of some of the ongoing dredging projects underway at Superfund mega sites. By undertaking such an evaluation, the Academy can serve as an objective voice on this issue. The manager expect that the evaluation will be initiated by December 1, 2005, and finished as soon as possible, but no later than one year after the Academy begins work. In addition, the managers insist that any such evaluation by the Academy should not delay in any way the progress of the Hudson River PCB dredging project or any other Superfund dredging project.

LEAKING UNDERGROUND STORAGE TANK PROGRAM

The conference agreement provides $73,027,000 for the leaking underground storage tank program as proposed by both the House and the Senate.

OIL SPILL RESPONSE

The conference agreement provides $15,863,000 for oil spill response as proposed by both the House and the Senate.

STATE AND TRIBAL ASSISTANCE GRANTS

(INCLUDING RESCISSIONS OF FUNDS)

The conference agreement provides $3,261,696,000 for State and Tribal assistance grants and a rescission of $80,000,000 from expired grants, contracts, and interagency agreements, instead of $3,227,800,000 and a rescission of $100,000,000 as proposed by the House and $3,453,550,000 and a rescission of $58,000,000 as proposed by the Senate, The rescission is to be taken from expired grants, contracts, and interagency agreements in the various EPA accounts and is not exclusive to this account. Changes to the House recommended level are detailed below.

Air Toxics and Quality.—In air toxics and quality programs, there is a decrease of $3,000,000 for the clean school bus initiative.

Brownfields.—There is a decrease of $7,500,000 for brownfields projects.

Infrastructure Assistance.—There is an increase of $20,000,000 for infrastructure assistance for Alaska Native villages, a net decrease of $, ,000 for the clean water State revolving fund

and a decrease of $4,000,000 for infrastructure assistance for Puerto Rico. The House proposal to direct rescinded funds to the CWSRF is not included in the conference agreement.

Infrastructure Grants/Congressional Priorities.—The conference agreement includes $200,000,000 for special project grants as proposed by both the House and the Senate. The managers agree to the following distribution of funds:

State	Project name	Amount
1. AK	Water and sewer project in the City of Craig, Alaska	$250,000
2. AK	Water and sewer project in Unalaska, Alaska	750,000
3. AL	Coosa Valley Water Supply District surface water project in Alabama	800,000
4. AL	Haleyville, AL North Industrial Area Water Storage Tank	50,000
5. AL	Heflin, AL Industrial Site Water and Sewer Project	150,000
6. AL	Huntsville, AL City of Huntsville Water System Improvements	1,000,000
7. AL	Sewer improvement project in the City of York, Alabama	700,000
8. AL	Twin, AL Twin Water Authority Water Systems Renovation	250,000
9. AL	Water main extension improvements project in Alexander City, Alabama.	500,000
10. AR	Improvements to the Little Maumelle water treatment plant in the City of Little Rock, Arkansas.	500,000
11. AR	Regional wastewater treatment improvements for the City of Fayetteville, Arkansas.	500,000
12. AR	St. Charles, AR St. Charles Drainage Planning and Improvements	50,000
13. AZ	Avondale, AZ Avondale Wastewater Treatment Facility Expansion	1,500,000
14. AZ	Safford, AZ City of Safford Waste Treatment Plant Debt Repayment to Arizona Infrastructure Finance Authority.	800,000
15. AZ	Tucson, AZ Tucson Water Security Demonstration Project	450,000
16. AZ	Wastewater treatment plant in Lake Havasu City, Arizona	1,500,000
17. CA	Arcadia, Sierra Madre, CA Joint Water Infrastructure	2,500,000
18. CA	Bakersfield, CA Rexland Acres Wastewater Treatment Project	1,500,000
19. CA	Bellflower, CA Drinking Water Infrastructure Improvement	378,000
20. CA	Cathedral City, CA Water and Wastewater Infrastructure Improvements	500,000
21. CA	Colfax, CA Colfax Wastewater Treatment Plant Improvement	600,000
22. CA	Georgetown, CA Greenwood Lake Water Treatment Facility	1,500,000
23. CA	Lake Arrowhead, CA Lake Arrowhead Groundwater Development	250,000
24. CA	Martin Slough interceptor project in the City of Eureka, California	375,000
25. CA	Monterey, CA Monterey County Development and Implementation of Water Management Plan.	750,000
26. CA	Perchlorate treatment program in the City of Pasadena, California	375,000
27. CA	Riverside, CA Water and Wastewater Infrastructure Improvements	500,000
28. CA	San Bernardino, CA Lakes and Streams Project	1,000,000
29. CA	Santa Jose, CA Perchlorate Assistance Santa Clara Valley Water District.	2,000,000
30. CA	Solana Beach, CA Solana Beach Wastewater System Improvements	1,000,000
31. CA	Southern California Water and Wastewater Infrastructure Improvements (Mission Springs Water District 1.6M, Brinton Reservoir (Banning) 1M, Bighorn-Desert View Water Agency 500K, SAWPA SARI 450K, Yucca Valley 350K, Dunlap 100K).	4,000,000
32. CA	Wastewater treatment plant expansion in Crescent City, California	375,000
33. CA	Water and wastewater infrastructure improvements project for the San Francisco Public Utility Commission in California.	500,000
34. CA	Water facility project in the City of Santa Paula, California	375,000
35. CO	Drinking water project in the Town of Walden, Colorado	800,000
36. CO	Stormwater improvement program in Jefferson County, Colorado	500,000
37. CO	Wastewater facility upgrades in Yuma, Colorado	100,000
38. CO	Wastewater treatment facility improvements project in Brush, Colorado	100,000
39. CO	Wastewater treatment plant improvements in the Cities of Englewood and Littleton, Colorado.	500,000
40. CO	Water treatment facility in the City of Alamosa, Colorado	650,000
41. CT	East Hampton, CT Municipal Water System Improvements	1,200,000
42. CT	Infrastructure upgrades at water pollution control plant in the Town of Plainville, Connecticut.	500,000
43. CT	Stamford, CT Mill River Stormwater Management Infrastructure Improvements.	1,000,000

State	Project name	Amount
44. DE	Combined sewer overflow program in the City of Wilmington, Delaware	1,000,000
45. FL	Citrus County, FL Homosassa Wastewater Collection System Project	750,000
46. FL	Coral Springs, FL Water and Wastewater Infrastructure Improvements	700,000
47. FL	East Central, FL East-Central Florida Integrated Water Resources	1,500,000
48. FL	Emerald Coast treatment plant replacement project for the Northwest Florida Water Management District.	800,000
49. FL	Jacksonville Beach, FL North 2nd Street Drainage Collection and Treatment System.	1,000,000
50. FL	Keaton Beach, FL Taylor Coastal Wastewater Project	750,000
51. FL	Lake Region water treatment plant improvements for the South Florida Water Management District.	300,000
52. FL	North Port, FL Water and Wastewater Infrastructure Improvements	500,000
53. FL	Pinellas Park, FL On-site Sewerage system elimination	1,787,000
54. GA	Columbus, GA—Ox Bow Meadows Wastewater Improvements	1,000,000
55. GA	Moultrie, GA City of Moultrie Wastewater Treatment Plant Rehabilitation.	350,000
56. GA	West Area Combined Sewer Overflow Tunnel in the City of Atlanta, Georgia.	500,000
57. HI	Statewide cesspool replacement in the following counties, $500,000 for the County of Hawaii; $400,000 for the County of Kauai; and, $100,000 for the City and County of Hawaii.	1,000,000
58. IA	Combined sewer separation project in the City of Ottumwa, Iowa	800,000
59. IA	Construction of a wastewater treatment plant in Sioux City, Iowa	500,000
60. IA	Mason City, IA Sanitary Sewer Interceptor Project	1,000,000
61. IA	Sewer separation project in the City of Davenport, Iowa	800,000
62. ID	Construction of a wastewater collection and treatment facility in Valley County, Idaho.	600,000
63. ID	Wastewater treatment project in the City of Twin Falls, Idaho	500,000
64. ID	Water system infrastructure improvements in the City of Castleford, Idaho.	400,000
65. IL	Big Rock, IL Big Rock South Side Drainage System	175,000
66. IL	Calumet City, IL Water and Sewer Improvements	275,000
67. IL	Construction of a wastewater treatment facility in the Village of Pecatonica, Illinois.	250,000
68. IL	Drinking water improvements in the City of Wauconda, Illinois	750,000
69. IL	Drinking water infrastructure improvements in the City of Springfield, Illinois.	250,000
70. IL	Hampshire, IL Water and Wastewater System Improvements	600,000
71. IL	Hinckley, IL Water Main Replacement	418,000
72. IL	Pleasant Plains, IL New Sanitary Sewer Collection System and Wastewater Treatment Facilities.	765,000
73. IL	Sewer Improvement Consortium of Lake Bluff, Highwood, Highland Park and Lake Forest, Illinois.	500,000
74. IL	Water system upgrades in the Village of Port Byron, Illinois	250,000
75. IN	Construction of a wastewater treatment facility in Morgan County, Indiana for the Town of Waverly.	750,000
76. IN	Sandborn, IN Water and Wastewater Infrastructure Improvements	500,000
77. IN	Valparaiso, IN Valparaiso Sewer Infrastructure Improvements	825,000
78. IN	Water infrastructure upgrades in the City of Upland, Indiana	1,700,000
79. KS	New drinking water transmission line in the City of Medicine Lodge, Kansas.	500,000
80. KS	Water infrastructure improvements in Johnson County, Kansas	500,000
81. KS	Rose Hill, KS City of Rose Hill Sewer System Improvements	2,500,000
82. KY	City of Columbia, Kentucky, and the Adair County Regional Water Treatment Plant.	500,000
83. KY	Louisville, KY Louisville Olmsted Parks Conservancy Watershed Restoration.	1,000,000
84. KY	Somerset, KY Somerset Wastewater Treatment Plant	3,200,000
85. KY	Wastewater sewer line extension project in the City of South Campbellsville, Kentucky.	1,000,000
86. KY	Wastewater treatment plant expansion project in Culver City, Kentucky	500,000
87. LA	Shreveport Municipal Water Distribution system backflow prevention project in Shreveport, Louisiana.	400,000
88. LA	South Lake Charles, LA Wastewater Treatment Plant	1,000,000
89. LA	Tioga, LA Water Works District No. 3 of Rapides Parish—Drinking Water Extension.	1,500,000

State	Project name	Amount
90. MA	Combined sewer overflow abatement project in Bristol County, Massachusetts.	1,000,000
91. MA	Hartford, CT; Springfield, Chicopee, Holyoke, Ludlow, South Hadley, MA Connecticut River Clean-up.	2,000,000
92. MD	Anacostia Sanitary Sewer Overflow	500,000
93. MD	Combined sewer overflow project in the City of Cumberland, Maryland	350,000
94. MD	Combined sewer overflow project in the City of Frostburg, Maryland	500,000
95. MD	Combined sewer overflow project in the City of Westernport, Maryland	500,000
96. MD	Greenmount Interceptor sewer improvement project in the City of Baltimore, Maryland.	1,000,000
97. MD	Port Tobacco, MD Port Tobacco Watershed Water and Wastewater Infrastructure Improvements.	200,000
98. MD	Sewer line repair project in the City of Emmitsburg, Maryland	150,000
99. MD	Wastewater lagoon repair in the City of Funkstown, Maryland	150,000
100. ME	Wastewater treatment project in the Town of Machias, Maine	500,000
101. ME	Waterline extension and water system upgrade project in the Town of Dover-Foxcroft, Maine.	472,000
102. MI	Combined sewer overflow control program for the City of Port Huron, Michigan.	1,000,000
103. MI	Detroit, MI Far Eastside Water and Wastewater Infrastructure Improvement Project.	1,500,000
104. MI	North-East Relief Sewer [NERS] project in Genesee County, Michigan	250,000
105. MI	Oakland County, MI Evergreen-Farmington Sanitary Sewer Overflow Control Demonstration Project.	2,000,000
106. MI	Public sewer system improvements in the City of Northport, Michigan	250,000
107. MI	Regional wastewater treatment system improvements in Eastern Calhoun County, Michigan.	225,000
108. MI	Rouge River CSO, SSO Wet Weather demonstration project in Wayne County, Michigan.	500,000
109. MI	Sewage treatment program in Traverse City, Michigan	150,000
110. MI	Sewer plant improvements in the City of Saginaw, Michigan	250,000
111. MN	Construction of a new wastewater treatment plant in the City of Willmar, Minnesota.	500,000
112. MN	Minneapolis, MN Combined Sewer Overflow Program	1,500,000
113. MN	Sanitary management district of Crow Wing County, Minnesota	500,000
114. MN	Western Lake Superior Sanitary District in the City of Duluth, Minnesota.	500,000
115. MO	Expansion of the Clarence Cannon Wholesale Water Commission treatment Plant in Missouri.	500,000
116. MO	Springfield, MO Wastewater System Improvements	1,200,000
117. MO	St. Louis, Missouri Combined Sewer Overflow Project	1,000,000
118. MO	Wastewater improvements project in the City of Seneca, Missouri	850,000
119. MS	Drinking water and wastewater treatment improvements project in the Chipley area in the City of Pascagoula, Mississippi.	747,000
120. MS	Regional wastewater program in DeSoto County, Mississippi	500,000
121. MS	Wastewater infrastructure evaluation and repair project in the City of Ridgeland, Mississippi.	500,000
122. MS	Wastewater system rehabilitation for the West Rankin Water Authority in Mississippi.	2,000,000
123. MS	Wastewater treatment facilities improvements in the City of Pontotoc, Mississippi.	1,200,000
124. MS	Wastewater treatment improvements in the City of Brookhaven, Mississippi.	1,000,000
125. MS	Wastewater treatment improvements in the City of Flowood, Mississippi.	500,000
126. MS	Wastewater treatment improvements project in Wheeler, Mississippi	750,000
127. MS	Water and sewer infrastructure project in Forrest County, Mississippi	700,000
128. MS	Water and sewer infrastructure project in the City of Biloxi, Mississippi	1,000,000
129. MS	Water and sewer infrastructure project in the Town of McLain, Mississippi.	250,000
130. MT	Drinking water system upgrades in the City of Belgrade, Montana	750,000
131. MT	Havre, MT Rocky Boy's/North Central Montana Regional Water System	1,000,000
132. MT	Wastewater treatment improvements in the Pablo/Lake County Water and Sewer District, Montana.	500,000
133. MT	Wastewater treatment improvements in the Seeley Lake Sewer District, Montana.	1,000,000

State	Project name	Amount
134. MT	Wastewater treatment improvements in the Town of St. Ignatius, Montana.	750,000
135. MT	Wastewater treatment improvements in the Wisdom Sewer District, Montana.	500,000
136. MT	Wastewater treatment plant improvement project in the City of Bozeman, Montana.	170,000
137. MT	Water system infrastructure improvements in the City of Helena, Montana.	2,250,000
138. NC	Anson County, NC Raw Water Intake Project	1,000,000
139. NC	Brightwater, NC Water and Wastewater Infrastructure Improvements (water distribution system) (grantee is City of Hendersonville).	587,000
140. NC	Cedar Grove, NC Cedar Grove Waterline Project	253,000
141. NC	Charlotte, NC Providence Road Water Line project	1,000,000
142. NC	Haywood County, NC Water and Wastewater Infrastructure Improvements (Town of Clyde 500k, Canton 500k).	1,000,000
143. NC	Kannapolis, NC Groundwater Storage Tank & Fire Pump System	500,000
144. NC	Mitchell County, NC Ledger Community Water and Wastewater Infrastructure Improvements.	500,000
145. NC	Moore County, NC North West Moore Water District Water and Wastewater Infrastructure Improvements.	500,000
146. NC	Sylva, NC Jackson County Water and Wastewater Infrastructure Improvements.	500,000
147. NC	Wake County, NC Jordan Lake Water and Wastewater Infrastructure Improvements.	1,500,000
148. NC	Wilson, NC Wilson Wastewater Infrastructure Program	1,000,000
149. NC/VA	Sparta, NC & Independence, VA Virginia Carolina Water Authority Water and Wastewater Infrastructure Improvements.	1,000,000
150. ND	Drinking water distribution improvements for the North Central Rural Water Consortium, North Dakota.	250,000
151. ND	Regional drinking water infrastructure expansion for the Towns of Hankinson, Wyndemere, LaMoure, and Oakes, North Dakota (Southeast Area).	300,000
152. ND	Regional water treatment facility improvements in the City of Washburn, North Dakota.	700,000
153. ND	Regional water treatment facility infrastructure in the City of Riverdale, North Dakota.	500,000
154. ND	Rural water district infrastructure improvements in Walsh County, North Dakota.	250,000
155. ND	Wastewater treatment facility upgrades in the City of Lakota, North Dakota.	300,000
156. ND	Water and sewer improvement projects in the City of Crosby, North Dakota.	250,000
157. ND	Water infrastructure improvements in the City of Devils Lake, North Dakota.	500,000
158. ND	Water treatment plant regulatory improvements in the City of Grafton, North Dakota.	725,000
159. NE	Combined sewer separation projects in the City of Omaha, Nebraska	500,000
160. NE	Water and wastewater infrastructure improvements in the City of Lincoln, Nebraska.	500,000
161. NH	Combined sewer overflow separation project in the City of Manchester, New Hampshire.	500,000
162. NH	Exeter, NH Water and Wastewater Infrastructure Improvements	1,000,000
163. NH	Waterworks Project in the City of Berlin, New Hampshire	500,000
164. NJ	$250,000 for the Rahway City Sanitary Sewer I&I, and $250,000 for the Rahway Valley Sewerage Authority.	500,000
165. NJ	Bergen County, NJ Bergen County Wastewater Infrastructure Improvements.	1,000,000
166. NJ	Passaic Valley, NJ Passaic Valley Sewerage Commission Combined Sewage Overflow Project.	2,500,000
167. NJ	Stormwater infrastructure improvements at Farnham Park in the City of Camden, New Jersey.	500,000
168. NM	Construction of a wastewater treatment system in Kirtland, New Mexico.	1,000,000
169. NM	Village of Tijeras, NM Phase III Water System	952,000
170. NM	Wastewater and drinking water improvements project for the Albuquerque/Bernalillo Water Utility Authority in New Mexico.	1,000,000

State	Project name	Amount
171. NM	Wastewater collection, treatment, and disposal system in the Town of Edgewood, New Mexico.	1,000,000
172. NM	Wastewater project in the City of Belen, New Mexico	1,000,000
173. NM	Water project in the City of Las Cruces, New Mexico	1,000,000
174. NV	Henderson, NV Southwest Wastewater Treatment Plant	1,000,000
175. NV	Searchlight sewer system upgrades/Clark County Reclamation District improvement project in Nevada.	650,000
176. NV	Water and wastewater infrastructure improvements for the Marlette/Hobart water system in Carson City, Nevada.	50,000
177. NV	Water infrastructure improvements for the North Lemmon Valley Artificial Recharge Project in North Lemmon Valley, Nevada.	150,000
178. NV	Water infrastructure improvements in Douglas County, Nevada	400,000
179. NY	Ballston Spa, NY Saratoga County Water Treatment and Transmission Facilities.	3,000,000
180. NY	Cayuga County, NY Village of Fairhaven Wastewater Infrastructure Improvements.	750,000
181. NY	Corning, NY Water and Wastewater Infrastructure Improvements	750,000
182. NY	Dunkirk, NY Chadwick Bay West End Water and Wastewater Infrastructure Improvements.	400,000
183. NY	Monroe County Water Authority Eastside Water Treatment Project Water and Wastewater Infrastructure Improvements.	2,000,000
184. NY	Mt. Pleasant, NY Stormwater Infrastructure Improvements	138,000
185. NY	Saugerties, NY Saugerties Water and Wastewater Infrastructure Improvements.	2,100,000
186. NY	Stormwater restoration project in the Town of North Hempstead, New York.	1,000,000
187. NY	Water and sewer extension project in the Town of Bethel, New York	1,000,000
188. OH	Canal Winchester, OH Village of Canal Winchester Water Treatment Plant Expansion.	500,000
189. OH	Construction of a sewer collection and treatment system in the Village of Higginsport, Ohio.	850,000
190. OH	Drinking water line replacement in Muskingum County, Ohio	200,000
191. OH	Galion, OH Wastewater Infrastructure Improvements	1,000,000
192. OH	Greene Community in Greene County, Ohio for wastewater and drinking water projects.	150,000
193. OH	Wastewater collection and treatment system in the City of Elmira, Ohio, and the City of Burlington, Ohio.	800,000
194. OH	Yellow Springs, OH Morris Bean Sanitary Sewer Connection Project	125,000
195. OK	Nicoma Park, OK Nicoma Park Water Line	200,000
196. OK	Wewoka, OK City of Wewoka Well Water Access	275,000
197. OR	Sanitary district facility upgrades in the City of Winchester Bay, Oregon.	750,000
198. PA	Allegheny County Sanitary Authority for the Three Rivers Wet Weather program in Allegheny County, Pennsylvania.	1,750,000
199. PA	Ambridge, PA Drinking Water Infrastructure Improvements	92,000
200. PA	Central sewer collection and treatment replacement in Tulpehocken Township, Pennsylvania.	250,000
201. PA	Combined sewer overflow and flood protection project in the City of Plum Creek and Allegheny County, Pennsylvania.	800,000
202. PA	Interceptor improvements project in Penn Hills, Pennsylvania	200,000
203. PA	Kingston, PA Luzerne County Combined Sewer Overflow	1,000,000
204. PA	Pen Argyl Borough, PA Wastewater Treatment Plant	100,000
205. PA	Philadelphia, PA Southeastern Pennsylvania Waterways Restoration Stormwater Infrastructure Improvements.	695,000
206. PA	Pleasantville, PA Borough of Pleasantville Water System Improvements	300,000
207. PA	Public sewer service extensions in Menallen Township, Pennsylvania	250,000
208. PA	Sewer improvement project in the Borough of Archbald, Pennsylvania	750,000
209. PA	Storm sewer pipe construction in Millcreek Township, Pennsylvania	250,000
210. PA	Stormwater infrastructure improvements project in the Borough of Pottstown, Pennsylvania.	250,000
211. PA	Tarentum, PA Bull Creek Flood Protection Plan	1,000,000
212. PA	Water infrastructure improvements in the City of Lancaster, Pennsylvania.	500,000
213. RI	Cumberland, RI Cumberland Drinking Water Infrastructure Improvements.	500,000
214. RI	New water storage tank in the Town of Westerly, Rhode Island	875,000

State	Project name	Amount
215. RI	Water infrastructure improvements in the City of Cumberland, Rhode Island.	500,000
216. RI	Water infrastructure improvements in the City of North Smithfield, Rhode Island.	200,000
217. SC	Construction of the Maple Creek Water Treatment Plant for the Greer Commission of Public Works in Greer, South Carolina.	500,000
218. SC	Myrtle Beach, SC Storm Water Management System	615,000
219. SC	Olar, SC Olar and Govan Regional Water System	733,000
220. SD	Water and wastewater master plan development in Rapid City, South Dakota.	800,000
221. SD	Water infrastructure improvements in the City of Springfield, South Dakota.	180,000
222. TN	East Tennessee Development District Water and Wastewater Infrastructure Improvements (Jefferson City 700k, Norris 300k, Cumberland Gap 250k, Jefferson County 300k).	1,550,000
223. TN	Lake Tansi Sewer Project in Cumberland County, Tennessee	1,000,000
224. TN	Southeast Tennessee Development District Water and Wastewater Infrastructure Improvements (Cleveland 550k, Ducktown 150k, Spring City 250k).	950,000
225. TN	Watauga River Regional Water Authority in Carter County, Tennessee	1,000,000
226. TN	West End water and wastewater infrastructure project in Oak Ridge, Tennessee.	1,000,000
227. TX	Fresno/Arcola, TX Fort Bend County Water and Wastewater Infrastructure Improvements.	2,000,000
228. TX	Liberty Hill, TX Liberty Hill Wastewater Treatment Facilities and Collection System.	365,000
229. TX	Lorena, TX City of Lorena Wastewater Treatment Plant	350,000
230. TX	Richmond/Rosenberg, TX West Fort Bend County Regional Water System.	570,000
231. TX	Sewer overflow prevention project in the City of Austin, Texas	500,000
232. UT	Arsenic and perchlorate removal project in Magna, Utah	700,000
233. UT	Construction of a drinking water nitrate remediation plant for Centerfield, Utah, and Mayfield, Utah.	1,500,000
234. UT	Drinking water and stormwater infrastructure improvements in Sandy City, Utah.	1,000,000
235. UT	Wastewater treatment plant in Eagle Mountain, Utah	500,000
236. UT	Water infrastructure improvements for Judge Tunnel in Park City, Utah	300,000
237. VA	Alexandria, VA Four Mile Run Restoration	1,500,000
238. VA	Construction of wastewater treatment facilities expansion in Lee County, Virginia.	500,000
239. VA	Hanover County, VA Water and Wastewater Infrastructure Improvements.	682,000
240. VA	Henry County, VA Henry County Water System Connector to Pittsylvania County.	110,000
241. VA	National Capital Region, VA, MD, DC Real-Time Drinking Water Distribution Security Monitoring.	521,000
242. VA	Wastewater treatment infrastructure improvements project in the Town of Onancock, Virginia.	500,000
243. VT	Wastewater treatment project in the Town of Pownal, Vermont	1,000,000
244. VT	Water treatment projects in the Town of Waitsfield, Vermont	1,000,000
245. WA	Carnation, WA City of Carnation Sewer Collection and Conveyance System.	1,000,000
246. WA	Groundwater remediation project in North Clark County, Washington	500,000
247. WA	Hood Canal, WA Lower Hood Canal Wastewater Collection and Treatment System.	5,000,000
248. WI	Metropolitan sewage district interceptor system program in the City of Milwaukee, Wisconsin.	800,000
249. WI	Park Falls, WI Water and Wastewater Infrastructure Improvements (wells, pumphouse, water main).	1,000,000
250. WI	Pittsville, WI Wastewater Treatment Plant/Water and Wastewater Infrastructure Improvements.	1,900,000
251. WI	Radionuclide standard drinking water project in the City of Waukesha, Wisconsin.	800,000
252. WI	Rhinelander, WI Water and Wastewater Infrastructure Improvements (well, pumphouse, water main, storm sewer).	1,000,000
253. WV	Beckley, WV Piney Creek Interceptor Sewer Replacement Project	1,000,000

State	Project name	Amount
254. WV	Canaan Valley, WV Canaan Valley Decentralized Wastewater System	1,000,000
255. WV	Mineral County, WV Lakewood Wastewater Treatment Facility	220,000
256. WV	Spencer, WV Spencer Water and Wastewater Infrastructure Improvements.	1,000,000
257. WY	Wastewater treatment plant improvements project in the City of Cheyenne, Wyoming.	1,000,000
Total		200,000,000

Categorical Grants.—In categorical grants, there are increases of $1,000,000 for section 106 pollution control grants, $1,856,000 for targeted watershed grants, and $1,200,000 for wastewater operator training, and decreases of $934,000 for hazardous waste financial assistance, $1,772,000 for section 319 nonpoint source grants, $5,500,000 for section 106 water quality monitoring grants, $854,000 for public water system supervision, $600,000 for radon, $15,000,000 for water quality cooperative agreements, and $1,000,000 for wetlands program development.

Rescission.—The conference agreement modifies rescission language proposed by the House and the Senate and rescinds $80,000,000 from expired grants, contracts and interagency agreements instead of a rescission of $100,000,000 as proposed by the House and a rescission of $58,000,000 as proposed by the Senate. Although this language appears under the State and Tribal Assistance Grants heading, it applies to all EPA appropriation accounts. The conference agreement does not direct the rescinded funds to the clean water State revolving fund as proposed by the House nor does the language reference an April 2005 review by the Government Accountability Office as proposed by the House.

Other Bill Language.—Language is included making permanent the prohibition, proposed by the Senate, on the use of funds from the drinking water State revolving fund for health effects studies on drinking water contaminants. The managers note these studies are, and should continue to be, funded under the science and technology account.

Language is included, as proposed by the Senate, providing direction on the distribution of funds to address drinking water and wastewater infrastructure needs of Alaska Native villages.

Language proposed by the House referencing special project grants is included with a technical modification.

There is no earmark for the Fortuna Radar Site as proposed by the Senate.

Language is included making permanent the authority, proposed by the Senate, for States to transfer funds between the clean water and drinking water revolving funds.

Language is not included, which was proposed by the House, stipulating that special project funding from fiscal year 2000 or earlier that is not obligated on an approved grant by the end of fiscal year 2006 will be transferred to the appropriate State revolving fund. Instead, such funds that are not obligated on approved grants by September 1, 2006, are included in the rescission referenced above.

Language is not included, which was proposed by the House, providing for the transfer of excess funds after completion of spe-

cial project grants to the appropriate State revolving fund. Instead such funds are included in the rescission referenced above.

Language is not included, which was proposed by the House, transferring funds from projects that are determined to be ineligible for a grant to the appropriate State revolving fund. The managers expect EPA to keep the House and Senate Committees on Appropriations apprised of grants that are determined to be ineligible.

Language is included making permanent the authority, proposed by the House, for EPA to make technical corrections to special project grants. The Senate had similar language but used the phrase "notwithstanding any other provision of law"; whereas the House language and the language adopted in the conference agreement uses the phrase "notwithstanding this or previous appropriations Acts".

The conference agreement includes a minor technical correction to the school bus retrofit language.

The managers agree to the following:

1. Within the funds provided for the United States-Mexico border program, $4,000,000 is for the El Paso Utilities Board and $3,000,000 is for the City of Brownsville water supply project.

2. Within the categorical grant targeted watersheds program, $6,000,000 is for a regional pilot program for the Chesapeake Bay as described in Senate Report 109–80.

ADMINISTRATIVE PROVISIONS

The conference agreement includes language proposed by the House regarding an exception to CERCLA relating to the qualifying date for brownfields grants or loans. The House had a single year provision. The Senate proposed to make this provision permanent.

Language is not included, which was proposed by the Senate, providing permanent authority for the use of brownfields grant funding for administrative expenses.

GENERAL PROVISIONS, ENVIRONMENTAL PROTECTION AGENCY

Section 201 modifies language, proposed by the Senate in sections 201 and 202 and by the House in section 434, dealing with human dosing studies. The managers note the many concerns expressed on both the House and Senate floors with respect to intentional human toxicity dosing studies relied upon by the EPA in reviewing applications for pesticide approvals. Concern is particularly acute for pregnant women, fetuses, and children. The managers believe this is a very serious issue that needs to be addressed by EPA as soon as possible. The managers have included statutory language that prohibits the EPA from accepting, considering, or relying on third party intentional dosing human toxicity studies for pesticides until EPA issues a final rulemaking addressing such studies. The language also requires EPA to provide for at least a 90-day public comment period on its proposed rule and to issue the final rule no later than 180 days after enactment of this Act. Such rule shall not permit the use of pregnant women, infants or children as subjects; shall be consistent with the principles proposed

in the 2004 report of the National Academy of Sciences on intentional human dosing and the principles of the Nuremberg Code with respect to human experimentation; and shall establish an independent Human Subjects Review Board.

Section 202 includes the text of Senate section 435 prohibiting the use of funds in contravention of Executive Order 12898 dealing with environmental justice. The House had a similar provision in section 432 of the House bill. The Senate provision that is included in the conference agreement includes a reference to the date of the Executive Order and to the Federal Register notice in which it was published.

Section 203 includes the text of House section 433 prohibiting the use of funds to finalize, issue, implement, or enforce the existing EPA wastewater blending policy.

Section 204 includes the text of Senate section 436 prohibiting the use of funds in contravention of 15 U.S.C. 2682(c)(3), dealing with lead-based paint, or to delay implementation of that provision of law.

Section 205 includes language, as proposed by the Senate under Administrative Provisions for the EPA, prohibiting the use of funds to publish proposed or final regulations relating to certain small engines required by section 428(b) of division G of Public Law 108–199 until the Administrator has completed and published a technical study of safety issues, including the risk of fire and burn to consumers.

TITLE III—RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

FOREST AND RANGELAND RESEARCH

The conference agreement provides $283,094,000 for forest and rangeland research instead of $285,000,000 as proposed by the House and $280,892,000 as proposed by the Senate. The forest inventory and analysis program is provided $60,267,000 instead of $62,100,000 recommended by the House and $58,434,000 recommended by the Senate; this is an increase of $4,341,000 above the fiscal year 2005 level. The managers agree to the following changes to recommendations that were proposed by the House:

Project or activity	Conference recommendation:	
	Change from House	Project total
Fixed costs	−3,000,000	$3,177,000
Forest inventory and analysis	−1,833,000	60,267,000
Advanced wood structure research	0	1,500,000
Adelgid research NE station	0	1,600,000
Emerald ash borer research in Ohio	0	400,000
Southern pine beetle initiative	0	2,400,000
Coweeta, flood and landslide research	0	200,000
Coweeta, technology transfer, NC	−150,000	296,000
Bent Creek, technology transfer, NC	150,000	150,000
Joe Skeen Inst. Montana St. Univ.	350,000	350,000
Center for bottomlands hardwoods, MS	500,000	500,000
Forest Products Laboratory salvage lumber, WI	700,000	700,000

Project or activity	Conference recommendation:	
	Change from House	Project total
NE States research cooperative	350,000	2,322,000
Hydrology studies at Starkville, MS	500,000	500,000
Baltimore urban watershed, MD	100,000	197,000
Flood modeling, Fernow Expt. Forest, WV	227,000	227,000
NE Station land use decision models	200,000	200,000

The managers also agree to the following:

1. The funding provided for advanced wood structure research should be used for merit-based work by the Forest Products Laboratory and cooperators, including members of the advanced housing research consortium. This replaces recommendations made by both the House and the Senate.

2. The managers do not support the proposal to close the research work unit in Morgantown, WV and direct the Service to maintain funding near the fiscal year 2005 level for work unit RWU NE–4751.

3. The managers direct the Forest Service to continue working with the USDA Cooperative State Research, Education, and Extension Service to administer the program with the Joe Skeen Institute for Rangeland Restoration at Montana State University.

4. The Forest Service should ensure that all research facility managers understand how to comply fully with Congressional allocations in a timely manner.

5. The managers support efforts by the Forest Products Laboratory in Madison, Wisconsin, to prioritize its wood products research programs and urge the Forest Service to work with industry partners and research users to develop a comprehensive, agency-wide wood products research plan to guide future investment at the Laboratory.

STATE AND PRIVATE FORESTRY

The conference agreement provides $283,577,000 for State and private forestry instead of $254,875,000 as proposed by the House and $254,615,000 as proposed by the Senate. Funding levels for this appropriation should follow the House recommendations unless otherwise instructed herein.

Forest Health Management.—The conference agreement provides $54,236,000 for Federal lands forest health management instead of $55,000,000 as proposed by the House and $50,023,000 as proposed by the Senate. The conference agreement includes $47,629,000 for cooperative lands forest health management instead of $48,000,000 as proposed by the House and $22,608,000 as proposed by the Senate. The change from the House recommendation is the addition of $300,000 for the Vermont forest monitoring cooperative as proposed by the Senate, and a general reduction of $671,000.

Cooperative Fire Assistance.—The conference agreement includes $33,422,000 for State fire assistance instead of $35,422,000 as proposed by the House and $26,500,000 as proposed by the Senate. This allocation includes $2,500,000 as proposed by the House

for urgent work near the San Bernardino National Forest, and a general program decrease of $2,000,000 below the House level.

The conference agreement includes $6,000,000 for volunteer fire assistance as proposed by both the House and the Senate. The conference agreement also includes additional funds for State fire and volunteer fire assistance as part of the national fire plan funding within the wildland fire management account.

Forest Stewardship.—The conference agreement includes $34,699,000 for forest stewardship instead of $37,399,000 as proposed by the House and $32,320,000 as proposed by the Senate. Changes from the House recommendations include a general decrease of $2,500,000 and a decrease of $200,000 for land use decision models. Funding for this last project is included within the research account.

Forest Legacy Program.—The conference agreement includes $57,380,000 for the forest legacy program instead of $25,000,000 as proposed by the House and $62,632,000 as proposed by the Senate. These funds are derived from the Land and Water Conservation Fund. The conference agreement includes the following distribution of funds for the forest legacy program:

State and Project	*Conference*
HI Wao Kele o Puna	$3,400,000
TN Walls of Jericho	1,900,000
MA Quabbin Corridor Connection	2,500,000
ME Katahdin Ironworks	4,500,000
WA Cedar Green Forest	2,000,000
PA History of Forestry	2,300,000
WA Carbon River Forest	1,630,000
CA Baxter Ranch	1,000,000
MT North Swan River Valley	2,800,000
DE Green Horizons	2,000,000
ME Machias River Project Phase II	1,500,000
CT Skiff Mountain	1,200,000
CA Six Rivers to the Sea Phase II	1,000,000
GA Altamaha River Corridor	2,000,000
NY Adirondack Working Forest Easement	1,000,000
UT Cedar Project #3	1,500,000
WV Potomac River Hills	1,300,000
VT Green Mountain Wildlife Corridor	700,000
NJ Sparta Mountain South	1,800,000
MT Nevada Creek-Blackfoot Phase II	1,400,000
ID Singleton Kilgore	650,000
MI Kamehameha School Land Conservation Easement	2,000,000
IN Land Bridge	550,000
KY Knobs State Forest and Wildlife Management Area	1,750,000
USVI Annaly Bay/Hermitage Valley	500,000
WI Wolf River	1,000,000
CO Banded Peaks Ranch Phase II	1,500,000
ID St. Joe Basin/Mica Creek	1,500,000
UT Range Creek/Rainbow Glass Ranch	750,000
NH Rossview	2,000,000
AK Agulowak River	600,000
NM Horse Springs	1,250,000
MN Brainerd Lakes Forest Legacy	800,000
VA New River Corridor	230,000
RI Bugnet Tract	600,000
MD Broad Creek	1,000,000
PR The Gutierrez Project	150,000
IA Monona	320,000
NH Willard Pond	550,000
GA Paulding County	250,000
Use of prior year funds	−3,000,000

State and Project	*Conference*
Forest Legacy Program Administration, Acquisition Management, and Assessment of Need Planning	5,000,000
Total, Forest Legacy	57,380,000

The conference agreement retains bill language proposed by the House requiring notification of the Committees on Appropriations when the Forest Service makes funds available for specific forest legacy projects.

Urban and Community Forestry.—The conference agreement includes $28,875,000 for the urban and community forestry program instead of $28,175,000 as proposed by the House and $28,675,000 as proposed by the Senate. Changes from the House recommendation for this activity include Senate proposals of $350,000 for the Chicago, IL greenstreets program, $350,000 for the Milwaukee, WI tree planting program, and $150,000 for the urban watershed forestry research and demonstration cooperative in Baltimore, MD, and a $150,000 general program decrease.

Economic Action Programs.—The conference agreement includes $9,679,000 for the economic action programs instead of $7,979,000 as proposed by the House and $14,200,000 as proposed by the Senate. The conference agreement includes the funding recommended by the House, with the following changes: $1,500,000 for fuels in schools program in Montana; $500,000 for the Hinkle Creek watershed study in Oregon; $300,000 for the University of Idaho, Mica Creek study; $350,000 for the northern forests partnership program as recommended by the Senate; $500,000 for the Purdue University hardwood scanning center, IN; $400,000 for the wood enterprise agent in Montana; $500,000 for the private landowner database in Washington; $750,000 for the Hubbard Brook Foundation, NH; $400,000 for the Ketchikan, AK, wood technology center; $1,000,000 for Madison County, NC, forest recreation center; and $500,000 for the Folkmoot USA in Haywood County, NC for programs and outreach highlighting Appalachian forest folk crafts. The conference agreement includes bill language concerning direct payments for Madison County, NC and Folkmoot USA, NC. Funding for biomass utilization grants are not included under this activity; instead, the conference agreement follows the Senate recommendation to fund that activity within the wildland fire management appropriation.

Forest Resource Information and Analysis.—The conference agreement includes $4,657,000 for forest resource information and analysis as proposed by the Senate instead of $5,000,000 as proposed by the House.

International Program.—The conference agreement includes $7,000,000 for the International program as proposed by the Senate instead of $6,900,000 proposed by the House.

NATIONAL FOREST SYSTEM

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides $1,424,348,000 for the national forest system instead of $1,417,920,000 as proposed by the House and $1,377,656,000 as proposed by the Senate.

Funds should be distributed as follows:

Land management planning	$59,057,000
Inventory and monitoring	170,179,000
Recreation, heritage & wilderness	265,200,000
Wildlife & fish habitat management	134,850,000
Grazing management	49,000,000
Forest products	284,297,000
Vegetation & watershed management	184,050,000
Minerals and geology management	85,865,000
Landownership management	93,000,000
Law enforcement operations	89,200,000
Vales Calderas National Preserve, NM	5,150,000
Centennial of Service challenge	4,500,000
Total	1,424,348,000

The following discussion describes funding changes from the House passed bill.

Land Management Planning.—The conference agreement provides funding as recommended by the House; funds are not provided for environmental training as recommended by the Senate.

Inventory and Monitoring.—The agreement includes the House recommendation, plus Senate recommendations of $1,000,000 for the Stennis Space Center, MS, and $170,000 for the Fernow experimental forest hydrology study, WV.

Recreation, Heritage, and Wilderness Management.—The conference agreement provides funding as recommended by the House.

Wildlife and Fish Habitat Management.—The conference agreement provides funding as recommended by the House plus an increase above the House level of $50,000 for the Batten Kill river project, VT, bringing the total for this project to $250,000. In addition, the managers direct the Forest Service to support the grizzly bear study in the Flathead NF and surrounding area with $125,000 out of base funds to be used for tracking collars.

Grazing Management.—The conference agreement provides funding as recommended by the House. The managers replace the Senate recommendations concerning grazing management to encourage the Forest Service and the BLM to modify stocking levels in a manner consistent with the local range conditions, considering that there have been improvements in moisture conditions in some western States. The Service and the BLM should use credible range condition monitoring data from professional range conservationists employed by State or county governments or universities.

Forest Products.—The conference agreement provides funding as recommended by the House with the addition of $1,000,000 above the House level for the Tongass NF, AK. The managers agree to the Senate proposed earmark in bill language of $5,000,000 for Tongass national forest timber sales preparation.

The managers replace the Senate recommendations concerning performance management systems with instructions included under the administrative provisions heading to clarify that the performance management system needs to include all Forest Service officials and programs.

The managers modify the Senate recommendations concerning a stewardship contract in New Mexico. The Service is expected to develop and begin implementing by June 1, 2006, one or more large stewardship contracts that are at least 10,000 acres, to be on the Lincoln NF, NM. The Service should work with the Mescalero Apache Tribe and the New Mexico State Forester to assure the

stewardship contract is drafted so that lands on the Lincoln NF are treated, and the Service should work with this tribe to assist them at developing a stewardship proposal.

Vegetation and Watershed Management.—The conference agreement provides funding as recommended by the House with the addition of $350,000 above the House level for the leafy spurge eradication program in North Dakota.

Minerals and Geology Management.—The conference agreement provides funding as recommended by the House.

Landownership Management.—The conference agreement provides funding as recommended by the House.

Law Enforcement operations.—The conference agreement decreases the House recommendation for the Daniel Boone NF anti-drug effort by $100,000, leaving a total of $900,000. Similar work on the Mark Twain NF is reduced by $200,000, leaving a total of $500,000. In addition, $500,000 is provided for the Spring Mountains NRA, NV emergency warning system, and there is a general program decrease of $2,000,000 below the House recommendation. The managers note that the Administrative provisions include bill language recommended by the House and the Senate concerning the transfer of funds for various overhead charges affecting the law enforcement operations activity.

Valles Caldera National Preserve.—The managers have put all funding for the Valles Caldera National Preserve, NM, in the national forest system account to facilitate management of this activity; this includes the $3,650,000 the Senate recommended in this account plus an additional $1,500,000 the Senate recommended in the capital improvement and maintenance account.

Other.—The conference agreement provides that the Land Between the Lakes NRA, TN and KY, should be funded from various accounts at least at the budget request level of $8,400,000. The general reduction to the national forest system account passed on the House floor is not included.

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides $1,779,395,000 for wildland fire management instead of $1,790,506,000 as proposed by the House and $1,745,531,000 as proposed by the Senate.

Wildfire Preparedness.—The agreement includes $676,014,000 for preparedness as proposed by the Senate instead of $691,014,000 as proposed by the House. The managers reiterate the direction contained in the House and Senate reports regarding the need to maintain the level of fire readiness established in fiscal year 2005.

Wildfire Suppression Operations.—The conference agreement includes $700,492,000 for suppression operations as proposed by both the House and the Senate. The managers have provided the full amount of the ten-year average cost of wildfire suppression increased for inflation, an increase of $51,633,000 above the fiscal year 2005 funding level.

The managers have modified bill language recommended by the House concerning assessing the suppression activity for indirect costs in a manner the same as all other Forest Service accounts

and programs. The managers direct that all programs be treated similarly so they can contribute their fair share to the costs of administering and running the Service. The managers do not agree with the House recommendation concerning the second bullet in the budget appendix.

The conference agreement does not include bill language recommended by the Senate dealing with the transfer of unobligated balances to the national forest system account. The managers agree with the House recommendation that the Forest Service should not automatically allocate 50% of the wildland fire suppression funds to all the regions at the beginning of the year, and there should not be a transfer of any unobligated suppression funds for non-suppression activities. If the Service has a low-cost wildfire season, the unobligated funds should be carried over to pay for future seasons when it is likely that catastrophic wildfires will occur again.

The managers encourage the Forest Service to establish a suitable memorial for the two brave firefighters who lost their lives July 22, 2003, at the Cramer fire near Salmon, ID.

The managers direct the Forest Service to make available for public review the results of any feasibility study conducted for the purpose of determining whether to acquire specific models of aircraft for use as air tankers.

Other Wildfire Operations.—The conference agreement includes $402,889,000 for other fire operation activities instead of $399,000,000 as proposed by the House and $369,025,000 as proposed by the Senate. The allocation of this funding is as follows:

Program	*Amount*
Hazardous fuels	$286,000,000
Rehabilitation & restoration	6,281,000
Research & development	23,219,000
Joint fire science	8,000,000
Forest health management—Federal	15,000,000
Forest health management—cooperative	10,000,000
State and community fire assistance	46,500,000
Volunteer fire assistance	7,889,000
Total other wildfire operations	402,889,000

Hazardous fuels.—The conference agreement includes $286,000,000 for hazardous fuels treatments as proposed by the House, an increase of $23,461,000 over the fiscal year 2005 level. This allocation includes the House proposed $5,000,000 for the San Bernardino NF, CA, and the Senate proposed $1,500,000 for the Santa Fe watershed, NM, and $5,000,000 as proposed by the Senate for biomass utilization grants. The House had recommended the biomass grants funding within the State and private forestry account.

The conference agreement includes the Senate recommended bill language concerning the use of $5,000,000 for the Community Forest Restoration Act and allowing a transfer for the biomass grants.

The managers direct the Secretary of Agriculture to report to the House and Senate Committees on Appropriations, the House Agriculture and Resources Committees, and the Senate Energy and Natural Resources Committee on the percentage of fuels reduction or restoration contracts that provide small diameter material to micro businesses, large commercial sawmills, or biomass facilities.

Rehabilitation.—The conference agreement includes $6,281,000 for rehabilitation and restoration activities. The managers direct that $2,000,000 be made available to the native plant materials program to be used in conjunction with the similar effort at the Department of the Interior under the joint guidance of the interagency plant conservation alliance.

Fire plan research and development.—The conference agreement includes $23,219,000 for research and development activities. Changes from the House proposal include an increase of $1,150,000 for the University of Montana landscape fire analysis center and $350,000 for the University of Idaho FRAMES project.

Federal and cooperative forest health management.—The conference agreement includes $15,000,000 for Federal forest health activities and $10,000,000 for cooperative forest health activities as proposed by the House.

State fire and volunteer fire assistance.—The agreement includes $46,500,000 for State and community fire assistance. Changes from the House recommendation include increases of $2,100,000 for the Alaska Kenai Peninsula Borough, $1,200,000 to the Municipality of Anchorage, $800,000 for Fairbanks North Star Borough, AK, $1,100,000 for the Matanuska-Susitna Borough, AK, and $300,000 for the Alaska, Cook Inlet tribal council. Senate instructions on distribution of these funds should be followed by the Service.

The managers direct the Forest Service, working with the State foresters, to review the current State fire assistance allocation methodology for the funding provided under the wildland fire management appropriation and recommend appropriate changes. The State fire assistance under this heading should not be considered the same as the traditional funding in the State and private forestry account. Funding under this heading is intended to support the national fire plan. The managers encourage the Service and the States to focus this funding to those States and activities that the National fire plan suggests are most critically needed to reduce the danger of catastrophic wildfires, rewarding those States with demonstrated performance and cost share. Community wildfire protection planning and cooperative hazardous fuels reduction activities should be highlighted. The Forest Service shall prepare a report to the House and Senate Committees on Appropriations before implementing any new allocation methodology.

The volunteer fire assistance allocation is $7,889,000 as proposed by the Senate.

CAPITAL IMPROVEMENT AND MAINTENANCE

The conference agreement provides $441,178,000 for capital improvement and maintenance instead of $468,260,000 as proposed by the House and $409,751,000 as proposed by the Senate. This is a reduction of $73,523,000 below the fiscal year 2005 non-emergency funding level. The conference agreement provides for the following distribution of funds:

Activity/Project	*Amount*
Facilities:	
Maintenance	$51,522,000
Capital Improvement	56,194,000

Activity/Project	*Amount*
Congressional Priorities:	
San Bernardino NF, CA	2,000,000
Redwood Science Lab seismic retrofit, CA	2,000,000
Meeks Bay campground, CA	778,000
Turtle Rock fire station relocation, CA	1,200,000
Cheoah ranger station, NC	900,000
Region 6 facility disposal, OR & WA	1,000,000
Allegheny NF recreation and admin sites, PA	2,600,000
Cherokee NF recreation and admin sites, TN	2,500,000
Forest Products Laboratory modernization, WI	2,000,000
Medicine Bow-Routt storage consolidation, WY & CO	1,035,000
Monongahela NF facilities, WV	950,000
Smith County lake, MS	1,000,000
Homochitto National Forest, Okhissa Lake Project, MS	1,000,000
Subtotal Facilities	126,679,000
Roads:	
Maintenance	148,066,000
Capital Improvement	68,133,000
Congressional Priorities:	
Monongahela NF road improvements, WV	2,300,000
Tongass NF, AK	4,000,000
Jarbidge Canyon road, NV	3,000,000
Subtotal Roads	225,499,000
Trails:	
Maintenance	42,000,000
Capital Improvement	30,500,000
Congressional Priorities:	
FL National scenic trail	500,000
Continental Divide Trail	1,000,000
Pacific Crest trail improvements, CA OR WA	1,000,000
Rio Sabana trail, PR	250,000
Midewin National Tallgrass Prairie, IL	750,000
Subtotal Trails	76,000,000
Infrastructure Improvement:	
Fish Passage Barriers, national program	2,000,000
Deferred Maintenance	11,000,000
Subtotal Infrastructure Improvement	13,000,000
Total, Capital Improvement and Maintenance	441,178,000

The managers agree with the overall program direction for this account provided by both the House and the Senate except funding levels and project descriptions are indicated in the table above. The conference agreement includes the bill language recommended by the Senate concerning the Jarbidge Canyon road which provides authority to transfer some funds to the Department of the Interior for certain portions of this project.

The managers are aware of the importance of modernizing the Forest Products Laboratory. As noted previously, the managers urge the Forest Service to develop an integrated wood products research plan that will guide capital investments. The managers believe that the Forest Service should also conduct a strategic review of facilities needs before modernization efforts begin. Therefore, the managers do not agree with the Senate proposal to fund the construction of a durability test facility at this time. Instead, the managers agree to the House proposal to provide $2,000,000 for the

modernization effort at the Laboratory, pending completion of the recommended integrated, national planning effort for wood products research. Once this plan is completed, the managers will give full consideration to supporting the Laboratory's multi-year modernization effort.

The funds provided for the Allegheny NF include $1,000,000 for the Kiasutha campground, $500,000 for Kinzua Wolf Run Marina, $1,000,000 for the Bradford administrative site, and $100,000 for forest-wide signage improvements. The Cherokee NF funding is for the Ocoee Whitewater Center interpretive and facility upgrades, Nolichucky work center property acquisition, the Cherokee hot shot complex, and the Cleveland office relocation project.

The managers have provided $1,000,000 for environmental studies for a recreational lake in Smith County, Mississippi. The managers note, however, that a feasibility study of this project is currently underway in cooperation with the Forest Service and Mississippi State University. The managers note that conclusion of the ongoing studies regarding issues such as mineral rights and the need for condemnation of these rights is necessary to determine the feasibility of this project. If the study concludes that this project is not feasible, the managers expect that the funds provided for environmental studies will be reprogrammed for other high priority construction needs in Mississippi.

LAND ACQUISITION

The conference agreement provides $42,500,000 for land acquisition instead of $15,000,000 as proposed by the House and $44,925,000 as proposed by the Senate.

The managers agree to the following distribution of funds:

Area (State)	*Amount*
Arkansas Forests, multiple NFs (AR)	$1,000,000
Blackfoot River Community Project (Blackfoot Challenge), Helena & Lolo NFs: (MT)	6,000,000
Bonneville Shoreline Trail, multiple NFs (UT)	1,500,000
Columbia River Gorge NSA, multiple NFs (OR/WA)	1,500,000
Daniel Boone NF (KY)	750,000
Delta NF (MS)	1,500,000
Goose Creek-Smith River, Six Rivers NF (CA)	1,000,000
Greater Yellowstone Area, multiple NFs (MT/ID)	1,000,000
Green Mountain NF (VT)	500,000
High Elk Corridor, White River NF (CO)	500,000
High Uintas, Wasatch-Cache NF (UT)	700,000
Hoosier Unique Areas, Hoosier NF (IN)	250,000
I–90 Corridor, Mt. Baker-Snoqualmie NF (WA)	975,000
Illinois Disappearing Habitat, Shawnee NF (IL)	250,000
Lady C Ranch, Black Hills NF (SD)	750,000
Middle Yuba-Barker Pass, Tahoe NF (CA)	500,000
Minnesota Wilderness, Chippewa/Superior NF (MN)	125,000
Pacific Crest Trail, multiple NFs (CA/OR/WA)	500,000
Selway Valley Preserve, Beaverhead/Deerlodge NF (MT)	1,000,000
Spring Hill, Helena NF (MT)	600,000
Swan Valley, Flathead NF (MT)	3,000,000
Thunder Mountain, Payette NF (ID)	1,000,000
Wayne NF (OH)	600,000
Wisconsin Wild Waterways, Chequamegon-Nicolet NF (WI)	3,000,000
Subtotal	28,500,000
Acquisition Management	12,500,000
Cash Equalization	500,000

Area (State)	*Amount*
Critical Inholdings/Wilderness Protection	1,000,000
Total	42,500,000

Bill Language.—The conference agreement retains language proposed by the Senate withdrawing from mineral entry or appropriation certain mining claims on the Payette National Forest.

ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL ACTS

The conference agreement provides $1,069,000 for the acquisition of lands for national forests special acts as recommended by both the House and the Senate.

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

The conference agreement provides an indefinite appropriation estimated to be $234,000 for the acquisition of lands to complete land exchanges as proposed by both the House and the Senate.

RANGE BETTERMENT FUND

The conference agreement provides an indefinite appropriation estimated to be $2,963,000 for the range betterment fund as proposed by both the House and the Senate.

GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND RANGELAND RESEARCH

The conference agreement provides $64,000 for gifts, donations and bequests for forest and rangeland research as proposed by both the House and the Senate.

MANAGEMENT OF NATIONAL FOREST LANDS FOR SUBSISTENCE USES

The conference agreement provides $5,067,000 for management of national forest system lands for subsistence uses in Alaska as proposed by the Senate instead of $5,467,000 as proposed by the House.

ADMINISTRATIVE PROVISIONS, FOREST SERVICE

The managers agree to the following changes to the House recommendations:

1. The Senate language is included which does not prohibit transfers for reimbursable agreements for the USDA National Information Technology center.

2. The Senate bill language allowing up to $2,500,000 for the Youth Conservation Corps projects is included.

3. The conference agreement allows up to $300,000 to be used by the National Forest Foundation for administrative expenses. The managers expect the Foundation to raise funds so this allocation can be reduced in the future.

4. The Senate language is included allowing certain authorized payments to the counties within the Columbia River Gorge National Scenic Area, WA & OR.

5. The Senate language is included allowing the Forest Service to reimburse the USDA Office of the General Counsel for certain travel expenses.

6. The Senate language is included which transfers certain land on Kodiak Island, AK, from the Forest Service to the U.S. Fish and Wildlife Service.

7. The conference agreement includes bill language not included by either the House or the Senate which allows the Forest Service to assess available funds to support the agency's needs for facilities maintenance for administrative and other buildings, but not recreation facilities. This replaces the Senate proposal within Title V which recommended establishing a working capital fund for all agency structures. The new provision allows the Forest Service to transfer up to $35,000,000 from various agency accounts, based on a fair measure of facilities maintenance needs. The managers expect that initially, the Forest Service will use the square feet of building space and the various programs use of this space as the index to establish the transfer levels. The Forest Service should devise a performance-based system and need-based system to determine how to allocate assessed funds to the field. Before executing these transfers, the Forest Service shall report to the House and Senate Committees on Appropriations on the details of the proposed transfers and the methodology being used for both the assessment, and the field allocation. In addition, the Forest Service shall, as part of the normal budget justification, report on the anticipated transfers required in future fiscal years, and report on the previous year's transfers and proposed accomplishments. There should also be a display which indicates, by national forest, research station and area, the funding being allocated for facilities maintenance. The budget justification displays shall indicate, for every budget line item, the funding amount being assessed for facilities maintenance. This information should be readily visible along with each program description. The tables should also summarize the budget line item contribution to the other assessments.

8. This discussion replaces recommendations by both the House and the Senate concerning performance measures. The managers remain concerned about forest outputs and whether on-the-ground accomplishments remain a high priority for the Forest Service. The managers expect the Forest Service to maintain a performance management system that includes performance standards for line officers aggregated up to the Forest level so that forest-wide management goals can be measured against actual accomplishments for each forest. The performance standards should include clear annual measures for programs which are consistent with the output levels specified in the annual budget justification. The Forest Service needs to implement a system of internal data controls and data transparency consistent with the recommendations by the USDA–OIG March, 2005 audit. The Chief should hold agency line officers accountable for reporting accurate performance data in fiscal year 2006. The Forest Service should establish an independent review process to review the reported data. The Forest Service is directed to provide a report to the House and Senate Committees on Appropriations and the relevant House and Senate authorizing committees on this performance management system within 90 days of enactment. This report shall also be made available to the public following submission of the report to the committees noted above.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

The conference agreement provides $2,732,298,000 for Indian health services as proposed by the House instead of $2,732,323,000 as proposed by the Senate.

Bill Language.—The conference agreement modifies language included in both the House and the Senate bills concerning the Individuals with Disabilities Education Act. The two versions contained minor technical differences. The conference agreement includes language included in the Senate bill concerning the distribution of Alaska alcohol wellness funds.

The managers are aware of Indian health care needs in the state of Nevada and expect the Service to continue to meet with the 22 tribes in Nevada, as well as the Intertribal Council of Nevada and the Intertribal Health Board of Nevada, to discuss ways to improve the delivery and quality of their health services. The managers expect the Service to report to the House and Senate Committees on Appropriations by December 31, 2005 with recommendations on how to improve secondary and tertiary care in Nevada, including facility needs and the contract health services program that can be accomplished within current budgetary levels.

INDIAN HEALTH FACILITIES

The conference agreement provides $358,485,000 for Indian health facilities instead of $370,774,000 as proposed by the House and $335,643,000 as proposed by the Senate.

The managers agree to the following distribution of funds:

Project	*Amount*
Barrow Hospital, AK	$8,000,000
Fort Belknap, MT staff quarters	3,326,000
Kayenta, AZ health center	3,878,000
Mobile dental units	2,000,000
Phoenix Indian Medical Center, AZ	8,000,000
San Carlos, AZ Health Center	6,139,000
Small ambulatory facilities	7,000,000
Subtotal	38,343,000
Other:	
Maintenance and improvement	52,404,000
Sanitation facilities	93,519,000
Facilities and environmental health support	152,959,000
Equipment	21,260,000
Total	358,485,000

Bill Language.—The conference agreement includes language proposed by the Senate authorizing the construction of a replacement health facility in Nome, Alaska, on land owned by the Norton Sound Health Corporation. The House had no similar provision.

The managers consider the health facilities construction program to be a critical component in the provision of better health care to Native Americans and, therefore, expect that future budget submissions by the Service will include a much more aggressive schedule to fund these projects.

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

The conference agreement provides $80,289,000 for the national institute of environmental health sciences as proposed by both the House and the Senate.

AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY

TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC HEALTH

The conference agreement provides $76,024,000 for toxic substances and environmental public health as proposed by both the House and the Senate.

The managers encourage the ATSDR to continue to support the minority health professions community under its cooperative agreement activities in fiscal year 2006.

OTHER RELATED AGENCIES

EXECUTIVE OFFICE OF THE PRESIDENT

COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF ENVIRONMENTAL QUALITY

The conference agreement provides $2,717,000 for the council on environmental quality and office of environmental quality as proposed by both the House and the Senate.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

SALARIES AND EXPENSES

The conference agreement provides $9,200,000 for salaries and expenses of the chemical safety and hazard investigation board as proposed by both the House and the Senate.

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

The conference agreement provides $8,601,000 for salaries and expenses of the Office of Navajo and Hopi Indian Relocation as proposed by both the House and the Senate.

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

The conference agreement provides $6,300,000 for payment to the institute as proposed by both the House and the Senate.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

The conference agreement provides $524,281,000 for salaries and expenses of the Smithsonian Institution instead of $524,381,000 as proposed by the House and $524,135,000 as pro-

posed by the Senate. A reduction of $100,000 from the House level has been taken from the Tropical Research Institute's study of microorganisms in tropical soils. Other changes from the House proposal for activities within this account include an increase of $500,000 to restore base funding for key outreach programs such as the travel exhibition service, fellowships and affiliations, an additional $500,000 to meet the budget request of $1,000,000 for an institution-wide collections care and preservation initiative, and a reduction of $1,000,000 from facilities maintenance to fund that activity at the amount requested in the budget.

FACILITIES CAPITAL

The conference agreement provides $100,000,000 for the facilities capital account as proposed by the Senate instead of $90,900,000 as proposed by the House. Within this amount, $9,100,000 is provided for the Asia II Trail exhibit at the National Zoological Park as proposed by the House. While supportive of this project, the managers are concerned by the high initial cost estimates and encourage the Smithsonian to look at how the exhibit might be reduced in scope or in some way phased to achieve savings. The managers also understand that an aggressive fundraising effort will be required by the Smithsonian to secure private financing, without which this project cannot be successfully completed. The conference agreement also includes an additional $9,100,000 for the POD 5 museum support center storage facility as recommended by the Senate.

ADMINISTRATIVE PROVISIONS, SMITHSONIAN INSTITUTION

The conference agreement continues administrative provisions included in the House bill that place restrictions on the use of funds for the following: (1) unapproved changes to science programs; (2) the design of new or expanded facilities; (3) Holt House; and (4) the purchase of buildings. The House provision regarding reprogramming authority is included with a modification that deletes the requirement for written approval from the House and Senate Committees on Appropriations.

NATIONAL GALLERY OF ART

SALARIES AND EXPENSES

The conference agreement provides $96,600,000 for salaries and expenses of the National Gallery of Art as proposed by the Senate instead of $97,100,000 as proposed by the House.

The managers note that language is included in Title IV—General Provisions raising the indemnity limit for art exhibitions as proposed by the Senate. The managers expect that future requests to alter the indemnity ceilings will be approved through the Office of Management and Budget and either included in the budget justification or, preferably, submitted as an official legislative proposal to, and acted upon by, the appropriate legislative committees of jurisdiction.

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

The conference agreement provides $16,200,000 for repair, restoration and renovation of buildings as proposed by the House instead of $15,000,000 as proposed by the Senate.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

OPERATIONS AND MAINTENANCE

The conference agreement provides $17,800,000 for operations and maintenance of the Kennedy Center as proposed by both the House and Senate.

CONSTRUCTION

The conference agreement provides $13,000,000 for construction instead of $10,000,000 as proposed by the House and $15,200,000 as proposed by the Senate.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

SALARIES AND EXPENSES

The conference agreement provides $9,201,000 for salaries and expenses of the Woodrow Wilson International Center for Scholars as proposed by the Senate instead of $9,085,000 proposed by the House.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

The conference agreement provides $126,264,000 for grants and administration of the National Endowment for the Arts as proposed by the Senate instead of $131,264,000 as proposed by the House.

The managers expect that the increase above the enacted level will be used to expand the American Masterpieces program by $2,000,000 and partially restore the Administration's proposed reduction to the Challenge America program by $3,000,000.

Bill Language.—The conference agreement retains bill language proposed by the Senate providing that funds appropriated for the National Endowment for the Arts be expended in accordance with sections 309 and 311 of Public Law 108–108. The House bill addressed this issue in the general provisions section.

NATIONAL ENDOWMENT FOR THE HUMANITIES

GRANTS AND ADMINISTRATION

The conference agreement provides $127,605,000 for grants and administration of the National Endowment of the Humanities as proposed by both the House and the Senate.

MATCHING GRANTS

The conference agreement provides $15,449,000 for matching grants as proposed by both the House and the Senate.

COMMISSION OF FINE ARTS

SALARIES AND EXPENSES

The conference agreement provides $1,893,000 for salaries and expenses of the Commission of Fine Arts as proposed by the House and the Senate.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

The conference agreement provides $7,250,000 for National Capital Arts and Cultural Affairs instead of $7,000,000 as proposed by the House and $7,492,000 as proposed by the Senate.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

The conference agreement provides $4,860,000 for salaries and expenses of the Advisory Council on Historic Preservation as proposed by the House instead of $4,943,000 as proposed by the Senate.

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

The conference agreement provides $8,244,000 for salaries and expenses of the National Capital Planning Commission as proposed by the Senate instead of $8,177,000 as proposed by the House.

The managers do not object to the Commission's participation in the GIS mapping initiative to the extent it can be supported within base funding. The increase above the enacted level is provided to meet fixed cost adjustments such as pay and utilities.

UNITED STATES HOLOCAUST MEMORIAL MUSEUM

HOLOCAUST MEMORIAL MUSEUM

The conference agreement provides $42,780,000 for the Holocaust Memorial Museum instead of $41,880,000 proposed by the House and $43,233,000 proposed by the Senate.

PRESIDIO TRUST

PRESIDIO TRUST FUND

The conference agreement provides $20,000,000 for the Presidio Trust Fund as proposed by the House instead of $19,722,000 as proposed by the Senate.

WHITE HOUSE COMMISSION ON THE NATIONAL MOMENT OF REMEMBRANCE

SALARIES AND EXPENSES

The conference agreement provides $250,000 for salaries and expenses of the White House Commission on the National Moment of Remembrance as proposed by the House and the Senate.

TITLE IV—GENERAL PROVISIONS

Sec. 401. The conference agreement retains the House recommendation; there was a minor technical difference between the House and Senate versions.

Sec. 402. The conference agreement retains the Senate recommendation; the Senate version included a reference to the U.S. code not included by the House.

Sec. 403 and Sec. 404 were identical in both the House and Senate bills.

Sec. 405. The conference agreement retains the Senate recommended language that was in Senate section 405 rather than similar language the House had included in section 423. Related language dealing with assessments, which was in House section 405, is not included in the conference agreement.

Sec. 406. The conference agreement retains the Senate recommended language that was in Senate section 406 rather than similar language the House had included in section 419.

Sec. 407. The conference agreement retains the Senate recommended language dealing with giant sequoia trees rather than similar language the House had included in section 406.

Sec. 408. The House and Senate bills had identical language dealing with patents for mining, although the House had included it as section 407.

Sec. 409. The conference agreement retains the House recommended language dealing with contract support costs for the Bureau of Indian Affairs and the Indian Health Service that was in House section 408. The Senate had no similar provision.

Sec. 410. The conference agreement retains the Senate recommended language permitting the collection and use of private funds by the National Endowment for the Arts and the National Endowment for the Humanities that was in Senate section 409 rather than similar language the House had included in section 410. The conference agreement now makes this authority permanent rather than one-year as recommended by the House.

Sec. 411. The House and Senate bills had identical language dealing with the Forest and Rangeland Renewable Resources Planning Act; it was in House section 412 and in Senate section 410.

Sec. 412. The conference agreement retains the Senate recommended language amending the Knutson-Vandenberg reforestation act, which was in Senate section 411. The House had no similar provision.

Sec. 413. The House and Senate bills had identical language dealing with Forest Service roads and trails; it was in House section 413 and in Senate section 410.

Sec. 414. The House and Senate bills had identical language dealing with telephone answering machines; it was in House section 414 and in Senate section 413.

Sec. 415. The House and Senate bills had identical language dealing with Forest Service land management planning.

Sec. 416. The conference agreement retains the Senate recommended language addressing timber sales involving Alaska western redcedar, which was in Senate section 414. The House had no similar provision.

Sec. 417. The House and Senate bills had identical language dealing with mineral leasing within National Monuments; it was in section 416 of each bill.

Sec. 418. The House and Senate bills had identical language continuing 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. It was in House section 418 and in Senate section 417.

Sec. 419. The conference agreement retains the Senate recommended language, which was in Senate section 418, allowing the Eagle Butte Service Unit of the Indian Health Service to utilize health care funding in a more efficient manner. The House had no similar provision.

Sec. 420. The conference agreement retains the Senate recommended language, which was in Senate section 419, allowing the Secretary of Agriculture and the Secretary of the Interior to consider local contractors when awarding contracts for certain activities on public lands. The House had a similar provision in section 420 of the House bill.

Sec. 421. The House and Senate bills had identical language continuing a provision that limits the use of funds for filing declarations of takings or condemnations. This provision does not apply to the Everglades National Park Protection and Environmental Act. It was in House section 421 and in Senate section 420.

Sec. 422. The conference agreement retains the Senate recommended language, which was in Senate section 421, limiting competitive sourcing studies by the Secretary of the Interior and the Forest Service. The House had a similar provision in section 422 of the House bill. The conference agreement now allows the Secretary of the Interior up to $3,450,000 and the Forest Service up to $3,000,000 for this work. In addition, the Secretary of Agriculture should consider the impact on wildland fire management activities when conducting competitive sourcing studies.

Sec. 423. The House and Senate bills had identical language prohibiting the transfer of funds for SAFECOM and Disaster Management projects; it was in section 424 of the House bill and section 422 of the Senate bill.

Sec. 424. The House and Senate bills had identical language requiring that contact centers associated with the national recreation reservation service be located within the United States; it was in section 425 of the House bill and section 423 of the Senate bill.

Sec. 425. The conference agreement modifies similar language extending a pilot program to enhance Forest Service administration of rights-of-way recommended by both the House and the Senate.

It was in section 426 of the House bill and section 424 of the Senate bill. The language now is effective for one year.

Sec. 426. The conference agreement retains the Senate recommended language, which was in Senate section 425, extending the Forest Service's ability to enter into certain cooperative agreements with third parties that are of mutually significant benefit. The House had no similar provision.

Sec. 427. The conference agreement retains the Senate recommended language, which was in Senate section 426, amending the Arts and Artifacts Indemnity Act to raise the Federal indemnity ceilings on individual exhibitions from $600,000,000 to $1,200,000,000, and in the aggregate from $8,000,000,000 to $10,000,000,000. The House had no similar provision.

Sec. 428. The conference agreement modifies the House recommended language, which was in House section 427, extending the authority for the Service First program of the Department of the Interior and the Forest Service. The Senate had no similar provision. The authority now extends through fiscal year 2008 and also clarifies that the National Park Service and the Fish and Wildlife Service may participate, as well as the Bureau of Land Management and the Forest Service.

Sec. 429. The conference agreement retains the House recommended language concerning a land exchange in San Bernardino, CA, which was in House section 428. The Senate had no similar provision.

Sec. 430. The conference agreement retains the House recommended language continuing a previous provision concerning Finger Lakes National Forest, NY, oil and gas leasing, which was in House section 430. The Senate had no similar provision.

Sec. 431. The conference agreement modifies the Senate recommended provision, which was in Senate section 427, authorizing the Eastern Nevada Landscape Coalition to enter into agreements with the Departments of the Interior and Agriculture. The language now is effective for one year. The House had no similar provision.

Sec. 432. The conference agreement retains, with minor technical modifications, the Senate recommended language, which was in Senate section 426, amending the Valles Caldera Preservation Act. This provision requires the Secretary of Agriculture to develop a fire management plan and enter into a cooperative fire management agreement for the Valles Caldera National Preserve. The Forest Service shall also provide wildfire pre-suppression and non-emergency rehabilitation and restoration services for the Trust, which manages the Preserve, on a reimbursable basis. The House had no similar provision.

Sec. 433. The conference agreement retains the Senate recommended language, which was in Senate section 429, prohibiting the use of funds to demolish certain structures on the Zephyr Shoals property, Lake Tahoe, NV. The House had no similar provision.

Sec. 434. The conference agreement modifies the Senate recommended language, which was in Senate section 432, extending the Forest Service authority to conduct certain work on non-Forest

Service land. The authority now extends for five years. The House had no similar provision.

Sec. 435. The conference agreement retains the Senate recommended language, which was in Senate section 433, setting certain conditions for the grant of a zoning variance for the property at 51 Louisiana Ave., NW, Washington D.C. The House had no similar provision.

Sec. 436. The conference agreement includes a new provision authorizing the acquisition of lands for the Chequamegon-Nicolet National Forest, WI, and directing the Secretary to maintain existing management practices on those lands.

Sec. 437. The conference agreement includes a new provision for a $5,000,000 grant to Kendall County, Illinois.

Sec. 438. Modifies section 344 of the Department of the Interior and Related Agencies Appropriations Act, 2005 regarding the lands to be acquired for the Kenai Fjords interagency visitor center and the use of funds not required for land acquisition.

Sec. 439. The conference agreement includes an across the board rescission of 0.476 percent. This reduction should be applied to each program, project, and activity, except for Miscellaneous Payments to Indians, which has a different application of the rescission as specified in the statutory language.

The conference agreement does not include a provision in section 405 of the House bill providing for restrictions on departmental assessments unless approved by the Committees on Appropriations.

The conference agreement does not include a provision in section 409 of the House bill specifying reforms and limitations dealing with the National Endowment for the Arts.

The conference agreement does not include a provision in section 411 of the House bill providing direction to the National Endowment for the Arts on funding distribution.

The conference agreement does not include a provision in section 417 of the House bill extending the Forest Service Conveyance Pilot Program.

The conference agreement does not include a provision in section 429 of the House bill requiring a report of the expenditure of funds pursuant to the Southern Nevada Public Lands Management Act.

The conference agreement does not include a provision in section 431 of the House bill prohibiting the Fish and Wildlife Service to use land acquisition funds for the purchase of water rights in the Klamath Basin, CA.

The conference agreement does not include a provision in section 435 of the House bill limiting the number of federal employees that can be sent to international conferences.

The conference agreement does not include a provision in section 437 of the House bill prohibiting the use of funds for the sale or slaughter of wild free roaming horses and burros.

The managers have not included language proposed by the Senate in section 434 dealing with the Biscuit fire recovery but the managers would like to have a report from the Forest Service on this issue. Accordingly, by March 1, 2006 the Forest Service should submit a report to the House and Senate Committees on Appro-

priations (and make this report publicly available on the agency web-site) which discusses the following issues concerning the Biscuit fire in southern Oregon:

1. The change in reforestation capabilities and costs between the date of the containment of the Biscuit Fire and the completion of the Biscuit Fire Recovery Project, as detailed in the Record of Decision.

2. The commercial value lost, as well as recovered, of fire-killed timber within the Biscuit Fire area.

3. All actions included in the Record of Decision for the Biscuit Fire Recovery Project, but forgone because of delay or funding shortfall.

4. The Forest Service original estimate of the acres that should be reforested and the cost in dollars and per acre, including planting stock and overhead and a summary of the original schedule to do the work.

5. A summary of the initial Forest Service plan to salvage timber; including a discussion of the acres which would have been harvested and the estimated volume and value of that salvage, as well as the cost to the Federal government to develop and administer the sale and the anticipated cost to the purchasers.

6. A similar summary for the final Forest Service salvage plan.

7. A presentation and list of all of the timber sales offered and planned, including the volume, and appraised value. The presentation should indicate sales offered but not sold, and sales not yet underway. It should also separate out sales by land management regime.

The conference agreement does not include a provision in section 437 of the Senate bill expressing the sense of the Senate with regard to the national debt and funding for the global war on terror.

TITLE V—FOREST SERVICE FACILITY REALIGNMENT AND ENHANCEMENT ACT

The conference report modifies legislation recommended by the Senate in Title V. This provision allows the Forest Service to dispose of administrative facilities that are no longer needed and use all of the revenue to reduce the administrative-site deferred maintenance backlog. This improves the Service's ability to realign facilities to meet the needs of the workforce and the Nation. The legislation authorizes the Secretary of Agriculture to sell, lease, exchange or combine a sale and exchange of certain administrative sites the Secretary determines are no longer needed for National Forest System purposes. The legislation incorporates new authorities for streamlining regulations to facilitate the timely disposal of administrative sites and to improve the marketability of the sites. All receipts derived from the conveyance of administrative sites and facilities shall be deposited in the Sisk Act fund and remain available to the Secretary until expended, without further appropriations. These funds will be used for the administrative costs incurred in conveying sites; the acquisition of land for administrative

sites; and for the decommissioning, construction, maintenance, rehabilitation, and improvement of administrative sites.

The managers make the following recommendations:

1. The Service is allowed to dispose of up to 10 isolated, undeveloped sites per year which were acquired or used for administrative purposes, with certain limitations.

2. Certain lands are explicitly excluded, including any land within the national wilderness system, in the wild and scenic river system, lands specifically designated for natural area or recreation purposes, or in a national monument. In addition, it is the intent of the managers that the exclusions apply to undeveloped lands on historic trails and sites, national preserves, national recreation areas, national scenic areas, national conservation areas, national botanical areas, national forest primitive areas, research natural areas, national game refuges and wildlife preserve areas, and officially designated special interest areas.

3. The managers direct that the service should not dispose of lands needed for natural resource management, or lands which are important to provide public access to other lands or waters, such as recreational river corridors or sites with special recreational values.

4. The managers intend that disposal of lands will not create new non-Federal inholdings within larger areas of contiguous Federal or other publicly owned lands available for recreational activities.

5. The provision requires the Service to include detailed displays in the annual budget justification of the anticipated program under this authority and provide other details so the Congress and the public can evaluate the program and its impact. The Service should notify the Congress if changes to this plan are later necessary. The managers are concerned that future appropriation decisions concerning facility construction, reconstruction and maintenance being made will be fully informed by knowledge of the anticipated revenues derived from this new authority. The managers also understand that the revenue stream will be temporary, and that all areas of the Nation do not have a similar amount of excess facilities nor ability to generate revenue.

6. The authorities provided by this Title expire on September 30, 2008. However, the managers will closely monitor the implementation of this provision. The managers encourage the Congress to extend the authority if steady progress is demonstrated. As with the pilot conveyance authority, the Service is more likely to successfully plan and implement project planning if there continues to be no less than two or three years remaining on the authority.

7. The conference agreement repeals the previous pilot conveyance authority, which was established in the Department of the Interior and Related Agencies Appropriations Act, 2002. The repeal is effective as of September 30, 2006, and any project initiated under the pilot authority may be completed under that authority.

8. The agreement continues the Senate-recommended language concerning lead-based and asbestos abatement, but limits the exclusion only to laws affecting these matters.

9. The agreement clarifies that the Forest Service should follow the National Environmental Policy Act (NEPA) with the exception that the Service must analyze only the most reasonably foreseeable use of the site, and determine whether or not to reserve any right, title or interest in the sites. The managers expect that, consistent with the NEPA, the Service will evaluate the alternative of not disposing of the sites.

10. The agreement requires that the Forest Service consult with local governmental officials of the community in which the administrative site is located and provide public notice of the proposed conveyance.

11. The conference agreement does not include the Senate proposal concerning the working capital fund. However, the conference agreement includes, within the Administrative provisions section of the Forest Service, bill language which allows the Forest Service to assess all funds available to the agency to support maintenance of facilities other than recreation facilities. The managers expect that this assessment approach will provide field managers an incentive to carefully evaluate their space needs and help reduce the total amount of building space maintained. This should save money and reduce the tremendous backlog in deferred maintenance that has accumulated within the Forest Service.

TITLE VI—VETERANS HEALTH CARE

Sec. 601. Appropriates $1,500,000,000 to the Department of Veterans Affairs for Medical Services for fiscal year 2005. The conferees agree that the amount provided will be available until September 30, 2006. The conferees note that the fiscal year 2006 budget amendment submitted to the Congress on July 14, 2005 included additional fiscal year 2005 requirements for Medical Services. The conferees agree, that prior to completion of the fiscal year 2006 appropriations Act for the Department of Veterans Affairs, the House and Senate subcommittees of jurisdiction will continue to evaluate and adjust the funding level required for fiscal year 2006 based upon most current information available.

DEPARTMENT OF INTERIOR, ENVIRONMENT, AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Conference	Conference vs. Enacted
TITLE I - DEPARTMENT OF THE INTERIOR				
BUREAU OF LAND MANAGEMENT				
Management of Lands and Resources				
Land Resources				
Soil, water and air management	34,738	33,343	34,343	-395
Range management	69,183	69,212	70,912	+1,729
Forestry management	8,895	10,559	10,559	+1,664
Riparian management	21,228	21,704	22,454	+1,226
Cultural resources management	14,925	15,240	15,240	+315
Wild horse and burro management	39,045	36,905	36,905	-2,140
Subtotal, Land Resources	188,014	186,963	190,413	+2,399
Wildlife and Fisheries				
Wildlife management	25,063	28,587	28,587	+3,524
Fisheries management	11,884	12,497	12,497	+613
Subtotal, Wildlife and Fisheries	36,947	41,084	41,084	+4,137
Threatened and endangered species	21,144	21,572	21,572	+428
Recreation Management				
Wilderness management	16,431	16,806	16,806	+375
Recreation resources management	44,158	47,798	49,298	+5,140
Subtotal, Recreation Management	60,589	64,604	66,104	+5,515
Energy and Minerals				
Oil and gas	87,360	87,291	90,291	+2,931
Coal management	9,311	9,296	9,296	-15
Other mineral resources	9,960	10,185	10,185	+225
Subtotal, Energy and Minerals	106,631	106,772	109,772	+3,141
Alaska minerals	3,944	2,297	2,297	-1,647
Realty and Ownership Management				
Alaska conveyance	41,975	33,599	40,599	-1,376
Cadastral survey	15,590	13,866	16,026	+436
Land and realty management	35,059	33,681	33,681	-1,378
Subtotal, Realty and Ownership Management	92,624	81,146	90,306	-2,318
Resource Protection and Maintenance				
Resource management planning	48,863	49,516	50,266	+1,403
Resource protection and law enforcement	16,788	17,974	19,224	+2,436
Hazardous materials management	15,850	16,126	16,126	+276
Subtotal, Resource Protection and Maintenance	81,501	83,616	85,616	+4,115
Transportation and Facilities Maintenance				
Operations	6,057	6,271	6,271	+214
Annual maintenance	30,564	31,293	32,043	+1,479
Deferred maintenance	41,192	38,727	39,477	-1,715
Subtotal, Transportation/Facilities Maintenance	77,813	76,291	77,791	-22
Land and resources information systems	18,062	18,217	18,217	+155
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	19,651	21,455	21,455	+1,804
Administrative support	50,164	51,437	51,437	+1,273
Bureauwide fixed costs	72,346	74,727	74,727	+2,381
Subtotal, Workforce and Organizational Support	142,161	147,619	147,619	+5,458

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Conference	Conference vs. Enacted
Challenge cost share	7,396	13,996	10,000	+2,604
Cooperative Conservation Initiative	---	6,000	---	---
Subtotal, Challenge Cost Share	---	---	---	---
Total, Management of Lands and Resources	836,826	850,177	860,791	+23,965
Wildland Fire Management				
Preparedness	258,939	272,852	272,852	+13,913
Fire facilities	---	7,849	---	---
Joint fire science	---	6,000	---	---
Subtotal, Preparedness	258,939	286,701	272,852	+13,913
Fire suppression operations	218,445	234,167	234,167	+15,722
Additional appropriations, Title IV	98,611	---	---	-98,611
Subtotal, Fire suppression operations	317,056	234,167	234,167	-82,889
Other operations				
Hazardous fuels reduction	201,409	211,220	211,220	+9,811
Burned area rehabilitation	23,939	24,476	24,476	+537
State and local fire assistance	9,861	---	10,000	+139
Fire facilities	12,202	---	7,849	-4,353
Joint fire science	7,889	---	6,000	-1,889
Subtotal, Other operations	255,300	235,696	259,545	+4,245
Total, Wildland Fire Management	831,295	756,564	766,564	-64,731
Central Hazardous Materials Fund				
Bureau of Land Management	9,855	---	---	-9,855
Rescission of balances	-13,500	---	---	+13,500
Construction				
Construction	11,340	6,476	11,926	+586
Land Acquisition				
Land Acquisition				
Acquisitions	6,755	9,533	5,450	-1,305
Emergencies and hardships	1,479	1,500	1,000	-479
Acquisition management	2,958	2,317	2,300	-658
Total, Land Acquisition	11,192	13,350	8,750	-2,442
Oregon and California Grant Lands				
Western Oregon resources management	88,775	96,692	96,692	+7,917
Western Oregon information and resource data systems	2,151	2,173	2,173	+22
Western Oregon transportation & facilities maintenance	10,619	10,903	10,903	+284
Western Oregon construction and acquisition	291	302	302	+11
Jobs in the woods	5,661	---	---	-5,661
Total, Oregon and California Grant Lands	107,497	110,070	110,070	+2,573
Range Improvements				
Improvements to public lands	7,873	7,873	7,873	---
Farm Tenant Act lands	1,527	1,527	1,527	---
Administrative expenses	600	600	600	---
Total, Range Improvements	10,000	10,000	10,000	---
Service Charges, Deposits, and Forfeitures				
Rights-of-way processing	8,025	11,910	11,910	+3,885
Energy and minerals cost recovery	1,840	10,840	10,840	+9,000
Adopt-a-horse program	1,225	1,225	1,225	---
Repair of damaged lands	5,000	5,000	5,000	---
Cost recoverable realty cases	515	515	515	---
Timber purchaser expenses	50	50	50	---

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Conference	Conference vs. Enacted
Commercial film and photography fees	200	200	200	---
Copy fees	3,200	3,200	3,200	---
Subtotal (gross)	20,055	32,940	32,940	+12,885
Offsetting fees	-20,055	-32,940	-32,940	-12,885
Total, Service Charges, Deposits & Forfeitures	---	---	---	---
Miscellaneous Trust Funds				
Current appropriations	12,405	12,405	12,405	---
TOTAL, BUREAU OF LAND MANAGEMENT	1,816,910	1,759,042	1,780,506	-36,404
UNITED STATES FISH AND WILDLIFE SERVICE				
Resource Management				
Ecological Services				
Endangered species				
Candidate conservation	9,255	8,252	8,852	-403
Listing	15,960	18,130	18,130	+2,170
Consultation	48,129	49,484	49,484	+1,355
Recovery	69,870	64,243	75,159	+5,289
Subtotal, Endangered species	143,214	140,109	151,625	+8,411
Habitat conservation	94,457	101,978	100,713	+6,256
Environmental contaminants	10,901	8,486	11,186	+285
Subtotal, Ecological Services	248,572	250,573	263,524	+14,952
Refuges and Wildlife				
Refuge operations and maintenance	381,019	393,894	393,394	+12,375
Migratory bird management	35,451	41,635	39,227	+3,776
Law enforcement operations	55,615	57,612	57,712	+2,097
Subtotal, Refuges and Wildlife	472,085	493,141	490,333	+18,248
Fisheries				
Hatchery operations and maintenance	56,755	57,971	57,971	+1,216
Fish and wildlife management	58,418	49,685	60,787	+2,369
Subtotal, Fisheries	115,173	107,656	118,758	+3,585
General Administration				
Science excellence	---	2,000	500	+500
Central office administration	27,120	27,827	27,827	+707
Regional office administration	39,992	40,807	40,807	+815
Administrative efficiencies	---	-2,025	---	---
Servicewide administrative support	25,625	30,736	30,736	+5,111
National Fish and Wildlife Foundation	7,761	7,470	7,770	+9
National Conservation Training Center	17,058	17,829	18,476	+1,418
International affairs	9,160	9,549	10,149	+989
Caddo Lake Ramsar Center	394	---	---	-394
Subtotal, General Administration	127,110	134,193	136,265	+9,155
Total, Resource Management	962,940	985,563	1,008,880	+45,940
Construction				
Construction and rehabilitation				
Line item construction	41,793	10,060	36,275	-5,518
Nationwide engineering services	10,865	9,616	9,616	-1,249
Emergency appropriations (P.L. 108-324)	40,552	---	---	-40,552
Total, Construction	93,210	19,676	45,891	-47,319

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Conference	Conference vs. Enacted
Land Acquisition				
Fish and Wildlife Service				
Acquisitions - Federal refuge lands	22,593	26,029	13,695	-8,898
Inholdings	1,479	1,750	1,500	+21
Emergencies and hardships	986	1,750	1,500	+514
Exchanges	1,726	1,750	1,500	-226
Acquisition management	8,249	7,893	8,393	+144
Cost allocation methodology	1,972	1,820	1,820	-152
Total, Land Acquisition	37,005	40,992	28,408	-8,597
Landowner Incentive Program				
Grants to States	21,694	40,000	24,000	+2,306
Private Stewardship Grants Program				
Stewardship grants	6,903	10,000	7,386	+483
Cooperative Endangered Species Conservation Fund				
Grants to States	15,846	17,643	17,643	+1,797
Species recovery land acquisition	13,400	14,186	14,186	+786
HCP land acquisition	48,698	45,653	47,853	-845
Administration	2,518	2,518	2,518	---
Total, Cooperative Endangered Species Fund	80,462	80,000	82,200	+1,738
National Wildlife Refuge Fund				
Payments in lieu of taxes	14,214	14,414	14,414	+200
North American Wetlands Conservation Fund				
Wetlands conservation	35,973	47,949	38,400	+2,427
Administration	1,499	2,000	1,600	+101
Total, North American Wetlands Conservation Fund	37,472	49,949	40,000	+2,528
Neotropical Migratory Bird Conservation Fund				
Migratory bird grants	3,944	---	4,000	+56
Multinational Species Conservation Fund				
African elephant conservation	1,381	1,000	1,400	+19
Rhinoceros and tiger conservation	1,477	1,100	1,600	+123
Asian elephant conservation	1,381	1,000	1,400	+19
Great ape conservation	1,381	900	1,400	+19
Marine turtles	99	300	700	+601
Neotropical Bird Conservation	---	4,000	---	---
Total, Multinational Species Conservation Fund	5,719	8,300	6,500	+781
State and Tribal Wildlife Grants				
State and tribal wildlife grants	69,028	74,000	68,500	-528
TOTAL, U.S. FISH AND WILDLIFE SERVICE	1,332,591	1,322,894	1,330,179	-2,412
NATIONAL PARK SERVICE				
Operation of the National Park System				
Park Management				
Resource stewardship	348,036	354,116	354,141	+6,105
Visitor services	338,454	346,181	346,181	+7,727
Maintenance	582,739	595,586	594,686	+11,947
Park support	290,400	307,613	298,509	+8,109
Park base increase	---	---	20,000	+20,000
Subtotal, Park Management	1,559,629	1,603,496	1,613,517	+53,888
External administrative costs	123,935	130,557	130,557	+6,622
Total, Operation of the National Park System	1 683 564	1,734,053	1,744,074	+60,510

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Conference	Conference vs. Enacted
United States Park Police				
Park Police	80,076	80,411	81,411	+1,335
National Recreation and Preservation				
Recreation programs	543	554	554	+11
Natural programs	10,865	9,545	9,845	-1,020
Cultural programs	19,933	17,722	20,028	+95
International park affairs	1,593	1,618	1,618	+25
Environmental and compliance review	391	399	399	+8
Grant administration	1,866	1,913	1,913	+47
Heritage Partnership Programs				
Commissions and grants	13,966	4,904	13,400	-566
Newly authorized areas	493	---	---	-493
Administrative support	120	122	100	-20
Subtotal, Heritage Partnership Programs	14,579	5,026	13,500	-1,079
Statutory or Contractual Aid	11,203	---	7,108	-4,095
Total, National Recreation and Preservation	60,973	36,777	54,965	-6,008
Historic Preservation Fund				
State historic preservation offices	35,500	35,500	36,250	+750
Tribal grants	3,205	3,205	4,000	+795
Save America's Treasures	29,583	15,000	30,000	+417
Preserve America	---	12,500	---	---
HBCUs	3,451	---	3,000	-451
Total, Historic Preservation Fund	71,739	66,205	73,250	+1,511
Construction				
Emergency and unscheduled	3,944	3,944	3,000	-944
Housing	7,889	7,889	7,000	-889
Equipment replacement	36,900	26,900	26,000	-10,900
Planning, construction	20,925	19,925	19,925	-1,000
General management plans	13,128	13,254	13,754	+626
Line item construction and maintenance	189,748	221,183	217,845	+28,097
Construction program management	26,984	28,605	28,105	+1,121
Dam safety	2,662	2,662	2,662	---
Emergency appropriations (P.L. 108-324)	50,802	---	---	-50,802
Subtotal, Construction	352,982	324,362	318,291	-34,691
Use of prior year balances	---	-17,000	-17,000	-17,000
Total, Construction	352,982	307,362	301,291	-51,691
Land and Water Conservation Fund				
(Rescission of contract authority)	-30,000	-30,000	-30,000	---
Land Acquisition and State Assistance				
Assistance to States				
State conservation grants	89,736	---	28,413	-61,323
Administrative expenses	1,479	1,587	1,587	+108
Total, Assistance to States	91,215	1,587	30,000	-61,215
National Park Service				
Acquisitions	39,839	35,131	30,075	-9,764
Emergencies and hardships	2,465	4,000	2,500	+35
Acquisition management	10,365	9,749	9,749	-616
Inholdings	2,465	4,000	2,500	+35
Use of prior year balances	---	---	-9,915	-9,915
Total, National Park Service	55,134	52,880	34,909	-20,225
Total, Land Acquisition and State Assistance	146,349	54,467	64,909	-81,440
TOTAL, NATIONAL PARK SERVICE	2,365,683	2,249,275	2,289,900	-75,783

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Conference	Conference vs. Enacted
UNITED STATES GEOLOGICAL SURVEY				
Surveys, Investigations, and Research				
Mapping, Remote Sensing, and Geographic Investigations				
Cooperative topographic mapping	71,393	71,882	71,882	+489
Land remote sensing	32,730	46,396	44,396	+11,666
Geographic analysis and monitoring	14,628	15,175	14,925	+297
Subtotal, National Mapping Program	118,751	133,453	131,203	+12,452
Geologic Hazards, Resource and Processes				
Geologic hazards assessments	75,979	82,209	82,209	+6,230
Geologic landscape and coastal assessments	76,253	77,228	78,914	+2,661
Geologic resource assessments	77,014	48,699	77,677	+663
Subtotal, Geologic Hazards, Resource & Processes	229,246	208,136	238,800	+9,554
Water Resources Investigations				
Hydrologic monitoring, assessments and research				
Ground water resources program	6,998	7,417	8,147	+1,149
National water quality assessment	61,645	63,132	63,132	+1,487
Toxic substances hydrology	14,476	13,120	14,600	+124
Hydrologic research and development	15,997	14,428	14,828	-1,169
National streamflow information program	13,814	14,152	14,152	+338
Hydrologic networks and analysis	29,524	28,152	29,797	+273
Subtotal, Hydrologic monitoring, assessments and research	142,454	140,401	144,656	+2,202
Federal-State program	62,337	63,770	63,770	+1,433
Water resources research institutes	6,409	---	6,500	+91
Subtotal, Water Resources Investigations	211,200	204,171	214,926	+3,726
Biological Research				
Biological research and monitoring	133,130	134,348	138,453	+5,323
Biological information management and delivery	23,999	24,149	24,149	+150
Cooperative research units	14,570	14,428	14,883	+313
Subtotal, Biological Research	171,699	172,925	177,485	+5,786
Enterprise Information				
Enterprise information security and technology	22,714	25,237	25,237	+2,523
Enterprise information resources	16,989	17,153	17,153	+164
Federal geographic data coordination	4,670	5,377	4,697	+27
Subtotal, Enterprise Information	44,373	47,767	47,087	+2,714
Science support	65,584	72,337	70,337	+4,753
Facilities	94,611	94,726	96,197	+1,586
Emergency appropriations (P.L. 108-324)	1,000	---	---	-1,000
Emergency appropriations (P.L. 109-13)	8,100	---	---	-8,100
TOTAL, UNITED STATES GEOLOGICAL SURVEY	944,564	933,515	976,035	+31,471
MINERALS MANAGEMENT SERVICE				
Royalty and Offshore Minerals Management				
OCS Lands				
Leasing and environmental program	37,224	37,768	37,943	+719
Resource evaluation	29,566	28,682	29,682	+116
Regulatory program	51,516	51,766	51,966	+450
Information management program	29,972	30,125	30,325	+353
Subtotal, OCS Lands	148,278	148,341	149,916	+1,638
Royalty Management				
Compliance and asset management	41,550	51,903	43,103	+1,553
Revenue and operations	33,867	35,426	35,426	+1,559
Subtotal, Royalty Management	75,417	87,329	78,529	+3,112

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Conference	Conference vs. Enacted
General Administration				
Executive direction	2,057	2,086	2,116	+59
Policy and management improvement	4,132	4,216	4,246	+114
Administrative operations	16,964	17,025	17,275	+311
General support services	23,702	24,149	24,299	+597
Subtotal, General Administration	46,855	47,476	47,936	+1,081
Subtotal (gross)	270,550	283,146	276,381	+5,831
Use of receipts	-103,730	-122,730	-122,730	-19,000
Total, Royalty and Offshore Minerals Management	166,820	160,416	153,651	-13,169
Oil Spill Research				
Oil spill research	7,006	7,006	7,006	---
TOTAL, MINERALS MANAGEMENT SERVICE	173,826	167,422	160,657	-13,169
OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT				
Regulation and Technology				
Environmental restoration	158	159	159	+1
Environmental protection	79,821	79,566	79,566	-255
Technology development and transfer	13,300	15,126	15,126	+1,826
Financial management	485	488	488	+3
Executive direction	14,505	15,096	15,096	+591
Subtotal, Regulation and Technology	108,269	110,435	110,435	+2,166
Civil penalties	99	100	100	+1
Total, Regulation and Technology	108,368	110,535	110,535	+2,167
Abandoned Mine Reclamation Fund				
Environmental restoration	167,861	170,112	170,112	+2,251
Legislative proposal	---	58,000	---	---
Technology development and transfer	4,479	3,922	3,922	-557
Financial management	8,444	6,234	6,234	-2,210
Executive direction	7,421	7,746	7,746	+325
Total, Abandoned Mine Reclamation Fund	188,205	246,014	188,014	-191
TOTAL, OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT	296,573	356,549	298,549	+1,976
BUREAU OF INDIAN AFFAIRS				
Operation of Indian Programs				
Tribal Budget System				
Tribal Priority Allocations				
Tribal government	389,183	394,558	394,558	+5,375
Human services	147,387	141,561	148,731	+1,344
Education	48,300	39,466	48,304	+4
Public safety and justice	1,222	---	1,162	-60
Community development	40,412	40,789	40,789	+377
Resources management	61,999	63,149	63,149	+1,150
Trust services	56,115	56,038	56,038	-77
General administration	24,925	24,588	24,588	-337
Subtotal, Tribal Priority Allocations	769,543	760,149	777,319	+7,776

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Conference	Conference vs. Enacted
Other Recurring Programs				
Education				
School operations				
Forward-funded	449,721	454,725	464,585	+14,864
Other school operations	67,926	66,908	66,908	-1,018
Subtotal, School operations	517,647	521,633	531,493	+13,846
Continuing education	53,141	43,375	56,375	+3,234
Subtotal, Education	570,788	565,008	587,868	+17,080
Resources management	42,131	37,293	46,927	+4,796
Subtotal, Other Recurring Programs	612,919	602,301	634,795	+21,876
Non-Recurring Programs				
Community development	3,452	---	2,750	-702
Resources management	36,225	32,348	35,244	-981
Trust services	36,308	32,977	33,377	-2,931
Subtotal, Non-Recurring Programs	75,985	65,325	71,371	-4,614
Total, Tribal Budget System	1,458,447	1,427,775	1,483,485	+25,038
BIA Operations				
Central Office Operations				
Tribal government	2,248	2,288	2,288	+40
Human services	887	912	912	+25
Community development	---	500	500	+500
Resources management	3,416	3,044	3,044	-372
Trust services	19,071	27,169	27,169	+8,098
General administration				
Education program management	2,348	2,411	2,411	+63
Personnel services	5,863	8,378	8,378	+2,515
Other general administration	106,188	106,832	106,832	+644
Subtotal, General administration	114,399	117,621	117,621	+3,222
Subtotal, Central Office Operations	140,021	151,534	151,534	+11,513
Regional Office Operations				
Tribal government	1,095	1,323	1,323	+228
Human services	3,038	3,019	3,019	-19
Community development	778	966	966	+188
Resources management	5,319	5,403	5,403	+84
Trust services	24,049	27,376	27,376	+3,327
General administration	7,083	3,503	3,503	-3,580
Subtotal, Regional Office Operations	41,362	41,590	41,590	+228

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Conference	Conference vs. Enacted
Special Programs and Pooled Overhead				
Education	16,336	17,499	17,499	+1,163
Public safety and justice	180,063	192,265	196,265	+16,202
Community development	8,102	---	7,550	-552
Resources management	1,269	1,269	1,269	---
General administration	80,491	92,298	92,298	+11,807
Subtotal, Special Programs and Pooled Overhead	286,261	303,331	314,881	+28,620
Total, BIA Operations	467,644	496,455	508,005	+40,361
Total, Operation of Indian Programs	1,926,091	1,924,230	1,991,490	+65,399
BIA SPLITS				
Natural resources	(150,359)	(142,506)	(155,036)	(+4,677)
Forward-funding	(449,721)	(454,725)	(464,585)	(+14,864)
Education	(188,051)	(169,659)	(191,497)	(+3,446)
Community development	(1,137,960)	(1,157,340)	(1,180,372)	(+42,412)
Total, BIA splits	(1,926,091)	(1,924,230)	(1,991,490)	(+65,399)
Construction				
Education	263,372	173,875	209,875	-53,497
Public safety and justice	7,381	11,777	11,777	+4,396
Resources management	40,289	38,272	45,772	+5,483
General administration	2,126	2,136	2,136	+10
Construction management	5,961	6,077	6,077	+116
Total, Construction	319,129	232,137	275,637	-43,492
Indian Land and Water Claim Settlements and Miscellaneous Payments to Indians				
Cherokee, Choctaw, and Chickasaw settlement	9,833	10,167	10,167	+334
Colorado Ute Settlement	7,889	8,111	8,111	+222
Cuba Lake Settlement	1,726	---	---	-1,726
Hoopa-Yurok settlement fund	247	254	254	+7
Pyramid Lake water rights settlement	140	144	144	+4
Quinault Settlement	9,893	---	10,000	+107
White Earth Land Settlement Act (Admin)	616	634	634	+18
Zuni Water Settlement	13,806	5,444	5,444	-8,362
Total, Miscellaneous Payments to Indians	44,150	24,754	34,754	-9,396
Indian Guaranteed Loan Program Account				
Indian guaranteed loan program account	6,332	6,348	6,348	+16
TOTAL, BUREAU OF INDIAN AFFAIRS	2,295,702	2,187,469	2,308,229	+12,527
DEPARTMENTAL OFFICES				
Insular Affairs				
Assistance to Territories				
Territorial Assistance				
Office of Insular Affairs	6,472	6,881	7,381	+909
Technical assistance	11,716	8,561	10,681	-1,035
Maintenance assistance fund	2,268	2,300	2,300	+32
Brown tree snake	2,663	2,700	2,700	+37
Insular management controls	1,470	1,491	1,491	+21
Coral reef initiative	493	500	500	+7
Water and wastewater projects	---	1,000	1,000	+1,000
Subtotal, Territorial Assistance	25,082	23,433	26,053	+971
American Samoa				
Operations grants	22,779	23,110	23,110	+331
Northern Marianas				
Covenant grants	27,720	27,720	27,720	---
Total, Assistance to Territories	75,581	74,263	76,883	+1,302

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Conference	Conference vs. Enacted
Compact of Free Association				
Compact of Free Association - Federal services	2,957	2,862	2,862	-95
Mandatory payments - program grant assistance	2,000	2,000	2,000	---
Enewetak support	493	---	500	+7
Total, Compact of Free Association	5,450	4,862	5,362	-88
Total, Insular Affairs	81,031	79,125	82,245	+1,214
Departmental Management				
Departmental direction	13,358	13,591	13,591	+233
Management and coordination	28,554	30,298	29,348	+794
Hearings and appeals	7,919	8,068	8,068	+149
Central services	27,696	34,387	33,865	+6,169
Bureau of Mines workers compensation/unemployment	629	653	653	+24
Take Pride in America	490	1,000	500	+10
Financial and business management system	14,160	23,555	22,555	+8,395
Indian Arts and Crafts Board	1,042	1,162	1,162	+120
Grant to Kendall County, Illinois	4,931	---	---	-4,931
Martin Luther King, Jr. Memorial	---	---	10,000	+10,000
General reduction	-2,958	---	---	+2,958
Appraisal services	---	7,441	7,441	+7,441
Emergency appropriations (P.L. 109-13)	3,000	---	---	-3,000
Total, Departmental Management	98,821	120,155	127,183	+28,362
Payments in Lieu of Taxes				
Payments to local governments	226,805	200,000	236,000	+9,195
Central Hazardous Materials Fund				
Central hazardous materials fund	---	9,855	9,855	+9,855
Office of the Solicitor				
Legal services	40,916	42,660	42,472	+1,556
General administration	9,701	12,020	11,901	+2,200
Ethics	1,039	1,072	1,067	+28
Total, Office of the Solicitor	51,656	55,752	55,440	+3,784
Office of Inspector General				
Audit	16,270	17,744	16,974	+704
Investigations	13,529	15,241	14,341	+812
Administrative services and information management	7,476	8,014	7,801	+325
Total, Office of Inspector General	37,275	40,999	39,116	+1,841
Office of Special Trustee for American Indians				
Federal Trust Programs				
Program operations, support, and improvements	191,324	267,165	189,361	-1,963
Executive direction	2,216	2,232	2,232	+16
Total, Federal Trust programs	193,540	269,397	191,593	-1,947
Indian Land Consolidation Program				
Indian land consolidation	34,514	34,514	34,514	---
Total, Office of Special Trustee for American Indians	228,054	303,911	226,107	-1,947

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Conference	Conference vs. Enacted
Natural Resource Damage Assessment Fund				
Damage assessments	3,845	3,931	3,931	+86
Program management	1,526	1,592	1,592	+66
Restoration support	366	583	583	+217
Total, Natural Resource Damage Assessment Fund	5,737	6,106	6,106	+369
TOTAL, DEPARTMENTAL OFFICES	729,379	815,903	782,052	+52,673
TOTAL, TITLE I, DEPARTMENT OF THE INTERIOR	9,955,228	9,792,069	9,926,107	-29,121
Appropriations	(9,881,774)	(9,822,069)	(9,956,107)	(+74,333)
Emergency appropriations	(103,454)	---	---	(-103,454)
Rescission	(-30,000)	(-30,000)	(-30,000)	---
TITLE II - ENVIRONMENTAL PROTECTION AGENCY				
Science and Technology				
Air toxics and quality				
Clean air allowance trading programs (also EPM)	8,734	9,353	8,734	---
Federal support for air quality mgmt (also EPM)	10,521	10,016	10,016	-505
Federal support for air toxics program (also EPM)	2,562	2,265	2,265	-297
Federal vehicle and fuels standards/certification	57,436	66,567	59,567	+2,131
Radiation: Protection (also EPM; HSS)	3,069	2,121	2,121	-948
Radiation: Response preparedness (also EPM)	2,320	3,576	3,576	+1,256
Subtotal, Air toxics and quality	84,642	93,898	86,279	+1,637
Enforcement				
Forensics support (also HSS)	13,048	13,737	13,737	+689
Climate protection				
Climate protection program (also EPM)	19,006	17,732	19,032	+26
Homeland security				
Homeland security: Critical infrastructure protection				
Critical infrastructure protection (except water sentinel) (also EPM; HSS)	3,495	3,569	3,569	+74
Water sentinel and related training	---	44,000	9,000	+9,000
Subtotal, Homeland security: Critical infrastructure protection	3,495	47,569	12,569	+9,074
Homeland security: Preparedness, response, and recovery				
Preparedness, response, and recovery (other activities) (also HSS)	13,671	14,806	14,806	+1,135
Decontamination (also EPM; HSS)	13,609	24,710	16,710	+3,101
Laboratory preparedness & response (also EPM; HSS)	---	600	600	+600
Safe buildings	---	4,000	4,000	+4,000
(Transfer from Hazardous substance superfund)	(2,071)	(2,000)	(2,000)	(-71)
Subtotal, Homeland security: Preparedness, response, and recovery	27,280	44,116	36,116	+8,836
Homeland security: Protection of EPA personnel and infrastructure (also EPM; B&F; HSS)	2,024	2,100	2,100	+76
Subtotal, Homeland security	32,799	93,785	50,785	+17,986
IT / Data management / Security				
IT / Data management (also EPM; LUST; OSR; HSS)	4,345	4,251	4,251	-94
Indoor air				
Indoor air: Radon program (also EPM)	495	442	442	-53
Indoor air: Schools and workplace program (moved to reduce risks in FY06)	843	---	---	-843
Reduce risks from indoor air (also EPM)	---	832	832	+832
Subtotal, Indoor air	1,338	1,274	1,274	-64

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Conference	Conference vs. Enacted
Operations and administration				
Facilities infrastructure and operations (also EPM; B&F; LUST; OSR; HSS)	8,466	8,716	8,716	+250
Pesticide licensing				
Pesticides: Registration of new pesticides (also EPM)	2,466	2,490	2,490	+24
Pesticides: Review/Reregistration of existing pesticides (also EPM)	2,478	2,506	2,506	+28
Subtotal, Pesticide licensing	4,944	4,996	4,996	+52
Research / Congressional priorities	65,665	---	33,275	-32,390
Research: Clean air				
Research: Air toxics	16,956	16,387	16,387	-569
Research: Global change	19,578	20,534	19,934	+356
Research: National ambient air quality standards (NAAQS)	---	71,451	69,451	+69,451
Research: Particulate matter (Moved to NAAQS in FY06)	60,863	---	---	-60,863
Research: Troposphere ozone	4,041	---	---	-4,041
Subtotal, Research: Clean air	101,438	108,372	105,772	+4,334
Research: Clean water				
Research: Drinking water	48,665	45,690	45,690	-2,975
Research: Water quality	44,993	55,900	51,100	+6,107
Subtotal, Research: Clean water	93,658	101,590	96,790	+3,132
Research: Human health and ecosystems				
Human health risk assessment	32,723	36,240	36,240	+3,517
(By transfer from Hazardous substance superfund)	(3,559)	(4,022)	(4,022)	(+463)
Research: Computational toxicology	11,994	13,832	12,632	+638
Research: Endocrine disruptor	10,392	8,705	10,392	---
Research: Fellowships	12,042	8,327	12,042	---
Research: Human health and ecosystems	167,356	169,632	172,256	+4,900
Subtotal, Research: Human health and ecosystems	234,507	236,736	243,562	+9,055
Research: Land protection				
Research: Land protection & restoration (also HSS)	9,065	13,696	11,396	+2,331
(By transfer from Hazardous substance superfund)	(22,994)	(23,099)	(23,099)	(+105)
(By transfer from Hazardous substance superfund)	(6,596)	(1,485)	(1,485)	(-5,111)
Subtotal, Research: Land protection	9,065	13,696	11,396	+2,331
Research: Sustainability				
Research: Economics and decision science (EDS)	---	2,645	2,645	+2,645
Research: Environmental technology verification (ETV)	3,181	3,203	3,203	+22
Research: Pollution prevention (also HSS)	37,232	---	---	-37,232
(By transfer from Hazardous substance superfund)	(588)	---	---	(-588)
Research: Sustainability (other activities)	---	23,188	23,188	+23,188
Subtotal, Research: Sustainability	40,413	29,036	29,036	-11,377
Toxic research and prevention				
Research: Pesticides and toxics	27,792	29,753	29,753	+1,961
Water: Human health protection				
Drinking water programs (also EPM)	2,935	3,068	3,068	+133
Total, Science and Technology	744,061	760,640	741,722	-2,339
(By transfer from Hazardous substance superfund)	(35,808)	(30,606)	(30,606)	(-5,202)
Environmental Programs and Management				
Air toxics and quality				
Clean air allowance trading programs (also S&T)	16,873	18,234	18,234	+1,361
Federal stationary source regulations	21,768	23,509	23,509	+1,741
Federal support for air quality management				
Federal support for air quality management (other activities) (also S&T)	88,192	95,891	90,891	+2,699
Clean diesel initiative	---	15,000	5,000	+5,000
Subtotal, Federal support for air quality management	88,192	110,891	95,891	+7,699

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Conference	Conference vs. Enacted
Federal support for air toxics program (also S&T)...	24,590	25,431	25,431	+841
Radiation: Protection (also S&T; HSS).....	11,122	11,765	11,365	+243
Radiation: Response preparedness (also S&T).....	2,624	2,636	2,636	+12
Stratospheric ozone: Domestic programs.....	5,013	3,969	5,013	---
Stratospheric ozone: Multilateral fund.....	9,920	13,500	8,900	-1,020
Subtotal, Air toxics and quality.....	180,102	209,935	190,979	+10,877
Brownfields.....	24,301	29,638	25,000	+699
Climate protection program				
Climate protection program (other activities) (also S&T).....	43,910	41,030	41,030	-2,880
Energy star.....	46,700	50,500	50,500	+3,800
Methane to markets.....	300	4,000	2,000	+1,700
Subtotal, Climate protection.....	90,910	95,530	93,530	+2,620
Compliance				
Compliance assistance and centers (also LUST; OSR; HSS).....	26,613	29,097	29,097	+2,484
Compliance incentives (also HSS).....	8,963	9,622	9,622	+659
Compliance monitoring (also HSS) (Some of these funds were in IT/Data management in FY05).....	66,328	93,412	87,328	+21,000
Subtotal, Compliance.....	101,904	132,131	126,047	+24,143
Enforcement				
Civil enforcement (also OSR; HSS).....	112,463	117,462	115,962	+3,499
Criminal enforcement (also HSS).....	39,101	37,326	38,226	-875
Enforcement training (also HSS).....	3,428	2,499	2,999	-429
Environmental justice (also HSS).....	5,883	3,980	5,883	---
NEPA implementation.....	12,039	12,440	12,440	+401
Subtotal, Enforcement.....	172,914	173,707	175,510	+2,596
Environmental protection / Congressional priorities...	92,326	---	50,543	-41,783
Geographic programs				
Geographic program: Chesapeake Bay.....	22,756	20,746	22,746	-10
Geographic program: Great Lakes.....	21,287	21,519	21,519	+232
Geographic program: Gulf of Mexico.....	3,895	4,468	5,000	+1,105
Geographic program: Lake Champlain.....	2,480	955	1,955	-525
Geographic program: Long Island Sound.....	2,332	477	477	-1,855
Geographic program: Puget Sound.....	---	---	2,000	+2,000
Geographic program: Other				
Community action for a renewed environment (CARE).	1,984	9,000	3,000	+1,016
Other (other activities).....	4,923	4,686	5,853	+930
Subtotal, Geographic program: Other.....	6,907	13,686	8,853	+1,946
Regional geographic initiatives.....	7,687	8,862	7,762	+75
Subtotal, Geographic programs.....	67,344	70,713	70,312	+2,968
Homeland security				
Homeland security: Communication and information (also HSS)				
Communication and information (other activities)..	5,133	5,450	5,450	+317
Laboratory preparedness and response (also S&T)...	---	1,230	1,230	+1,230
Subtotal, Homeland security: Communication and information.....	5,133	6,680	6,680	+1,547
Homeland security: Critical infrastructure protection				
Critical infrastructure protection (except decontamination) (also S&T; HSS).....	6,896	6,847	6,847	-49
Decontamination (also S&T; EPM; HSS).....	---	100	100	+100
Subtotal, Homeland security: critical infrastructure protection.....	6,896	6,947	6,947	+51

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Conference	Conference vs. Enacted
Homeland security: Preparedness, response, and recovery (also S&T; HSS)				
Decontamination (also S&T; EPM; HSS)	1,822	3,348	3,348	+1,526
Homeland security: Protection of EPA personnel and infrastructure (also S&T; B&F; HSS)	6,294	6,403	6,403	+109
Subtotal, Homeland security	20,145	23,378	23,378	+3,233
Indoor air				
Indoor air: Asthma program	10,468	---	---	-10,468
Indoor air: Environment tobacco smoke program	2,400	---	---	-2,400
Indoor air: Radon program (also S&T)	5,142	5,918	5,518	+376
Indoor air: Schools and workplace program	9,326	---	---	-9,326
Reduce risks from indoor air (also S&T)	---	23,496	23,496	+23,496
Subtotal, Indoor air	27,336	29,414	29,014	+1,678
Information exchange / Outreach				
Children and other sensitive populations: Agency coordination	5,970	6,890	6,890	+920
Congressional, intergovernmental, external relations (also HSS)	48,624	49,753	49,753	+1,129
Environmental education	8,957	---	9,000	+43
Exchange network (also HSS)	16,361	22,739	18,739	+2,378
Small business ombudsman	3,712	3,911	3,911	+199
Small minority business assistance	2,264	2,348	2,348	+84
State and local prevention and preparedness	11,855	12,328	11,928	+73
Toxics release inventory (TRI) / Right to know	14,310	14,754	14,754	+444
Tribal - Capacity building	10,640	11,049	11,049	+409
Subtotal, Information exchange / Outreach	122,693	123,772	128,372	+5,679
International programs				
Children and other sensitive populations: Agency coordination	244	---	---	-244
Commission for environmental cooperation	3,773	4,210	4,210	+437
Environment and trade	1,500	1,787	1,787	+287
International capacity building	5,751	6,450	6,200	+449
Persistent organic pollutants (POPs) implementation	1,627	2,806	1,806	+179
U.S. / Mexico border	5,612	5,975	5,975	+363
Subtotal, International programs	18,507	21,228	19,978	+1,471
IT / Data management / Security				
Information security (also HSS)	4,131	3,888	3,888	-243
IT / Data management (also S&T; LUST; OSR; HSS) ($22.59 million moved to EPM Compliance in FY06)	106,123	105,999	95,999	-10,124
Subtotal, IT / Data management / Security	110,254	109,887	99,887	-10,367
Legal/Science/Regulatory/Economic review				
Administrative law	4,890	5,109	5,109	+219
Alternative dispute resolution (also HSS)	931	1,051	1,051	+120
Civil rights / Title VI compliance	12,119	12,530	12,530	+411
Legal advice: Environmental program (also HSS)	34,644	36,314	36,314	+1,670
Legal advice: Support program	12,555	13,088	13,088	+533
Regional science and technology	3,245	3,643	3,643	+398
Regulatory innovation	20,014	25,021	22,518	+2,504
Regulatory/Economic-management and analysis	14,821	16,713	16,713	+1,892
Science advisory board	4,361	4,881	4,881	+520
Subtotal, Legal/Science/Regulatory/Economic review	107,580	118,350	115,847	+8,267
Operations and administration				
Acquisition management (also LUST; HSS)	22,714	23,055	23,055	+341
Central planning, budgeting, and finance (also LUST; HSS)	69,387	72,790	72,790	+3,403
Facilities infrastructure and operations (also S&T; B&F; LUST; OSR; HSS)	314,614	358,046	353,046	+38,432
Financial assistance grants / Interagency agreements (IAG) management (also HSS)	20,366	19,916	19,916	-450
Human resources management (also LUST; HSS)	39,461	38,872	38,872	-589
Subtotal, Operations and administration	466,542	512,679	507,679	+41,137

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Conference	Conference vs. Enacted
Pesticide licensing				
Pesticides: Field programs	24,362	24,683	24,683	+321
Pesticides: Registration of new pesticides (also S&T)	39,159	41,472	41,472	+2,313
Pesticides: Review/Reregistration of existing pesticides (also S&T)	51,315	57,991	57,991	+6,676
Science policy and biotechnology	1,640	1,751	1,751	+111
Subtotal, Pesticide licensing	116,476	125,897	125,897	+9,421
Resource Conservation and Recovery Act (RCRA)				
RCRA: Corrective action	39,667	42,710	42,710	+3,043
RCRA: Waste management	66,696	68,228	68,228	+1,532
RCRA: Waste minimization and recycling	11,508	14,376	14,376	+2,868
RCRA: General reduction	---	---	-5,000	-5,000
Subtotal, Resource Conservation and Recovery Act (RCRA)	117,871	125,314	120,314	+2,443
Toxics risk review and prevention				
Toxic substances: Chemical risk management	8,341	9,058	9,058	+717
Toxic substances: Chemical risk review & reduction	44,814	44,523	46,879	+2,065
Endocrine disruptors	8,540	9,097	9,097	+557
Toxic substances: Lead risk reduction program	10,970	10,549	10,549	-421
Pollution prevention program	16,408	19,990	16,408	---
Subtotal, Toxics risk review and prevention	89,073	93,217	91,991	+2,918
Underground storage tanks (LUST / UST) (also LUST)	7,125	7,719	7,719	+594
Water: Ecosystems				
Great Lakes Legacy Act	22,320	50,000	30,000	+7,680
National estuary program / Coastal waterways	25,065	19,446	24,446	-619
Wetlands	20,085	20,375	20,375	+290
Subtotal, Water: Ecosystems	67,470	89,821	74,821	+7,351
Water: Human health protection				
Beach/Fish programs	3,210	3,264	3,264	+54
Drinking water programs (also S&T)	93,258	101,090	96,590	+3,332
Subtotal, Water: Human health protection	96,468	104,354	99,854	+3,386
Water quality protection				
Marine pollution	11,358	12,279	12,279	+921
Surface water protection				
Surface water protection (other activities)	179,503	185,501	185,501	+5,998
Water quality monitoring	6,700	9,300	7,300	+600
Subtotal, Surface water protection	186,203	194,801	192,801	+6,598
Subtotal, Water quality protection	197,561	207,080	205,080	+7,519
Subtotal, Environmental Programs and Management	2,294,902	2,403,764	2,381,752	+86,850
Offsetting receipts from toxics and pesticides fees	---	-50,000	---	---
Total, Environmental Programs and Management	2,294,902	2,353,764	2,381,752	+86,850
Office of Inspector General				
Audits, evaluations, and investigations	37,696	36,955	37,455	-241
(By transfer from Hazardous substance superfund)	(12,896)	(13,536)	(13,536)	(+640)
Buildings and Facilities				
Homeland security				
Homeland security: Protection of EPA personnel and infrastructure (also S&T; EPM; HSS)	11,408	11,500	11,500	+92
Operations and administration				
Facilities infrastructure and operations (also S&T; EPM; HSS; LUST; OSR)	27,280	28,718	28,718	+1,438
Subtotal, Buildings and Facilities	38,688	40,218	40,218	+1,530

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Conference	Conference vs. Enacted
Emergency appropriations (P.L. 108-324)	3,000	---	---	-3,000
Total, Buildings and Facilities	41,688	40,218	40,218	-1,470
Hazardous Substance Superfund				
Air toxics and quality				
Radiation: Protection (also S&T; EPM)	2,031	2,387	2,212	+181
Audits, evaluations, and investigations	12,896	13,536	13,536	+640
(Transfer to Office of Inspector General)	(-12,896)	(-13,536)	(-13,536)	(-640)
Enforcement				
Civil enforcement (also EPM; OSR)	122	883	883	+761
Criminal enforcement (also EPM)	7,895	9,504	8,704	+809
Enforcement training (also EPM)	822	614	614	-208
Environmental justice (also EPM)	938	845	845	-93
Forensics support (also S&T)	4,112	3,840	3,840	-272
Superfund: Enforcement	153,266	164,258	160,258	+6,992
Superfund: Federal facilities enforcement	10,667	10,241	10,241	-426
Subtotal, Enforcement	177,822	190,185	185,385	+7,563
Compliance				
Compliance assistance and centers (also EPM; LUST; OSR)	---	23	12	+12
Compliance incentives (also EPM)	145	168	157	+12
Compliance monitoring (also EPM)	159	1,157	957	+798
Subtotal, Compliance	304	1,348	1,126	+822
Homeland security				
Homeland security: Communication and information (also EPM)				
Laboratory preparedness and response (also S&T; EPM; HSS)	---	300	300	+300
Homeland security: Critical infrastructure protection				
Critical infrastructure protection (other activities) (also S&T; EPM)	1,923	852	852	-1,071
Decontamination (also S&T; EPM; HSS)	---	200	200	+200
Subtotal, Homeland security: Critical infrastructure protection	1,923	1,052	1,052	-871
Homeland security: Preparedness, response, and recovery				
Decontamination (also S&T; EPM; HSS)	8,283	12,550	10,550	+2,267
Laboratory preparedness and response (also S&T; EPM; HSS)	---	9,500	---	---
Preparedness, response, and recovery (other activities) (also S&T)	25,996	26,915	26,915	+919
(Transfer to Science and Technology)	(-2,071)	(-2,000)	(-2,000)	(+71)
Subtotal, Homeland security: Preparedness, response, and recovery	34,279	48,965	37,465	+3,186
Homeland security: Protection of EPA personnel and infrastructure (also S&T; EPM; B&F)	672	600	600	-72
Subtotal, Homeland security	36,874	50,917	39,417	+2,543
Information exchange / Outreach				
Congressional, intergovernmental, external relations (also EPM)	155	161	155	---
Exchange network (also EPM)	2,235	1,676	1,676	-559
Subtotal, Information exchange / Outreach	2,390	1,837	1,831	-559
IT / Data management / Security				
Information security (also EPM)	406	409	406	---
IT / Data management (also S&T; EPM; LUST; OSR)	17,945	16,113	16,113	-1,832
Subtotal, IT / Data management / Security	18,351	16,522	16,519	-1,832

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Conference	Conference vs. Enacted
Legal/Science/Regulatory/Economic review				
Alternative dispute resolution (also EPM)	845	985	985	+140
Legal advice: Environmental program (also EPM)	816	836	836	+20
Subtotal, Legal/Science/Regulatory/Economic review	1,661	1,821	1,821	+160
Operations and administration				
Financial assistance grants / Interagency agreements (IAG) management (also EPM)	2,943	2,579	2,579	-364
Facilities infrastructure and operations (also S&T; EPM; B&F; LUST; OSR)	67,080	72,726	70,226	+3,146
Acquisition management (also EPM; LUST)	18,888	20,367	20,367	+1,479
Human resources management (also EPM; LUST)	4,376	4,790	4,790	+414
Central planning, budgeting, and finance (also EPM; LUST)	20,379	22,445	22,445	+2,066
Subtotal, Operations and administration	113,666	122,907	120,407	+6,741
Research: Human health and ecosystems				
Human health risk assessment	3,559	4,022	4,022	+463
(Transfer to Science and Technology)	(-3,559)	(-4,022)	(-4,022)	(-463)
Research: Land protection				
Research: Land protection and restoration	22,994	23,099	23,099	+105
(Transfer to Science and Technology)	(-22,994)	(-23,099)	(-23,099)	(-105)
Research: Superfund innovative technology (SITE) program	6,596	1,485	1,485	-5,111
(Transfer to Science and Technology)	(-6,596)	(-1,485)	(-1,485)	(+5,111)
Subtotal, Research: Land protection	29,590	24,584	24,584	-5,006
Research: Sustainability				
Pollution prevention (also S&T)	588	---	---	-588
(Transfer to Science and Technology)	(-588)	---	---	(+588)
Superfund cleanup				
Superfund: Emergency response and removal	198,494	198,000	198,494	---
Superfund: EPA emergency preparedness	10,009	10,507	10,507	+498
Superfund: Federal facilities	31,512	31,611	31,611	+99
Superfund: Remedial	597,139	599,395	599,395	+2,256
Superfund: Support to other Federal agencies	10,591	9,754	9,754	-837
Subtotal, Superfund cleanup	847,745	849,267	849,761	+2,016
Total, Hazardous Substance Superfund	1,247,477	1,279,333	1,260,621	+13,144
(Transfer to Office of Inspector General)	(-12,896)	(-13,536)	(-13,536)	(-640)
(Transfer to Science and Technology)	(-35,808)	(-30,606)	(-30,606)	(+5,202)
Leaking Underground Storage Tanks (LUST)				
Compliance				
Compliance assistance and centers (also EPM; OSR; HSS)	855	774	774	-81
IT / Data management / Security				
IT / Data management (also S&T; EPM; HSS; OSR)	176	178	178	+2
Operations and administration				
Acquisition management (also EPM; HSS)	341	346	346	+5
Central planning, budgeting, and finance (also EPM; HSS)	866	936	936	+70
Facilities infrastructure and operations (also S&T; EPM; B&F; HSS; OSR)	872	884	884	+12
Human resources management (also EPM; HSS)	3	3	3	---
Subtotal, Operations and administration	2,082	2,169	2,169	+87
Research: Land protection				
Research: Land protection and restoration (also S&T; HSS; OSR)	624	646	646	+22

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Conference	Conference vs. Enacted
Underground storage tanks (LUST / UST)				
Underground storage tanks (LUST / UST) (also EPM)...	9,279	10,584	10,584	+1,305
LUST Cooperative agreements.....	56,424	58,676	58,676	+2,252
Subtotal, Underground storage tanks (LUST / UST)	65,703	69,260	69,260	+3,557
Total, Leaking Underground Storage Tank Program.	69,440	73,027	73,027	+3,587
Oil Spill Response				
Enforcement				
Civil enforcement (also EPM; HSS).....	1,742	1,789	1,789	+47
Compliance				
Compliance assistance and centers (also EPM; HSS; LUST).....	274	287	287	+13
IT / Data management / Security				
IT / Data management (also S&T; EPM; HSS; LUST).....	33	33	33	---
Oil				
Oil spill: Prevention, preparedness and response...	12,465	12,344	12,344	-121
Operations and administration				
Facilities infrastructure and operations (also S&T; EPM; B&F; HSS; LUST).....	463	504	504	+41
Research: Land protection				
Research: Land protection and restoration (also S&T; HSS; LUST).....	895	906	906	+11
Total, Oil Spill Response.....	15,872	15,863	15,863	-9
Pesticide registration fund.....	19,245	15,000	15,000	-4,245
Pesticide registration fees.....	-19,245	-15,000	-15,000	+4,245
State and Tribal Assistance Grants (STAG)				
Air toxics and quality				
Clean school bus initiative.....	7,440	10,000	7,000	-440
Brownfields				
Brownfields projects.....	89,280	120,500	90,000	+720
Infrastructure assistance				
Infrastructure assistance: Alaska Native villages..	44,640	15,000	35,000	-9,640
Infrastructure assistance: Clean water state revolving fund (SRF).....	1,091,200	730,000	900,000	-191,200
Infrastructure assistance: Drinking water state revolving fund (SRF).....	843,200	850,000	850,000	+6,800
Infrastructure assistance: Mexico border.....	49,600	50,000	50,000	+400
Infrastructure assistance: Puerto Rico.....	3,849	4,000	---	-3,849
Subtotal, Infrastructure assistance.....	2,032,489	1,649,000	1,835,000	-197,489
STAG infrastructure grants / Congressional priorities.	309,548	---	200,000	-109,548
Subtotal, State and Tribal Assistance Grants (excluding categorical grants).....	2,438,757	1,779,500	2,132,000	-306,757
Categorical grants				
Categorical grant: Beaches protection.....	9,920	10,000	10,000	+80
Categorical grant: Brownfields.....	49,600	60,000	50,000	+400
Categorical grant: Environmental information.....	19,344	20,000	20,000	+656
Categorical grant: Hazardous waste financial assistance.....	103,466	104,400	103,466	---
Categorical grant: Homeland security.....	4,960	5,000	5,000	+40
Categorical grant: Lead.....	13,392	13,700	13,700	+308
Categorical grant: Nonpoint source (Sec. 319).....	207,328	209,100	207,328	---
Categorical grant: Pesticides enforcement.....	19,344	18,900	18,900	-444
Categorical grant: Pesticides program implementation.....	12,896	13,100	13,100	+204

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Conference	Conference vs. Enacted
Categorical grant: Pollution control (Sec. 106)				
Pollution control (Sec. 106) (other activities)...	168,620	177,900	170,900	+2,280
Water quality monitoring.....	39,700	54,000	48,500	+8,800
Subtotal, Categorical grant: Pollution control (Sec. 106).....	208,320	231,900	219,400	+11,080
Categorical grant: Pollution prevention.....	4,960	6,000	5,000	+40
Categorical grant: Public water system supervision (PWSS).....	99,746	100,600	99,746	---
Categorical grant: Radon.....	6,944	8,150	7,550	+606
Categorical grant: Sector program.....	2,232	2,250	2,250	+18
Categorical grant: State and local air quality management.....	223,200	223,550	223,550	+350
Categorical grant: State and tribal performance fund.....	---	23,000	---	---
Categorical grant: Targeted watersheds.....	17,856	15,000	16,856	-1,000
Categorical grant: Toxics substances compliance....	5,007	5,150	5,150	+143
Categorical grant: Tribal air quality management...	10,743	11,050	11,050	+307
Categorical grant: Tribal general assistance program.....	61,504	57,500	57,500	-4,004
Categorical grant: Underground injection control (UIC).....	10,694	11,000	11,000	+306
Categorical grant: Underground storage tanks.....	11,904	11,950	11,950	+46
Categorical grant: Wastewater operator training....	1,488	---	1,200	-288
Categorical grant: Water quality cooperative agreements.....	16,864	---	---	-16,864
Categorical grant: Wetlands program development....	14,880	20,000	16,000	+1,120
Subtotal, Categorical grants.....	1,136,592	1,181,300	1,129,696	-6,896
Subtotal, State and Tribal Assistance Grants....	3,575,349	2,960,800	3,261,696	-313,653
Rescission of expired contracts, grants, and interagency agreements (various EPA accounts).....	---	---	-80,000	-80,000
Total, State and Tribal Assistance Grants.....	3,575,349	2,960,800	3,181,696	-393,653
TOTAL, TITLE II, ENVIRONMENTAL PROTECTION AGENCY	8,026,485	7,520,600	7,732,354	-294,131
Appropriations.....	(8,023,485)	(7,520,600)	(7,812,354)	(-211,131)
Emergency appropriations.....	(3,000)	---	---	(-3,000)
Rescissions.....	---	---	(-80,000)	(-80,000)
(Transfer out).....	(-48,704)	(-44,142)	(-44,142)	(+4,562)
(By transfer).....	(48,704)	(44,142)	(44,142)	(-4,562)
TITLE III - RELATED AGENCIES				
DEPARTMENT OF AGRICULTURE				
FOREST SERVICE				
Forest and Rangeland Research				
Forest inventory and analysis.....	55,926	68,714	60,267	+4,341
Research and development programs.....	220,458	216,686	222,827	+2,369
Total, Forest and rangeland research.....	276,384	285,400	283,094	+6,710
State and Private Forestry				
Forest Health Management				
Federal lands forest health management.....	54,236	50,023	54,236	---
Cooperative lands forest health management.....	47,629	22,308	47,629	---
Subtotal, Forest Health Management.....	101,865	72,331	101,865	---
Cooperative Fire Protection				
State fire assistance.....	32,920	20,919	33,422	+502
Volunteer fire assistance.....	5,917	5,917	6,000	+83
Subtotal, Cooperative Fire Protection.....	38,837	26,836	39,422	+585

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Conference	Conference vs. Enacted
Cooperative Forestry				
Forest stewardship	32,320	37,099	34,699	+2,379
Forest Legacy	57,134	80,000	57,380	+246
Urban and Community Forestry	31,950	27,475	28,875	-3,075
Economic action programs	19,032	---	9,679	-9,353
Forest resource information and analysis	4,958	4,657	4,657	-301
Subtotal, Cooperative Forestry	145,394	149,231	135,290	-10,104
International program	6,410	4,989	7,000	+590
Emergency appropriations (P.L. 108-324)	49,100	---	---	-49,100
Total, State and Private Forestry	341,606	253,387	283,577	-58,029
National Forest System				
Land management planning	63,167	59,057	59,057	-4,110
Inventory and monitoring	167,302	167,009	170,179	+2,877
Recreation, heritage and wilderness	257,343	257,344	265,200	+7,857
Wildlife and fish habitat management	134,749	124,951	134,850	+101
Grazing management	48,034	44,659	49,000	+966
Forest products	273,247	278,297	284,297	+11,050
Vegetation and watershed management	189,614	193,774	184,050	-5,564
Minerals and geology management	55,747	73,791	85,865	+30,118
Landownership management	92,129	84,157	93,000	+871
Law enforcement operations	86,014	86,326	89,200	+3,186
Valles Caldera National Preserve	3,599	992	5,150	+1,551
Centennial of Service challenge	9,861	---	4,500	-5,361
Hazardous fuels	---	281,000	---	---
Emergency appropriations (P.L. 108-324)	12,153	---	---	-12,153
Total, National Forest System	1,392,959	1,651,357	1,424,348	+31,389
Wildland Fire Management				
Preparedness	676,470	676,014	676,014	-456
Fire suppression operations	648,859	700,492	700,492	+51,633
Additional appropriations, Title IV	394,443	---	---	-394,443
Subtotal, Fire suppression operations	1,043,302	700,492	700,492	-342,810
Other operations				
Hazardous fuels	262,539	---	286,000	+23,461
Rehabilitation	12,819	2,000	6,281	-6,538
Fire plan research and development	21,719	16,885	23,219	+1,500
Joint fire sciences program	7,889	---	8,000	+111
Forest health management (federal lands)	14,792	6,974	15,000	+208
Forest health management (co-op lands)	9,861	4,598	10,000	+139
State fire assistance	40,179	29,415	46,500	+6,321
Volunteer fire assistance	7,889	7,889	7,889	---
Subtotal, Other operations	377,687	67,761	402,889	+25,202
Emergency appropriations (P.L. 108-324)	1,028	---	---	-1,028
Funded in Defense Bill (P.L. 108-287) (sec. 8098)	(30,000)	---	---	(-30,000)
Total, Wildland Fire Management	2,098,487	1,444,267	1,779,395	-319,092
Capital Improvement and Maintenance				
Facilities				
Maintenance	77,657	51,522	51,522	-26,135
Construction	121,112	66,194	75,157	-45,955
Subtotal, Facilities	198,769	117,716	126,679	-72,090
Roads				
Maintenance	148,066	131,357	148,066	---
Construction	78,330	58,202	77,433	-897
Subtotal, Roads	226,396	189,559	225,499	-897
Trails				
Maintenance	41,823	37,540	42,000	+177
Construction	33,884	26,252	34,000	+116
Subtotal, Trails	75,707	63,792	76,000	+293

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Conference	Conference vs. Enacted
Infrastructure improvement	13,829	9,725	13,000	-829
Subtotal, Capital improvement and maintenance	514,701	380,792	441,178	-73,523
Emergency appropriations (P.L. 108-324):				
Facilities	9,195	---	---	-9,195
Roads	33,204	---	---	-33,204
Trails	8,416	---	---	-8,416
Funded in Defense Bill (P.L. 108-287) (sec. 8098)	(10,000)	---	---	(-10,000)
Emergency appropriations (P L 109-13)	24,390	---	---	-24,390
Total, Capital Improvement and Maintenance	589,906	380,792	441,178	-148,728
Land Acquisition				
Forest Service				
Acquisitions	45,722	25,000	28,500	-17,222
Acquisition management	12,820	13,000	12,500	-320
Cash equalization	986	500	500	-486
Critical inholdings/wilderness protection	1,479	1,500	1,000	-479
Total, Land Acquisition	61,007	40,000	42,500	-18,507
Acquisition of lands for national forests, special acts	1,054	1,069	1,069	+15
Acquisition of lands to complete land exchanges	231	234	234	+3
Range betterment fund	3,021	2,963	2,963	-58
Gifts, donations and bequests for forest and rangeland research	64	64	64	---
Management of national forest lands for subsistence uses	5,879	5,467	5,067	-812
TOTAL, FOREST SERVICE	4,770,598	4,065,000	4,263,489	-507,109
DEPARTMENT OF HEALTH AND HUMAN SERVICES				
INDIAN HEALTH SERVICE				
Indian Health Services				
Clinical Services				
IHS and tribal health delivery				
Hospital and health clinic programs	1,289,418	1,359,541	1,359,541	+70,123
Dental health program	109,023	119,489	119,489	+10,466
Mental health program	55,060	59,328	59,328	+4,268
Alcohol and substance abuse program	139,073	145,336	145,336	+6,263
Contract care	480,318	507,021	507,021	+26,703
Catastrophic health emergency fund	17,750	18,000	18,000	+250
Subtotal, Clinical Services	2,090,642	2,208,715	2,208,715	+118,073
Preventive Health				
Public health nursing	45,015	49,690	49,690	+4,675
Health education	12,429	13,787	13,787	+1,358
Community health representatives program	51,365	53,737	53,737	+2,372
Immunization (Alaska)	1,572	1,645	1,645	+73
Subtotal, Preventive Health	110,381	118,859	118,859	+8,478
Urban health projects	31,816	33,233	33,233	+1,417
Indian health professions	30,392	31,503	31,503	+1,111
Tribal management	2,343	2,430	2,430	+87
Direct operations	61,649	63,123	63,123	+1,474
Self-governance	5,586	5,752	5,752	+166
Contract support costs	263,683	268,683	268,683	+5,000
Medicare/Medicaid Reimbursements				
Hospital and clinic accreditation (Est. collecting)	(598,662)	(648,208)	(648,208)	(+49,546)
Total, Indian Health Services	2,596,492	2,732,298	2,732,298	+135,806
(Non-contract services)	(2,098,424)	(2,207,277)	(2,207,277)	(+108,853)
(Contract care)	(480,318)	(507,021)	(507,021)	(+26,703)
(Catastrophic health emergency fund)	(17,750)	(18,000)	(18,000)	(+250)
Indian Health Facilities				
Maintenance and improvement	49,204	49,904	52,404	+3,200
Sanitation facilities	91,767	93,519	93,519	+1,752

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Conference	Conference vs. Enacted
Construction facilities	88,597	3,326	38,343	-50,254
Facilities and environmental health support	141,669	150,959	152,959	+11,290
Equipment	17,337	17,960	21,260	+3,923
Total, Indian Health Facilities	388,574	315,668	358,485	-30,089
TOTAL, INDIAN HEALTH SERVICE	2,985,066	3,047,966	3,090,783	+105,717
NATIONAL INSTITUTES OF HEALTH				
National Institute of Environmental Health Sciences	79,842	80,289	80,289	+447
AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY				
Toxic substances and environmental public health	76,041	76,024	76,024	-17
TOTAL, DEPARTMENT OF HEALTH AND HUMAN SERVICES	3,140,949	3,204,279	3,247,096	+106,147
OTHER RELATED AGENCIES				
EXECUTIVE OFFICE OF THE PRESIDENT				
Council on Environmental Quality and Office of Environmental Quality	3,258	2,717	2,717	-541
CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD				
Salaries and expenses	9,027	9,200	9,200	+173
Emergency fund	397	---	---	-397
Total, Chemical Safety and Hazard	9,424	9,200	9,200	-224
OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION				
Salaries and expenses	4,930	8,601	8,601	+3,671
INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT				
Payment to the Institute	5,916	6,300	6,300	+384
SMITHSONIAN INSTITUTION				
Salaries and Expenses				
Museum and Research Institutes				
Anacostia Museum and Center for African American History and Culture	1,864	1,897	1,897	+33
Archives of American Art	1,806	1,843	1,843	+37
Arthur M. Sackler Gallery/Freer Gallery of Art	5,657	5,772	5,772	+115
Center for Folklife and Cultural Heritage	1,910	1,945	1,945	+35
Cooper-Hewitt, National Design Museum	3,054	3,118	3,118	+64
Hirshhorn Museum and Sculpture Garden	3,997	4,078	4,078	+81
National Air and Space Museum	16,262	16,596	16,596	+334
National Museum of African American History and Culture	3,944	5,098	3,944	---
National Museum of African Art	4,175	4,257	4,257	+82
Smithsonian American Art Museum	7,561	12,028	12,028	+4,467
National Museum of American History	19,962	20,441	20,441	+479
National Museum of the American Indian	31,739	30,540	30,540	-1,199
National Museum of Natural History	42,177	44,063	44,063	+1,886
National Portrait Gallery	4,957	8,409	8,409	+3,452
National Zoological Park	17,576	20,194	20,194	+2,618
Astrophysical Observatory	21,301	22,295	22,295	+994
Center for Materials Research and Education	3,184	3,251	3,251	+67
Environmental Research Center	3,006	3,065	3,065	+59
Tropical Research Institute	11,514	11,219	11,419	-95
Subtotal, Museums and Research Institutes	205,646	220,109	219,155	+13,509

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Conference	Conference vs. Enacted
Program Support and Outreach				
Outreach	10,050	9,200	9,700	-350
Communications	1,480	1,502	1,502	+22
Institution-wide programs	6,053	6,613	6,613	+560
Office of Exhibits Central	2,598	2,658	2,658	+60
Major scientific instrumentation	3,944	3,944	3,944	---
Museum Support Center	1,640	1,675	1,675	+35
Smithsonian Institution Archives	1,656	1,695	1,695	+39
Smithsonian Institution Libraries	8,611	8,779	8,779	+168
Subtotal, Program Support and Outreach	36,032	36,066	36,566	+534
Administration	63,903	65,929	65,529	+1,626
Facilities Services				
Facilities maintenance	39,371	45,680	46,680	+7,309
Facilities operations, security and support	144,083	156,351	156,351	+12,268
Subtotal, Facilities Services	183,454	202,031	203,031	+19,577
Total, Salaries and Expenses	489,035	524,135	524,281	+35,246
Facilities Capital				
Revitalization	110,355	72,900	73,900	-36,455
Construction	7,879	9,000	18,100	+10,221
Facilities planning and design	7,889	9,000	8,000	+111
Total, Facilities capital	126,123	90,900	100,000	-26,123
TOTAL, SMITHSONIAN INSTITUTION	615,158	615,035	624,281	+9,123
NATIONAL GALLERY OF ART				
Salaries and Expenses				
Care and utilization of art collections	32,110	34,023	34,023	+1,913
Operation and maintenance of buildings and grounds	21,958	23,268	23,268	+1,310
Protection of buildings, grounds and contents	19,437	20,675	20,675	+1,238
General administration	18,203	19,134	19,134	+931
General reduction	---	---	-500	-500
Total, Salaries and Expenses	91,708	97,100	96,600	+4,892
Repair, Restoration and Renovation of Buildings				
Base program	10,946	16,200	16,200	+5,254
TOTAL, NATIONAL GALLERY OF ART	102,654	113,300	112,800	+10,146
JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS				
Operations and maintenance	16,914	17,800	17,800	+886
Construction	16,107	15,200	13,000	-3,107
TOTAL, JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS	33,021	33,000	30,800	-2,221
WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS				
Salaries and expenses	8,863	9,201	9,201	+338
NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES				
National Endowment for the Arts				
Grants and Administration				
Grants				
Direct grants	45,631	45,118	45,118	-513
Challenge America grants	12,857	8,966	8,966	-3,891
National Initiative: American Masterpieces	1,183	4,800	4,800	+3,617

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Conference	Conference vs. Enacted
State partnerships				
State and regional	23,942	23,691	23,691	-251
Underserved set-aside	6,480	6,417	6,417	-63
Challenge America grants	8,570	5,956	5,956	-2,614
National Initiative: American Masterpieces	789	3,200	3,200	+2,411
Subtotal, State partnerships	39,781	39,264	39,264	-517
Subtotal, Grants	99,452	98,148	98,148	-1,304
Program support	1,270	1,470	1,470	+200
Administration	20,542	21,646	21,646	+1,104
General increase in House and Senate action	---	---	5,000	+5,000
Total, Arts	121,264	121,264	126,264	+5,000
National Endowment for the Humanities				
Grants and Administration				
Grants				
Federal/State partnership	31,387	31,387	31,387	---
Preservation and access	18,643	18,643	18,643	---
Public programs	12,932	12,566	12,566	-366
Research programs	12,881	12,881	12,881	---
Education programs	12,449	12,449	12,449	---
Program development	392	381	381	-11
We The People Initiative grants	11,217	11,217	11,217	---
Subtotal, Grants	99,901	99,524	99,524	-377
Administrative Areas				
Administration	22,255	23,081	23,081	+826
General increase in House and Senate action	---	---	5,000	+5,000
Total, Grants and Administration	122,156	122,605	127,605	+5,449
Matching Grants				
Treasury funds	5,607	5,449	5,449	-158
Challenge grants	10,291	10,000	10,000	-291
Total, Matching Grants	15,898	15,449	15,449	-449
Total, Humanities	138,054	138,054	143,054	+5,000
TOTAL, NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES	259,318	259,318	269,318	+10,000
COMMISSION OF FINE ARTS				
Salaries and expenses	1,768	1,893	1,893	+125
NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS				
Grants	6,902	7,000	7,250	+348
ADVISORY COUNCIL ON HISTORIC PRESERVATION				
Salaries and expenses	4,536	4,988	4,860	+324
NATIONAL CAPITAL PLANNING COMMISSION				
Salaries and expenses	7,888	8,344	8,244	+356
UNITED STATES HOLOCAUST MEMORIAL MUSEUM				
Holocaust Memorial Museum	40,858	43,233	42,780	+1,922
PRESIDIO TRUST				
Operations	19,722	20,000	20,000	+278

DEPARTMENT OF INTERIOR AND RELATED AGENCIES
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	Conference	Conference vs. Enacted
WHITE HOUSE COMMISSION ON THE NATIONAL MOMENT OF REMEMBRANCE				
Operations	248	250	250	+2
TOTAL, TITLE III. RELATED AGENCIES	9,036,011	8,411,659	8,669,080	-366,931
Appropriations	(8,940,145)	(8,411,659)	(8,669,080)	(-271,065)
Emergency appropriations	(95,866)	---	---	(-95,866)
TITLE IV - GENERAL PROVISION				
Across-the-board cut (.476%) (rescission) (sec. 437)	---	---	-126,000	-126,000
GRAND TOTAL, ALL TITLES	27,017,724	25,724,328	26,201,541	-816,183

CONFERENCE TOTAL--WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2006 recommended by the Committee of Conference, with comparisons to the fiscal year 2005 amount, the 2006 budget estimates, and the House and Senate bills for 2006 follow:

(In thousands of dollars)

New budget (obligational) authority, fiscal year 2005	$27,017,724
Budget estimates of new (obligational) authority, fiscal year 2006	25,724,328
House bill, fiscal year 2006	26,159,125
Senate bill, fiscal year 2006	26,256,625
Conference agreement, fiscal year 2006	26,201,541
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2005	-816,183
Budget estimates of new (obligational) authority, fiscal year 2006	+477,213
House bill, fiscal year 2006	+42,416
Senate bill, fiscal year 2006	-55,084

CHARLES H. TAYLOR,
JERRY LEWIS,
ZACH WAMP,
JOHN E. PETERSON,
DON SHERWOOD,
ERNEST J. ISTOOK, Jr.,
ROBERT B. ADERHOLT,
JOHN T. DOOLITTLE,
MICHAEL SIMPSON,
NORMAN D. DICKS,
JAMES P. MORAN,
MAURICE D. HINCHEY,
JOHN W. OLVER,
ALAN B. MOLLOHAN,
Managers on the Part of the House.

CONRAD BURNS,
TED STEVENS,
THAD COCHRAN,
PETE V. DOMENICI,
ROBERT F. BENNETT,
JUDD GREGG,
LARRY CRAIG,
WAYNE ALLARD,
BYRON L. DORGAN,
ROBERT C. BYRD,
PATRICK J. LEAHY,
HARRY REID,
DIANNE FEINSTEIN,
BARBARA A. MIKULSKI,
HERB KOHL,
Managers on the Part of the Senate.

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