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110TH CONGRESS, 1st Session | HOUSE OF REPRESENTATIVES | REPORT 110–187

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS BILL, 2008

JUNE 11, 2007.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. DICKS, from the Committee on Appropriations, submitted the following

R E P O R T

together with

Additional Views

[To accompany H.R. 2643]

The Committee on Appropriations submits the following report in explanation of the accompanying bill making appropriations for the Department of the Interior, the Environmental Protection Agency, and Related Agencies for the fiscal year ending September 30, 2008 and for other purposes. The bill provides regular annual appropriations for the Department of the Interior (except the Bureau of Reclamation and the Central Utah Project), the Environmental Protection Agency, and for other related agencies, including the Forest Service, the Indian Health Service, the Smithsonian Institution, and the National Foundation on the Arts and the Humanities.

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BUDGET AUTHORITY RECOMMENDED IN BILL BY TITLE

Activity	Budget estimates, fiscal year 2008	Committee bill, fiscal year 2008	Committee bill compared with budget estimates
Title I, Department of the Interior: New Budget (obligational) authority	$9,713,245,000	$10,163,478,000	+$450,233,000
Title II, Environmental Protection Agency: New Budget (obligational) authority	7,199,400,000	8,085,915,000	+886,515,000
Title III, related agencies: New Budget (obligational) authority	8,770,858,000	9,383,732,000	+612,874,000
Grand total, New Budget (obligational) authority	25,683,503,000	27,633,125,000	+1,949,622,000

CHANGING DIRECTIONS

The recommendations presented in the accompanying bill are the product of a very deliberate and bipartisan process. The Subcommittee on Interior, Environment and Related Agencies held 38 separate hearings over three months with more than 250 witnesses. This included agency officials, Members of Congress and more than 100 tribal leaders and other public witnesses. These hearings included both standard budget hearings as well as a series of broader sessions to look at long-term trends in a few critical areas. This included five "contextual" hearings which looked at: (1) preserving open spaces and recreational opportunities; (2) protecting the quality of our water and air; (3) the status of Native American communities; (4) America's artistic and cultural heritage; and finally (5) the critical area of climate change. Many of the recommendations in this bill flow directly from these hearings.

This bill is structured in response to this review to begin the process of reinvesting significant new resources to address the future needs of our country. This new period of reinvestment follows a period of significant disinvestment in environmental and conservation programs and a period of clearly inadequate funding towards fulfilling the moral and treaty obligations of this Nation to Native American communities. Had the Administration's budget request been approved for 2008, funding over the last six years would have fallen 16 percent for the Department of the Interior, 29 percent for the Environmental Protection Agency and 35 percent for the non-fire portion of the budget of the Forest Service. Given that history, the Committee believes that the 4.5 percent increase provided in this bill is well justified.

This report provides detailed justifications for its recommendations but a few of the increases and decreases recommended by the Committee deserve special mention:

National Parks.—The bill includes substantial new investments in our national parks as part of the $3 billion, ten-year proposal from the President to upgrade the parks in preparation for the centennial of the founding of the National Park Service in 2016. The bill provides $2,047 million, a $199 million increase over fiscal year 2007, for core operational costs of our national parks as proposed by the President. This increase will begin to reverse the major declines which have occurred over the last decade as the parks have had to absorb fixed costs and other new requirements year after year. The additional funds will support 3,000 badly needed new

seasonal employees and 590 additional year-round staff. $85 million is also included for critical repair and maintenance projects.

The bill also provides $50 million as the governmental contribution for the new Centennial Challenge initiative proposed by the President for the parks. These funds must be matched by private funds. Centennial Challenge funds will support special facility and visitor service projects which enhance the visitor experience beyond the levels possible through the normal appropriations process.

National Wildlife Refuges.—The bill provides $451 million, a $56 million increase over 2007, for national wildlife refuges. This will begin to reverse the current staffing shortfall problems within the U.S. Fish and Wildlife Service which has lost almost 600 FTEs since 2004. $85 million has also been provided for the very successful State Wildlife Grants programs managed by the Service.

Native Americans.—The bill provides $5,731 million to support critical education, health care, economic development and law enforcement programs for Native Americans, $231 million over the request for the Bureau of Indian Affairs (BIA) and the Indian Health Service (IHS). To address one of the biggest issues facing Indian Country, the bill adds $35 million for a methamphetamine prevention initiative that spans both the BIA and the IHS.

Wildfires.—The bill provides $2,781 million for the wildfire programs to support the national fire plan, an increase of $199 million over the current level. The President's budget had proposed more than $100 million in reductions in critical fire preparedness activities. This bill restores those cuts and provides an increase of $163 million over fiscal year 2007 for wildfire suppression, fully funding the 10-year average costs. It also includes over $500 million for vitally needed hazardous fuels projects to reduce the risk of further catastrophic wildfires.

Forest Service.—The President's budget request would have required the loss of over 2,100 full time staff at the Forest Service and dramatic reductions in its ability to provide basic services for the American public. Instead, the Committee recommendation has made a major investment of $345 million above the request for non-fire programs to restore recreation and trails, forest protection and harvest, natural resource stewardship, cooperative forestry, and quality science programs. This brings non-fire funding up to $2.6 billion, an increase of 4 percent and $102 million over fiscal year 2007. The decade-long neglect of maintenance to the vast Forest Service road network and trail system is addressed with the new $65 million legacy roads and trails remediation initiative to begin the restoration of sensitive watersheds.

Environmental Protection Agency.—The bill provides $8,086 million for the EPA, an $887 million increase over the President's budget. The President had proposed $526 million of reductions for this agency. The bill restores those cuts and provides a number of critical increases. The bill includes $1,125 million, a $437 million increase above the request, for the Clean Water State Revolving Fund; $220 million for Clean Air State Grants; $140 million for sewer and water grants in local communities; $35.5 million for underground storage tank grants; and $50 million for the new diesel emission reduction program.

Climate Change.—This bill addresses the critical issue of climate change in a number of ways. First, it provides $266 million for various climate change activities throughout the bill, an increase of $94 million over the 2007 level.

The bill also establishes a new temporary Commission on Climate Change Mitigation and Adaptation. This Commission will include the heads of the major Federal agencies with climate science responsibilities, as well as a set of public Members with appropriate expertise. The bill designates the President of the National Academy of Sciences as the Chairman of the new Commission and charges it with reviewing for the first time in an organized way the science issues related to how the world adapts to the reality of climate change and the steps necessary to advance this science. (See p. 99)

The bill includes a statutory set-aside of $2 million for the Environmental Protection Agency to begin the formal process of developing a regulatory framework for the reduction of greenhouse gases.

The bill also includes the same Sense of Congress Resolution adopted last year by the Committee recognizing the reality of climate change and the need to address its consequences.

Cultural Agencies.—The National Endowment for the Arts and the National Endowment for the Humanities would each receive $160 million, increases over the 2007 appropriations levels of $35 million and $19 million respectively.

Reductions.—This bill also recommends reductions below the 2007 level totaling over $400 million. This includes $135 million of net reductions from construction programs throughout the bill based on evidence at the hearings that many of these programs have a backlog of previously funded projects which must be completed prior to undertaking new work. The bill also terminates the Land Owner Incentive and Private Stewardship programs at the U.S. Fish and Wildlife Service.

The Committee believes that this bill, with its increases and decreases, is a responsible package which invests in key environmental and conservation priorities and honors our stewardship responsibilities to Native Americans.

CROSSCUTTING ISSUES

The Committee also wishes to express its concerns about a number of issues which affect multiple areas within the bill.

Environment and Law Enforcement Concerns on the Southwest Border.—The Committee remains concerned that the illegal immigration problems on the Southwestern border are having devastating impacts on Federal and tribal lands. The lands of the National Wildlife Refuge System, National Park Service, Bureau of Land Management and the U.S. Forest Service are severely stressed by the thousands of illegal immigrants that cross the border. Tribal lands are equally impacted. Thousands of pounds of trash and hundreds of miles of trails and illegal roads are being left behind in environmentally sensitive areas. Alarmingly, many sections of our public lands are now so dangerous that Federal agencies must restrict public access. With increased border scrutiny in urban sectors, drug traffickers have moved their operations

to more remote Federal and tribal lands. Due to this high level of drug trafficking, Federal employees often put their lives at risk just by showing up for work.

The Committee has increased funding in each of the land management agencies law enforcement accounts and in the Bureau of Indian Affairs and expects a portion of that funding to be used to protect tribal members, visitors, employees, and natural resources along the Southwestern border.

Methamphetamine Use in Indian Country.—The Committee is extremely concerned about the rising use of methamphetamine in Indian Country. This drug destroys lives, obliterates families, and has the potential to destroy tribal cultures. Increases in violent crime, child abuse, spousal abuse and suicide can all be traced to methamphetamine use. In hearings this year, the Committee learned that entire reservations were being targeted by international drug cartels due to a lack of adequate law enforcement. The Committee commends the administration for its recognition of this problem and the increased funding it proposed to help fight it, but more needs to be done. The Committee has increased funding in this bill by $35,000,000 above the request for law enforcement officers, training, tribal courts, detention facilities and anti-drug education activities. The Committee understands that this is not just a law enforcement problem and therefore has included $15,000,000 within this amount for the Indian Health Service for substance abuse treatment and mental health issues, including youth suicide, associated with methamphetamine use. The Committee expects the Directors of the Indian Health Service and the Bureau of Indian Affairs to distribute this funding outside of the normal formulas and methodologies to target the areas with the highest needs in Indian Country.

The Committee directs the Departments to report on the allocation of these increased funds within 60 days of enactment of this appropriation.

EXECUTIVE BRANCH PROJECT REVIEW PROCESS

Projects.—Congress has made significant reforms in the way it reviews funding for the Federal government; reforms which the Committee takes very seriously as it executes its constitutional authority. Earmarking or directed spending of Federal dollars does not begin with Congress. It begins with the Executive Branch. For example, the Administration requested 115 construction and land acquisition projects totaling $272 million. The Administration, in selecting these projects, goes through a process that is the functional equivalent of earmarking. When the Committee reviews the budget request, it goes through a process of rigorous review and may alter or modify this list to reflect additional priorities.

Contractors.—The Executive Branch also engages in another practice which steers or directs money to specific entities or purposes through a process of contracting out various activities and services.

In many important work locations, the number of people working for contractors exceeds the number of Federal employees in the same building or location. Many of these, in fact, are non-competitive or sole-sourced. When added together, the Executive Branch

steers or directs far greater spending to specific projects or corporations than is directed or earmarked by Congress. And the practice of non-competitive contracting has exploded in the past five years.

For example the Department of the Interior reported to the Committee that the value of contracts awarded through processes that were "not fully and openly competitive" increased from $26 million in 2000 to $167 million in 2005. In 2005 $80 million was awarded on a purely sole-source basis. Examples included:

- $7,650,000 for warehousing services to the Lauricella Land Company
- $6,532,000 for phosphate rock mining to the Connolly-Pacific Company
- $11,043,000 for security services to Adesta the Limited Liability Company
- $6,000,000 for computer equipment from the GTSI Corp.

The Committee provides no recommendation at this time for specific projects contained in either the Administration's budget or proposed by Members of Congress. Individual project allocations will be considered comprehensively after the Committee has properly analyzed all relevant information.

TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

The Bureau of Land Management is responsible for the multiple use management, protection, and development of a full range of natural resources, including minerals, timber, rangeland, fish and wildlife habitat, and wilderness on about 258 million acres of the Nation's public lands and for management of 700 million additional acres of Federally-owned subsurface mineral rights. The Bureau is the second largest supplier of public outdoor recreation in the Western United States. The Bureau's National Landscape Conservation System includes over 23 million acres of national monuments, conservation areas, wild and scenic rivers, national scenic and historic trails, and other areas which have received special recognition and protection through congressional or presidential conservation designations. The Bureau's wildland fire management account supports fire activities for all Departmental bureaus, including the National Park Service, the Fish and Wildlife Service, and the Bureau of Indian Affairs.

The amounts recommended by the Committee for each Bureau of Land Management appropriation account and the Department's wildland fire management appropriation account, compared with the budget estimates by activity, are shown in the following table:

	(Amounts in thousands)				
	FY 2007 Enacted	FY 2008 Request	Recommended	Recommended versus Enacted	Recommended versus Request
BUREAU OF LAND MANAGEMENT					
Management of Lands and Resources					
Land Resources					
Soil, water and air management	32,294	32,636	34,853	+2,559	+2,217
Range management	68,263	70,393	71,966	+3,703	+1,573
Forestry management	10,458	10,651	10,716	+258	+65
Riparian management	21,573	22,150	22,788	+1,215	+638
Cultural resources management	16,614	15,525	16,614	---	+1,089
Wild horse and burro management	36,354	32,077	37,453	+1,099	+5,376
Subtotal, Land Resources	185,556	183,432	194,390	+8,834	+10,958
Wildlife and Fisheries					
Wildlife management	28,369	28,286	30,011	+1,642	+1,725
Fisheries management	12,411	12,636	13,636	+1,225	+1,000
Subtotal, Wildlife and Fisheries	40,780	40,922	43,647	+2,867	+2,725
Threatened and endangered species	21,407	21,930	23,000	+1,593	+1,070
Recreation Management					
Wilderness management	16,182	16,641	17,056	+874	+415
Recreation resources management	47,515	48,494	52,029	+4,514	+3,535
Subtotal, Recreation Management	63,697	65,135	69,085	+5,388	+3,950
Energy and Minerals					
Oil and gas	117,129	121,548	92,129	-25,000	-29,419
Oil and gas cost recovery*	---	(21,000)	---	---	(-21,000)

(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Oil and gas cost recovery	---	---	20,000	+20,000	+20,000
Subtotal, Oil and gas including cost recovery	117,129	121,548	112,129	-5,000	-9,419
Oil and gas offsetting fees	---	---	-20,000	-20,000	-20,000
Coal management	9,251	9,521	9,521	+270	---
Other mineral resources	10,157	10,464	10,464	+307	---
Subtotal, Energy and Minerals	136,537	141,533	112,114	-24,423	-29,419
*Requested in Service, Charges, Deposits and Forfeitures account					
Alaska minerals	1,600	---	---	-1,600	---
Realty and Ownership Management					
Alaska conveyance	35,165	33,922	33,922	-1,243	---
Cadastral survey	13,757	11,119	12,757	-1,000	+1,638
Land and realty management	33,716	33,688	34,182	+466	+494
Subtotal, Realty and Ownership Management	82,638	78,729	80,861	-1,777	+2,132

	(Amounts in thousands)				
	FY 2007 Enacted	FY 2008 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Resource Protection and Maintenance					
Resource management planning	49,153	47,014	47,014	-2,139	---
Resource protection and law enforcement	20,062	18,842	24,000	+3,938	+5,158
Hazardous materials management	15,939	16,110	16,110	+171	---
Subtotal, Resource Protection and Maintenance	85,154	81,966	87,124	+1,970	+5,158
Transportation and Facilities Maintenance					
Operations	6,242	6,393	6,393	+151	---
Annual maintenance	30,969	31,569	32,518	+1,549	+949
Deferred maintenance	33,157	33,795	37,063	+3,906	+3,268
Subtotal, Transportation/Facilities Maintenance	70,368	71,757	75,974	+5,606	+4,217
Land and resources information systems	17,084	16,708	17,487	+403	+779
Mining Law Administration					
Administration	32,696	34,696	34,696	+2,000	---
Offsetting fees	-32,696	-34,696	-34,696	-2,000	---
Workforce and Organizational Support					
Information systems operations	18,731	15,285	15,285	-3,446	---
Administrative support	53,107	50,799	50,799	-2,308	---
Bureauwide fixed costs	77,895	83,862	83,862	+5,967	---
Financial and Business Management System (FBMS)	---	3,023	---	---	-3,023
Subtotal, Workforce and Organizational Support	149,733	152,969	149,946	+213	-3,023

(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Challenge cost share	9,357	9,357	10,000	+643	+643
Healthy Lands Initiative	3,000	15,000	15,000	+12,000	---
National Landscape Conservation System increase	---	---	10,000	+10,000	+10,000
Total, Management of Lands and Resources	866,911	879,438	888,628	+21,717	+9,190
Construction					
Construction	11,751	6,476	6,476	-5,275	---
Land Acquisition					
Land Acquisition					
Acquisitions	6,065	4,056	16,065	+10,000	+12,009
Emergencies and hardships	1,000	944	1,000	---	+56
Subsurface mineral estate receipts	---	-5,000	---	---	+5,000
Acquisition management	1,569	1,619	1,569	---	-50
Total, Land Acquisition	8,634	1,619	18,634	+10,000	+17,015
Oregon and California Grant Lands					
Western Oregon resources management	95,752	96,648	96,648	+896	---
Western Oregon information and resource data systems	2,155	2,186	2,186	+31	---
Western Oregon transportation & facilities maintenance	10,782	11,092	11,092	+310	---
Western Oregon construction and acquisition	302	316	316	+14	---
Total, Oregon and California Grant Lands	108,991	110,242	110,242	+1,251	---

(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Recommended	Recommended versus Enacted	Recommended versus Request
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	12,150	13,150	13,150	+1,000	---
Energy and minerals cost recovery	3,760	3,760	3,760	---	---
Recreation cost recovery	54	54	54	---	---
Adopt-a-horse program	703	703	703	---	---
Repair of damaged lands	4,000	4,000	4,000	---	---
Cost recoverable realty cases	857	857	857	---	---
Timber purchaser expenses	50	50	50	---	---
Commercial film and photography fees	231	231	231	---	---
Copy fees	3,100	3,100	3,100	---	---
Subtotal (gross)	24,905	25,905	25,905	+1,000	---
Offsetting fees	-24,905	-25,905	-25,905	-1,000	---
Total, Service Charges, Deposits & Forfeitures	---	---	---	---	---
Miscellaneous Trust Funds					
Current appropriations	12,405	12,405	12,405	---	---

(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Wildland Fire Management					
Preparedness	274,863	268,334	274,863	---	+6,529
Fire suppression operations	249,185	294,398	294,398	+45,213	---
Other operations					
Hazardous fuels reduction	199,787	202,792	202,792	+3,005	---
Burned area rehabilitation	22,786	24,591	24,591	+1,805	---
Fire facilities	7,734	7,734	4,000	-3,734	-3,734
Joint fire science	4,000	4,000	6,000	+2,000	+2,000
Subtotal, Other operations	234,307	239,117	237,383	+3,076	-1,734
Emergency appropriations (P.L. 110-28)	95,000	---	---	-95,000	---
Total, Wildland Fire Management	853,355	801,849	806,644	-46,711	+4,795
Total, BLM without Wildland Fire Management	1,018,692	1,020,180	1,046,385	+27,693	+26,205
TOTAL, BUREAU OF LAND MANAGEMENT	1,872,047	1,822,029	1,853,029	-19,018	+31,000

MANAGEMENT OF LANDS AND RESOURCES

Appropriation enacted, 2007	$866,911,000
Budget estimate, 2008	879,438,000
Recommended, 2008	888,628,000
Comparison:	
Appropriation, 2007	+21,717,000
Budget estimate, 2008	+9,190,000

The Committee recommends $888,628,000 for management of lands and resources, $9,190,000 above the budget request and $21,717,000 above the fiscal year 2007 enacted level. Most of the programs and activities have been given small increases above the budget request intended to restore core, fundamental management funding which was decreased by the Administration in fiscal year 2007 to accommodate their increased funding for oil and gas activities. Non program-specific funds are provided for the Healthy Lands Initiative, as requested, and for the National Landscape Conservation System.

The amounts recommended by the Committee compared with the budget estimates by activity are shown in the table at the beginning of the Bureau of Land Management entry.

Land Resources.—The Committee recommends $194,390,000 for land resources, $10,958,000 above the budget request and $8,834,000 above the fiscal year 2007 enacted level. The Committee recommendation includes restoration of the wild horse and burro program funding to the previous level, plus fixed costs. Funding for cultural resources management is restored to the fiscal year 2007 level, an increase of $1,089,000 over the request and $1,599,000 above the fiscal year 2006 level.

Wildlife and Fisheries.—The Committee recommends $43,647,000 for wildlife and fisheries, $2,725,000 above the request and $2,867,000 above the fiscal year 2007 enacted level.

Threatened and Endangered Species.—The Committee recommends $23,000,000 for threatened and endangered species, $1,070,000 above the request and $1,593,000 above the fiscal year 2007 enacted level. The Committee encourages the Bureau to increase its efforts toward recovery of listed plant and animal species on Bureau-managed lands and waters. The Committee encourages the Bureau to adopt procedures to track consultation and recovery costs that are charged to this and other activities.

Recreation Management.—The Committee recommends $69,085,000 for recreation management, $3,950,000 above the budget request and $5,388,000 above the fiscal year 2007 enacted level. The Committee expects that $2,000,000 of the increase be used to support the various national scenic and historic trails above historic funding levels. The Committee directs the Bureau to include in subsequent budget justifications a clear exposition of trail-related funding requests and accomplishments from all budget activities.

The Committee recognizes that the growing disconnection of America's children from the natural world impacts the children's health as well as the future of natural resource conservation. Within the recreation management, Challenge Cost Share, and National Landscape Conservation System activities the Bureau should im-

plement projects that help connect children and their families with nature.

Energy and Minerals.—The Committee recommends $112,114,000 for energy and minerals, $29,419,000 below the budget request and $24,423,000 below the fiscal year 2007 enacted level. The Committee notes that the recommendation includes, as requested by the Administration, a new cost recovery program which had been requested under the Service Charges, Deposits and Forfeitures account. The Committee recommendation provides that the new cost recovery program apply to each application for a permit to drill, and that the estimated $20,000,000 in revenues yielded be used to off-set appropriations for the oil and gas management activity. When these additional funds are considered, the Committee recommendation for oil and gas activities is $5,000,000 below the fiscal year 2007 level and $9,419,000 below the request. The Administration's request had assumed that $21,000,000 would be generated by the cost recovery program. The Committee recommendation does not include the Administration request to amend the Energy Policy Act of 2005 to stop the use of $20,000,000 in mandatory funds for the pilot oil and gas permitting offices.

The Committee recommendation includes bill language which provides a cap on the funds available for oil and gas activities. This should help the Bureau manage these funds and demonstrate to the public that other Bureau conservation funds are not being used to support oil and gas drilling activities.

The Committee is concerned that in the past the Bureau has not properly charged all energy and minerals activities to this account, but rather, has allowed, or even encouraged, the use of other natural resource and public service funds for direct support of oil and gas activities. The Bureau should carefully evaluate its charged-as-worked procedures, and report back to the Committee by March 20, 2008 on steps taken to assure the public that oil and gas and other mineral activities are not supported at the expense of other Bureau conservation programs.

The Committee recommendation for oil and gas funding includes the requested increase for inspection, enforcement and monitoring. In addition, the Committee encourages careful auditing of existing permits.

The Committee directs that wilderness and wilderness quality lands should be very carefully examined and only used for oil and gas leasing when less sensitive lands are not available and when existing permitted areas are fully developed. According to BLM data, there are 24 million acres of onshore leases with no oil and gas drilling activity on them.

The Committee is also concerned that the Bureau may be moving too quickly on new commercial oil shale leasing activities in and near Colorado. The Bureau should use experience and knowledge gained from the recently established demonstration leases and not proceed with new commercial leases until full and complete reports are presented and made available for public review from the demonstration leases. The Bureau should report to the Committee if additional legislative steps are necessary to make this adjustment.

Realty and Ownership Management.—The Committee recommends $80,861,000 for realty and ownership management,

$2,132,000 above the budget request and $1,777,000 below the fiscal year 2007 enacted level. The Committee is concerned about the Department's interpretation and actions that would disclaim Federal interest in lands subject to an RS2477 claim or issue any "nonbinding determination" that would have a similar effect. The Bureau should provide advance notice to the Congress in the event that the Department plans to approve any RS2477 claims, and provide quarterly reports to the Committee on the Bureau's activities concerning various claims under the RS2477 statute.

Under the land acquisition heading, the Committee rejects the Administration proposal to use revenue from the sale of certain subsurface mineral rights to fund new acquisition projects. The Committee is also concerned about various Bureau land sales activities and the subsequent use of those funds. Therefore, the Committee requests annual summaries of sales, expenditures, and fund balances in the budget justification from all the Bureau's land authorizations.

Resource Protection and Maintenance.—The Committee recommends $87,124,000 for resource protection and maintenance, $5,158,000 above the budget request and $1,970,000 above the fiscal year 2007 enacted level. The Committee is concerned that the Bureau is focusing too much of its resource management planning program on areas selected for intensive energy development. In addition, the Committee requests the Bureau to provide a report summarizing the extent to which existing and future plans include evaluations of the impacts of global climate change.

The Committee remains concerned about law enforcement activities along the southwestern border in New Mexico, Arizona, and California, and therefore directs that a substantial portion of the increase provided be used for law enforcement in areas having high visitation, potential for drug trafficking, and which are near the border.

Transportation and Facilities Maintenance.—The Committee recommends $75,974,000 for transportation and facilities maintenance, $4,217,000 above the budget request and $5,606,000 above the fiscal year 2007 enacted level. The Committee understands the Bureau has a large backlog in deferred maintenance, and has included this increase to begin to remedy the situation. The Committee also expects that a substantial portion of the increase be used for the national scenic and historic trails and that future budget justifications should clearly display trails funding in this activity and elsewhere in the Bureau.

Land and Resource Information Systems.—The Committee recommends $17,487,000 for land and resource information systems, $779,000 above the budget request and $403,000 above the fiscal year 2007 enacted level.

Mining Law Administration.—The Committee recommends $34,696,000 for mining law administration as requested. Offsetting fees are equal to the amount made available to support this activity.

Workforce and Organizational Support.—The Committee recommends $149,946,000 for workforce and organizational support, $3,023,000 below the budget request and $213,000 above the fiscal year 2007 enacted level. The Committee has rejected the request

for $3,023,000 in this account related to development costs of the department-wide financial and business management system (FBMS). Funding for the FBMS activity has been consolidated in the "Office of the Secretary" account.

Challenge Cost Share.—The Committee recommends $10,000,000 for the Bureau's traditional challenge cost share program, $643,000 above both the budget request and the fiscal year 2007 enacted funding level. The Committee notes that the Bureau has very successfully used this funding to leverage private contributions and provide numerous projects which enhance public lands and public service. The Committee directs that future annual budget justifications should include a display summarizing past accomplishments and anticipated activities.

Healthy Lands Initiative.—The Committee recommends $15,000,000 for the new Healthy Lands Initiative as requested. The Committee recommendation retains the funds in this new activity because the Committee has not yet determined how to distribute these new funds among the various program activities which will be doing the work, including land resources, wildlife and fisheries, threatened and endangered species and recreation management. Accordingly, the Committee directs the Bureau to consult with the House and Senate Committees on Appropriations and then provide a detail table within 60 days of enactment, which allocates these funds among pre-existing budget activities. Subsequent budget justifications should request funds for the initiative in the appropriate activities, and also include a cross-cutting table clearly indicating overall initiative funding.

Although the Committee is hopeful that the Healthy Lands Initiative will address important conservation needs, the Committee expects the States and the private sector, which have greatly benefited from recent oil, gas and mineral activity on Bureau lands, to make substantial financial commitments to assist the Department's efforts. The Healthy Lands Initiative must be a science-based lands restoration effort, which features native species habitat restoration and protection, as well as public service and watershed protection.

National Landscape Conservation System Program Increase.—The Committee recommendation includes $10,000,000 to increase overall funding for management of the National Landscape Conservation System (NLCS), the Bureau's network of national monuments, conservation areas, and other special lands. These funds are in addition to other funding increases provided within existing budget activities. The Committee directs the Bureau to consult with the House and Senate Committees on Appropriations and subsequently provide a detailed table within 60 days of enactment, which allocates these funds among appropriate, preexisting budget activities. Subsequent budget justifications should request funds for the NLCS in the appropriate activities, and also include a cross-cutting table clearly indicating overall NLCS funding by budget activity and for each substantial unit of the NLCS.

CONSTRUCTION

Appropriation enacted, 2007	$11,751,000
Budget estimate, 2008	6,476,000
Recommended, 2008	6,476,000
Comparison:	
Appropriation, 2007	−5,275,000
Budget estimate, 2008	0

The Committee recommends $6,476,000 for construction as requested, $5,275,000 below the 2007 enacted level. The Committee encourages the Bureau to request wildfire-related construction funding needs in this account in the future.

Projects.—Congress has made significant reforms in the way it reviews funding for the Federal government; reforms which the Committee takes very seriously as it executes its constitutional authority. Earmarking or directed spending of Federal dollars does not begin with Congress. It begins with the Executive Branch. For example, following is a list of some BLM construction projects submitted by the Administration:

$2,368,000 for Lemhi River, ID, TMDL road maintenance, phase II

$1,069,000 for Vernal district warehouse, UT, yard reconstruction

$396,000 for McInnis Canyons NCA, CO, kiosks

The Administration, in selecting these projects, goes through a process that is the functional equivalent of earmarking. When the Committee reviews the budget request, it goes through a process of rigorous review and may alter or modify this list to reflect additional priorities.

The Committee provides no recommendation at this time for specific projects contained either in the Administration's budget or proposed by Members of Congress. Individual project allocations will be considered comprehensively after the Committee has properly analyzed all relevant information.

LAND ACQUISITION

Appropriation enacted, 2007	$8,634,000
Budget estimate, 2008	1,619,000
Recommended, 2008	18,634,000
Comparison:	
Appropriation, 2007	+10,000,000
Budget estimate, 2008	+17,015,000

The Committee recommends $18,634,000 for land acquisition, $10,000,000 above the fiscal year 2007 enacted level and $17,015,000 above the budget request.

The Committee recommendation includes $1,569,000 for acquisition management, $1,000,000 for emergencies and hardships, and $16,065,000 for land acquisition projects.

The Committee has not agreed with the Administration's proposal to generate revenues for land acquisition projects from the sale of subsurface mineral rights.

Projects.—Congress has made significant reforms in the way it reviews funding for the Federal government; reforms which the Committee takes very seriously as it executes its constitutional authority. Earmarking or directed spending of Federal dollars does not begin with Congress. It begins with the Executive Branch. The

following is a list of examples of land acquisition projects submitted by the Administration: $1,000,000 for Blackfoot River Special Recreation Management Area in Montana; $1,500,000 for the Upper Snake/South Fork Snake River Special Recreation Management Area; and $500,000 for the Upper Sacramento Area of Critical Environmental Concern. The Administration, in selecting these projects, goes through a process that is the functional equivalent of earmarking. When the Committee reviews the budget request, it goes through a process of rigorous review and may alter or modify this list to reflect additional priorities.

The Committee provides no recommendations at this time for specific projects contained either in the Administration's budget or proposed by Members of Congress. Individual project allocations will be considered comprehensively after the Committee has properly analyzed all relevant information.

OREGON AND CALIFORNIA GRANT LANDS

Appropriation enacted, 2007	$108,991,000
Budget estimate, 2008	110,242,000
Recommended, 2008	110,242,000
Comparison:	
Appropriation, 2007	+1,251,000
Budget estimate, 2008	0

The Committee recommends $110,242,000 for the Oregon and California grant lands as requested, $1,251,000 above the fiscal year 2007 enacted level. The amounts recommended by the Committee compared with the budget estimates by activity are shown in the table at the beginning of the Bureau of Land Management entry.

FOREST ECOSYSTEM HEALTH AND RECOVERY FUND

(REVOLVING FUND, SPECIAL ACCOUNT)

The Committee includes bill language, as in the past, allowing funds made available in the Forest Ecosystem Health and Recovery Fund to be used for various forestry purposes including planning, preparing, implementing and monitoring salvage timber sales and forest ecosystem restoration activities. This fund includes the Federal share of receipts derived from treatments funded by this account and deposited into this fund.

RANGE IMPROVEMENTS

Appropriation enacted, 2007	$10,000,000
Budget estimate, 2008	10,000,000
Recommended, 2008	10,000,000
Comparison:	
Appropriation, 2007	0
Budget estimate, 2008	0

The Committee recommends an indefinite appropriation of not less than $10,000,000 to be derived from public lands receipts and Bankhead-Jones Farm Tenant Act lands grazing receipts. The Committee has retained bill language as in previous years even though the Administration had requested its deletion. Receipts are used for construction, purchase, and maintenance of range improvements, such as seeding, fence construction, weed control,

water development, fish and wildlife habitat improvement, and planning and design of these projects.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

The Committee recommends an indefinite appropriation estimated to be $25,905,000 for service charges, deposits, and forfeitures. The Committee recommendation includes a modification of the Administration request to establish a new energy and minerals cost recovery program for oil and gas management activities. The request originally estimated that $21,000,000 would be generated within this account; instead, the recommendation moves the new cost recovery program to the Management of Lands and Resources appropriation where it is discussed further. The Service Charges, Deposits, and Forfeitures appropriation is offset with fees collected under specified sections of the Federal Land Policy and Management Act of 1976 and other Acts to pay for reasonable administrative and other costs in connection with rights-of-way applications from the private sector, miscellaneous cost-recoverable realty cases, timber contract expenses, repair of damaged lands, the adopt-a-horse program, the provision of copies of official public land documents and applications for permits to drill oil and gas wells.

MISCELLANEOUS TRUST FUNDS

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

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFER OF FUNDS)

Appropriation enacted, 2007	$758,355,000
Budget estimate, 2008	801,849,000
Recommended, 2008	806,644,000
Comparison:	
Appropriation, 2007	+48,289,000
Budget estimate, 2008	+4,795,000

The Committee recommends $806,644,000 for wildland fire management at the Department of the Interior, $4,795,000 above the budget request and $48,289,000 above the fiscal year 2007 enacted level. The amounts recommended by the Committee compared with the budget estimates by activity are shown in the table at the beginning of the Bureau of Land Management entry.

Wildfire Preparedness.—The Committee recommends $274,863,000 for wildfire preparedness, $6,529,000 above the request and equal to the fiscal year 2007 enacted level. The Committee believes that the Department and the Forest Service must work together, along with State and other partners, to maintain sufficient readiness with the preparedness program. The Committee rejects the requested funding cut for this important activity. The Committee expects that the Department will do its utmost to maintain wildfire suppression capability at least at the same levels as in fiscal year 2006. The Department should immediately notify the Committees on Appropriations if it appears that funding shortfalls may limit needed firefighting capacity.

The Committee also notes the importance of the seemingly endless development of the Fire Program Analysis System jointly developed with the Forest Service. The Department and the Forest Service should continue this effort, but should provide public benchmarks, project costs, and progress reports, as well as summaries of expected model outputs, on the government wildfire management web site with quarterly updates. The full cost and scope of this effort should be included in subsequent budget justifications.

Wildfire Suppression Operations.—The Committee recommends $294,398,000 for wildfire suppression operations, as requested, an increase of $45,213,000 above the fiscal year 2007 enacted funding level. The Committee recommendation fully meets the 10-year average expenditure on suppression actions which actually occurred, adjusted for inflation. The Committee remains concerned about the high costs of large fire incidents. The Department of the Interior, along with the Forest Service, should ensure that cost containment is an important priority when suppressing wildland fires. Therefore, the Committee directs the Department of the Interior and the Forest Service to continue reports required previously and to examine, using independent panels, any individual wildfire incident which results in expenses greater than $10,000,000. The Department should work carefully with the Forest Service, States, tribes and others to evaluate and implement various cost efficiencies, and jointly report back with the Forest Service to the Committee by March 30, 2008 on specific actions taken to potentially reduce the increased wildfire suppression costs.

Hazardous Fuels.—The Committee has provided $202,792,000 for hazardous fuels reduction work as requested, an increase of $3,005,000 above the fiscal year 2007 level.

The Committee is concerned that the Department does not have a fully open and coherent way of allocating hazardous fuels funds among bureaus, and among regions or States within bureaus. The Government Accountability Office (GAO) is continuing to evaluate this situation, but it is becoming increasingly clear that funding does not always go to the highest priority fuels projects. It is essential that scarce program dollars are used for projects which have the greatest benefit to the Nation. This will require much greater collaboration with the Forest Service and others. Funding allocations need to go to projects which reduce risk to communities and to firefighters, and should emphasize areas near large population centers. The Committee directs the Department and the Forest Service to deliver a joint report to the Committee by March 30,

2008, to be publicly posted on the wildfire management website, which clearly indicates how funds are allocated among bureaus, agencies, regions, and States. The report should include clear metrics to evaluate program performance, and these metrics must rely on measures that indicate project impacts to protect communities, lives, property, and ecosystems, and which reward successful field units that design projects in accordance with community wildfire protection plans or their equivalent.

The Committee realizes that the existing designation of wildland/urban interface (WUI) on maps includes areas that have extremely sparse human habitation, as well as areas of large cities and communities. The existing situation makes the WUI concept less useful in practice than it should be. Therefore, the Committee directs the partners to reevaluate the existing definitions and criteria for WUI and adjust the Forest Service, the Department of the Interior, and State maps and policies accordingly.

Rehabilitation.—The Committee recommends $24,591,000 as requested for the burned area rehabilitation and restoration program, an increase of $1,805,000 above the fiscal year 2007 enacted level. The rehabilitation activity funds should be used for these purposes and not reprogrammed for other activities. Rehabilitation is a key aspect of the national fire plan. The Committee notes that record wildfire years have occurred recently, and the Interior Department lands have not had adequate restoration activities. The Interior Department and the Forest Service should include updates on rehabilitation needs in future budget justifications. As outlined in the budget request, the Committee expects the Department of the Interior, in close partnership with the Forest Service, to continue the native plant materials program funding no less than the fiscal year 2007 level.

Fire Facilities.—The Committee recommends $4,000,000 for fire facilities, a decrease of $3,734,000 below both the request and the fiscal year 2007 enacted level. The Committee encourages the Department in the future to direct that each participating bureau fund these facilities through regular, intra-bureau construction selection criteria and bureau-specific construction accounts.

Joint Fire Sciences Program.—The Committee recommends $6,000,000 for the joint fire science program, an increase of $2,000,000 above both the request and the fiscal year 2007 enacted level.

ADMINISTRATIVE PROVISIONS, BUREAU OF LAND MANAGEMENT

The Committee recommendation includes the administrative provisions as requested. The requested provisions includes a new item which provides a technical change to mining law which clarifies the time of day annual work on claims must be registered, and extends hereafter the Bureau's authority to collect mining claim maintenance fees. The Committee includes a new provision which allows refunds or rebates received on an ongoing basis from an information technology vender to be deposited into the Bureau's management of lands and resources fund to offset the Bureau's costs incurred in providing this service.

UNITED STATES FISH AND WILDLIFE SERVICE

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

The Service manages more than 96 million acres across the United States, encompassing a 547-unit National Wildlife Refuge System, additional wildlife and wetlands areas, and 70 National fish hatcheries. A network of law enforcement agents and port inspectors enforce Federal laws for the protection of fish and wildlife. In 2003, the Service celebrated the 100th anniversary of the establishment of the National Wildlife Refuge System.

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

(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Recommended	Recommended versus Enacted	Recommended versus Request
UNITED STATES FISH AND WILDLIFE SERVICE					
Resource Management					
Ecological Services					
Endangered species					
Candidate conservation	8,425	8,635	9,135	+710	+500
Listing	17,824	18,263	18,763	+939	+500
Consultation	49,179	51,578	52,578	+3,399	+1,000
Recovery	69,244	68,067	72,067	+2,823	+4,000
Subtotal, Endangered species	144,672	146,543	152,543	+7,871	+6,000
Habitat conservation	93,654	97,655	101,155	+7,501	+3,500
Environmental contaminants	11,046	11,172	12,672	+1,626	+1,500
Subtotal, Ecological Services	249,372	255,370	266,370	+16,998	+11,000
National Wildlife Refuge System					
Refuge operations	261,148	261,135	311,335	+50,187	+50,200
Refuge maintenance	134,185	133,669	139,669	+5,484	+6,000
Subtotal, National Wildlife Refuge System	395,333	394,804	451,004	+55,671	+56,200
Migratory Birds and Law Enforcement					
Migratory bird management	40,352	40,582	41,582	+1,230	+1,000
Law enforcement operations and maintenance	57,299	57,585	60,085	+2,786	+2,500
Subtotal, Migratory Birds and Law Enforcement	97,651	98,167	101,667	+4,016	+3,500
Fisheries					

(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Recommended	Recommended versus Enacted	Recommended versus Request
National fish hatchery system operations	45,208	45,147	46,147	+939	+1,000
Maintenance and equipment	17,899	18,105	18,605	+706	+500
Aquatic habitat and species conservation	45,455	53,572	53,572	+8,117	---
Aquatic invasive species	5,454	5,407	5,407	-47	---
Marine mammals	3,162	2,523	2,523	-639	---
Subtotal, Fisheries	117,178	124,754	126,254	+9,076	+1,500
General Administration					
Science excellence	493	---	---	-493	---
Highly Pathogenic Avian Flu Strategy	5,000	7,398	7,398	+2,398	---
Central office administration	39,293	39,595	39,595	+302	---
Regional office administration	41,331	42,137	42,137	+806	---
Servicewide administrative support	32,390	33,463	33,463	+1,073	---
Financial and Business Management System (FBMS)	---	2,148	---	---	-2,148
National Fish and Wildlife Foundation	7,656	7,656	7,656	---	---
National Conservation Training Center	18,282	19,040	19,040	+758	---
International affairs	9,990	9,988	9,988	-2	---
Subtotal, General Administration	154,435	161,425	159,277	+4,842	-2,148
Emergency appropriations (P.L. 110-28)	7,398	---	---	-7,398	---
Total, Resource Management	1,021,367	1,034,520	1,104,572	+83,205	+70,052

(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Construction					
Construction and rehabilitation					
Line item construction	34,448	13,170	21,752	-12,696	+8,582
Nationwide engineering services	10,852	9,901	9,901	-951	---
Total, Construction	45,300	23,071	31,653	-13,647	+8,582
Land Acquisition					
Fish and Wildlife Service					
Acquisitions - Federal refuge lands	13,650	5,544	28,650	+15,000	+23,106
Inholdings	1,500	1,500	1,500	---	---
Emergencies and hardships	1,478	1,500	1,478	---	-22
Exchanges	1,485	1,537	1,485	---	-52
Acquisition management	8,140	6,436	8,140	---	+1,704
Cost allocation methodology	1,793	1,494	1,793	---	+299
Total, Land Acquisition	28,046	18,011	43,046	+15,000	+25,035
Landowner Incentive Program					
Grants to States	23,667	---	---	-23,667	---
Private Stewardship Grants Program					
Stewardship grants	7,277	---	---	-7,277	---

(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Cooperative Endangered Species Conservation Fund					
Grants to States	9,852	10,001	10,001	+149	---
HCP planning grants	7,531	7,642	7,642	+111	---
Species recovery land acquisition	13,977	14,186	14,186	+209	---
HCP land acquisition	47,160	40,587	46,654	-506	+6,067
Snake River Water Rights Act of 2004	---	5,067	---	---	-5,067
Administration	2,481	2,518	2,518	+37	---
Rescission	---	---	---	---	---
Total, Cooperative Endangered Species Fund	81,001	80,001	81,001	---	+1,000
National Wildlife Refuge Fund					
Payments in lieu of taxes	14,202	10,811	14,202	---	+3,391
North American Wetlands Conservation Fund					
Wetlands conservation	37,836	40,980	40,980	+3,144	---
Administration	1,576	1,666	1,666	+90	---
Total, North American Wetlands Conservation Fund	39,412	42,646	42,646	+3,234	---

(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Neotropical Migratory Bird Conservation Fund					
Migratory bird grants	3,941	3,960	5,000	+1,059	+1,040
Multinational Species Conservation Fund					
African elephant conservation	1,379	990	2,000	+621	+1,010
Rhinoceros and tiger conservation	1,576	990	2,500	+924	+1,510
Asian elephant conservation	1,379	990	2,000	+621	+1,010
Great ape conservation	1,379	990	2,000	+621	+1,010
Marine turtle conservation	691	297	1,500	+809	+1,203
Total, Multinational Species Conservation Fund	6,404	4,257	10,000	+3,596	+5,743
State and Tribal Wildlife Grants					
State and tribal wildlife grants	67,492	69,492	85,000	+17,508	+15,508
TOTAL, U.S. FISH AND WILDLIFE SERVICE	1,338,109	1,286,769	1,417,120	+79,011	+130,351

RESOURCE MANAGEMENT

Appropriation enacted, 2007	$1,013,969,000
Budget estimate, 2008	1,034,520,000
Recommended, 2008	1,104,572,000
Comparison:	
Appropriation, 2007	+90,603,000
Budget estimate, 2008	+70,052,000

The Committee recommends $1,104,572,000 for resource management, an increase of $90,603,000 above the fiscal year 2007 level and $70,052,000 above the budget request. Changes to the budget request are detailed below.

Ecological Services.—The Committee recommends $266,370,000 for ecological services, an increase of $16,998,000 above the fiscal year 2007 level and $11,000,000 above the budget request.

Changes from the request include increases of $500,000 for candidate conservation, $500,000 for listing, $1,000,000 for the consultation program, $4,000,000 for the recovery program, $1,000,000 for the partners for fish and wildlife program, $500,000 for the national wetlands inventory program, $2,000,000 for the coastal programs, and $1,500,000 for environmental contaminants.

The increase for the coastal programs is for the digital transformation of Coastal Barrier Resources Act maps.

The increase for the national wetlands inventory is for additional wetlands mapping capabilities associated with preparing for and reacting to climate change.

The increase for the environmental contaminants program is for partnering with other agencies on oil spill response and activities associated with preparing for and reacting to contaminants issues associated with climate change.

The Committee is aware that the Department of the Interior is considering revisions to the regulations implementing the Endangered Species Act. The Committee is concerned that the potential scope of these changes may weaken the core protections provided to species under the Act. The Committee reminds the Service that revisions to the regulations must be clearly vetted through the public notification process. The Committee also expects the Service to fully comply with the laws and procedures regarding regulation changes and Federal Register notices and encourages the Service to exercise the option of allowing an extended public comment period.

The Committee encourages the Service to investigate ways to reduce its growing costs for publishing notices in the Federal Register by providing references and links in the Register to information that is readily available on the internet.

National Wildlife Refuge System.—The Committee recommends $451,004,000 for the National Wildlife Refuge System, an increase of $55,671,000 above the fiscal year 2007 level and $56,200,000 above the budget request.

The Committee recommendation includes an increase of $50,200,000 for refuge operations and $6,000,000 for refuge maintenance.

The increase for refuge operations includes $30,000,000 in wildlife and habitat management, $9,200,000 for visitor services, $5,000,000 for law enforcement, $3,000,000 for challenge cost-share

partnerships, $1,000,000 for invasive species eradication activities with volunteer groups, $1,000,000 for increased support of general volunteer programs, and $1,000,000 for refuge conservation planning.

The funding provided for wildlife and habitat management, visitor services, and law enforcement should be distributed outside of the Refuge Operations Needs System (RONS) and provide increases to cover base operational needs and staffing shortfalls nationwide. Consideration should be given to those regions and areas that have the highest staffing shortfalls and needs. The Committee is concerned that the Service follows the practice of allocation by tradition rather than funding the highest national needs.

The Committee recognizes that the growing disconnection of America's children from the natural world impacts the children's health as well as the future of natural resource conservation. Within the visitor services increases, the Refuge System, in partnership with the Service's National Conservation Training Center, should implement projects that help connect children and their families with nature.

Refuge law enforcement funding should be used to address problems associated with the Southwestern border and increase law enforcement visibility on refuges nationwide. The Committee has further addressed the Southwestern border issue at the front of this report.

With the increased funding for refuge planning, the Committee advises the Service and its partners to take steps to integrate State Wildlife Action Plans, Refuge Comprehensive Conservation Plans, the National Fish Habitat Action Plan, and other conservation planning tools to improve connectivity between refuges, hatcheries and all other state, tribal and Federal conservation lands.

The increase for refuge maintenance includes $3,000,000 for annual maintenance and $3,000,000 for high priority maintenance staffing needs.

The Service is directed to report to the Committee on the planned allocation of refuge system funding increases 60 days after the enactment of this appropriation.

The Committee is concerned about the increasing number of refuges that are being consolidated into "complexes", where the staff and decisions concerning the refuge's management are moved too far from the resources and communities they serve. Additionally, the practice of consolidating refuges seems to be inconsistently applied among Service regions. The Committee suggests that the Service reduce the number of complexed refuges to the maximum extent possible and report on its plans for consolidating or reversing previous consolidations of refuge management by January 30, 2008.

Migratory Bird Management and Law Enforcement.—The Committee recommends $101,667,000 for migratory bird management and law enforcement, an increase of $4,016,000 above the fiscal year 2007 level and $3,500,000 above the budget request.

Changes to the request include increases of $1,000,000 for the migratory bird management, National Bird Conservation Initiative and $2,500,000 for law enforcement special agent staffing shortfalls nationwide.

Fisheries.—The Committee recommends $126,254,000 for fisheries, an increase of $9,076,000 above the fiscal year 2007 enacted level and $1,500,000 above the budget request.

Changes to the request include $1,000,000 for national fish hatchery operations and $500,000 for fish hatchery annual maintenance.

The Committee directs the Service to work with the Corp of Engineers and other Federal partners to obtain full reimbursement for the operation and maintenance of mitigation hatcheries in the National Fish Hatchery System.

The Committee commends the Service for the increases requested for the National Fish Passage Program and the National Fish Habitat Action Plan. These programs are vital to the future of the Nation's fish and aquatic communities. The Committee encourages the Service to continue to expand its partnerships with State, tribal, Federal and private partners to coordinate a unified approach to fish habitat restoration nationwide.

General Administration.—The Committee recommends $159,277,000 for general administration, an increase of $4,842,000 above the fiscal year 2007 enacted level and a decrease of $2,148,000 below the budget request.

The Committee has rejected the request for $2,148,000 related to development costs of the department-wide financial and business management system (FBMS). Funding for FBMS activity has been consolidated in the "Office of the Secretary" account.

Bill Language.—The Committee recommends continuing bill language to limit funding for the endangered species listing program. A total of $18,763,000 is for listing, of which $12,926,000 is for critical habitat designation.

CONSTRUCTION

Appropriation enacted, 2007	$45,300,000
Budget estimate, 2008	23,071,000
Recommended, 2008	31,653,000
Comparison:	
Appropriation, 2007	−13,647,000
Budget estimate, 2008	+8,582,000

The Committee recommends $31,653,000 for construction, a decrease of $13,647,000 below the fiscal year 2007 enacted level and an increase of $8,582,000 above the budget request.

The construction funding includes $9,901,000 for nationwide engineering services, $13,252,000 for line-item construction projects, $6,000,000 for the visitor facility enhancements program, and $2,500,000 to replace waterfowl survey aircraft.

Projects.—Congress has made significant reforms in the way it reviews funding for the Federal government; reforms which the Committee takes very seriously as it executes its constitutional authority. Earmarking or directed spending of Federal dollars does not begin with Congress. It begins with the Executive Branch. The following is a list of examples of construction projects submitted by the Administration: $2,000,000 for the Devil's Kitchen Dam on Crab Orchard National Wildlife Refuge in Illinois; $2,037,000 for the Jackson National Fish Hatchery in Montana; and $2,346,000 to replace a fueling facility at Midway Atoll National Wildlife Refuge

in Hawaii. The Administration, in selecting these projects, goes through a process that is the functional equivalent of earmarking. When the Committee reviews the budget request, it goes through a process of rigorous review and may alter or modify this list to reflect additional priorities.

The Committee provides no recommendation at this time for specific projects contained either in the Administration's budget or proposed by Members of Congress. Individual project allocations will be considered comprehensively after the Committee has properly analyzed all relevant information.

LAND ACQUISITION

Appropriation enacted, 2007	$28,046,000
Budget estimate, 2008	18,011,000
Recommended, 2008	43,046,000
Comparison:	
Appropriation, 2007	+15,000,000
Budget estimate, 2008	+25,035,000

The Committee recommends an appropriation of $43,046,000 for land acquisition, $15,000,000 above the fiscal year 2007 enacted level and $25,035,000 above the budget request.

The land acquisition funding includes $28,650,000 for acquisition projects, $1,500,000 for inholdings, $1,478,000 for emergencies and hardships, $1,485,000 for exchanges, $8,140,000 for acquisition management, and $1,793,000 for the cost allocation methodology.

Projects.—Congress has made significant reforms in the way it reviews funding for the Federal government; reforms which the Committee takes very seriously as it executes its constitutional authority. Earmarking or directed spending of Federal dollars does not begin with Congress. It begins with the Executive Branch. The following is a list of examples of land acquisition projects submitted by the Administration: $1,851,000 for the Upper Klamath National Wildlife Refuge in Oregon and $1,044,000 for the Key Deer National Wildlife Refuge in Florida. The Administration, in selecting these projects, goes through a process that is the functional equivalent of earmarking. When the Committee reviews the budget request it goes through a process of rigorous review and may alter or modify this list to reflect additional priorities.

The Committee provides no recommendation at this time for specific projects contained either in the Administration's budget or proposed by Members of Congress. Individual project allocations will be considered comprehensively after the Committee has properly analyzed all relevant information.

COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

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

Appropriation enacted, 2007	$81,001,000
Budget estimate, 2008	80,001,000
Recommended, 2008	81,001,000
Comparison:	
Appropriation, 2007	0
Budget estimate, 2008	+1,000,000

The Committee recommends $81,001,000 for the cooperative endangered species conservation fund, the same as the fiscal year 2007 enacted level and an increase of $1,000,000 above the budget request. The change to the budget request is an increase of $1,000,000 for habitat conservation plan land acquisition. The $5,067,000 requested for the Nez Perce/Snake River water settlement has been funded under the Bureau of Indian Affairs, Indian Land and Water Claims Settlements, and the funding for habitat conservation plan acquisition has been increased by that amount.

Funds for this program are not derived from the Land and Water Conservation Fund as proposed by the Administration.

NATIONAL WILDLIFE REFUGE FUND

This program makes payments in lieu of taxes to counties in which Service lands are located based on their fair market value. Payments to counties are estimated to be $19,328,000 in fiscal year 2008 with $14,202,000 derived from this appropriation and $5,126,000 from net refuge receipts estimated to be collected in fiscal year 2007.

Appropriation enacted, 2007	$14,202,000
Budget estimate, 2008	10,811,000
Recommended, 2008	14,202,000
Comparison:	
Appropriation, 2007	0
Budget estimate, 2008	+3,391,000

The Committee recommends $14,202,000 for the National Wildlife Refuge Fund, the same as the fiscal year 2007 enacted level and $3,391,000 above the budget request.

NORTH AMERICAN WETLANDS CONSERVATION FUND

The U.S. Fish and Wildlife Service, through the North American Wetlands Conservation Fund, leverages partner contributions for wetlands conservation. Projects to date have been in 50 States, 13 Canadian provinces, 25 Mexican states, and the U.S. Virgin Islands. In addition to this appropriation, the Service receives funding from: fines for violations of the Migratory Bird Treaty Act; interest earned on tax receipts in the Federal Aid in Wildlife Restoration account from taxes on firearms, ammunition, archery equipment, pistols, and revolvers; and from the Sport Fish Restoration account from taxes on fishing tackle and equipment, electric trolling motors and fish finders; and certain marine gasoline taxes. By law, sport fish restoration receipts are used for coastal wetlands in States bordering the Pacific and Atlantic Oceans, States bordering the Great Lakes, Puerto Rico, the Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, the freely associated States in the Pacific, and American Samoa.

Appropriation enacted, 2007	$39,412,000
Budget estimate, 2008	42,646,000
Recommended, 2008	42,646,000
Comparison:	
Appropriation, 2007	+3,234,000
Budget estimate, 2008	0

The Committee recommends $42,646,000 for the North American Wetlands Conservation Fund, an increase of $3,234,000 above the fiscal year 2007 enacted level and the same as the budget request.

The Committee commends the Administration for requesting an increase in this program that enjoys broad public and Congressional support.

Funds for this program are not derived from the Land and Water Conservation Fund as proposed by the Administration.

NEOTROPICAL MIGRATORY BIRD CONSERVATION

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

Appropriation enacted, 2007	$3,941,000
Budget estimate, 2008	3,960,000
Recommended, 2008	5,000,000
Comparison:	
Appropriation, 2007	+1,059,000
Budget estimate, 2008	+1,040,000

The Committee recommends $5,000,000 for the neotropical migratory bird conservation program, an increase of $1,059,000 above the fiscal year 2007 enacted level and $1,040,000 above the budget request.

MULTINATIONAL SPECIES CONSERVATION FUND

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

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

The Rhinoceros and Tiger Conservation Act of 1994 authorized programs to enhance compliance with the Convention on International Trade in Endangered Species (CITES) and U.S. or foreign laws prohibiting the taking or trade of rhinoceros, tigers, or their habitat.

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

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

Appropriation enacted, 2007	$6,404,000
Budget estimate, 2008	4,257,000
Recommended, 2008	10,000,000
Comparison:	
Appropriation, 2007	+3,596,000
Budget estimate, 2008	+5,743,000

The Committee recommends $10,000,000 for the multinational species conservation fund, an increase of $3,596,000 above the fiscal year 2007 enacted level and $5,743,000 above the budget request.

The funding levels are as follows: $2,500,000 for rhinoceros and tiger conservation, $1,500,000 for marine turtle conservation, and $2,000,000 each for African elephant conservation, Asian elephant conservation, and great ape conservation.

STATE AND TRIBAL WILDLIFE GRANTS

The State and tribal wildlife grants program provides funds for States to implement their comprehensive wildlife conservation plans for species of greatest conservation need. States are required to provide at least a 50 percent cost share for grants that implement the State Wildlife Action Plans.

Appropriation enacted, 2007	$67,492,000
Budget estimate, 2008	69,492,000
Recommended, 2008	85,000,000
Comparison:	
Appropriation, 2007	+17,508,000
Budget estimate, 2008	+15,508,000

The Committee recommends $85,000,000 for State and tribal wildlife grants, an increase of $17,508,000 above the fiscal year 2007 enacted level and $15,508,000 above the budget request. Within the amount provided, $7,000,000 is for competitively awarded grants to Indian tribes.

The Committee is encouraged by the quality of the completed State wildlife action plans. The Committee believes that these plans must serve as anchors for conservation efforts of key habitats and species of greatest concern in the States. The States should promote these plans to build additional financial support and resources at the State and local level for wildlife conservation and not rely entirely on Federal funding. The Committee encourages the Service and its partners to take steps to integrate State wildlife action plans with other Federal, State, tribal and local conservation planning tools to advance wildlife conservation efforts nationwide. The Committee expects the Service and the States to develop and implement data and mapping standards so that management activities are strategically coordinated and conservation results consistently measured. Additionally, the Service should advocate cooperative projects that involve multiple States or tribes when key habitats cross State or tribal boundaries.

The Committee has accepted the Administration's proposal to discontinue the landowner incentive and private stewardship grants programs and believes funding for the State wildlife action

program and for other existing Service grant programs will adequately replace these efforts with a more coordinated focus on species, habitats, and ecosystems of greatest conservation need.

NATIONAL PARK SERVICE

The mission of the National Park Service is to preserve unimpaired the natural and cultural resources and values of the national park system for the enjoyment, education, and inspiration of this and future generations. Established in 1916, the National Park Service has stewardship responsibilities for the protection and preservation of the heritage resources of the national park system. The system, consisting of 391 separate and distinct units, is recognized globally as a leader in park management and resource preservation. The national park system represents much of the finest the Nation has to offer in terms of scenery, historical and archeological relics, and cultural heritage. Through its varied sites, the National Park Service attempts to explain America's history, interpret its culture, preserve examples of its natural ecosystems, and provide recreational and educational opportunities for U.S. citizens and visitors from all over the world. In addition, the National Park Service provides support to tribal, local, and State governments to preserve culturally significant, ecologically important, and public recreational lands.

The bill includes a total of $2,512,172,000 in the aggregate for the National Park Service, an increase of $222,737,000 over the fiscal year 2007 enacted level and an increase of $148,388,000 over the request. These funds are allocated among six different appropriation accounts as described below:

(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Recommended	Recommended versus Enacted	Recommended versus Request
NATIONAL PARK SERVICE					
Operation of the National Park System					
Park Management					
Resource stewardship	363,416	397,434	397,434	+34,018	---
Visitor services	349,331	405,531	405,531	+56,200	---
Maintenance	603,693	698,571	690,571	+86,878	-8,000
Park support	311,178	320,776	323,561	+12,383	+2,785
Subtotal, Park Management	1,627,618	1,822,312	1,817,097	+189,479	-5,215
U.S. Park Police	85,213	88,122	88,122	+2,909	---
External administrative costs	135,066	141,590	141,590	+6,524	---
Financial and Business Management System (FBMS)	---	5,108	---	---	-5,108
Emergency appropriations (P.L. 110-28)	525	---	---	-525	---
Total, Operation of the National Park System	1,848,422	2,057,132	2,046,809	+198,387	-10,323
Centennial Challenge					
Signature projects matching program*	---	---	50,000	+50,000	+50,000

*President's budget requested $100 million in mandatory funding not yet authorized.

(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	FY 2008 Recommended	Recommended versus Enacted	Recommended versus Request
National Recreation and Preservation					
Recreation programs	556	574	574	+18	---
Natural programs	10,378	10,467	10,467	+89	---
Cultural programs	22,665	22,742	21,742	-923	-1,000
International park affairs	1,861	1,618	1,618	-243	---
Environmental and compliance review	403	421	421	+18	---
Grant administration	1,948	3,059	3,059	+1,111	---
Heritage Partnership Programs	13,335	10,004	20,000	+6,665	+9,996
Statutory or Contractual Aid	3,223	---	5,000	+1,777	+5,000
Emergency appropriations (by transfer)(P.L. 110-28)	(500)	---	---	(-500)	---
Total, National Recreation and Preservation	54,369	48,885	62,881	+8,512	+13,996
Historic Preservation Fund					
State historic preservation offices	37,217	35,717	45,000	+7,783	+9,283
Grants-National Inventory of Historic Properties	---	4,000	---	---	-4,000
Tribal grants	5,446	3,941	6,500	+1,054	+2,559
Save America's Treasures	8,074	10,000	20,000	+11,926	+10,000
Preserve America	4,926	10,000	10,000	+5,074	---
Emergency appropriations (P.L. 110-28)	10,000	---	---	-10,000	---
Emergency appropriations (transfer out)(P.L. 110-28)	(-500)	---	---	(+500)	---
Total, Historic Preservation Fund	65,663	63,658	81,500	+15,837	+17,842

(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Construction					
Line item construction and maintenance	180,621	105,086	105,086	-75,535	---
Emergency and unscheduled	3,290	3,290	3,290	---	---
Housing	6,897	5,075	5,075	-1,822	---
Dam safety	2,626	2,626	2,626	---	---
Equipment replacement	31,083	14,815	14,815	-16,268	---
Planning, construction	19,632	17,355	17,355	-2,277	---
Construction program management	39,842	39,842	39,842	---	---
General management plans	13,491	13,491	13,491	---	---
Total, Construction	297,482	201,580	201,580	-95,902	---
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	27,995	---	48,000	+20,005	+48,000
Administrative expenses	1,627	---	2,000	+373	+2,000
Total, Assistance to States	29,622	---	50,000	+20,378	+50,000

(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Recommended	Recommended versus Enacted	Recommended versus Request
National Park Service					
Acquisitions	19,535	9,000	34,535	+15,000	+25,535
Emergencies and hardships	2,541	2,348	2,541	---	+193
Acquisition management	9,786	8,832	9,786	---	+954
Inholdings	2,540	2,349	2,540	---	+191
Total, National Park Service	34,402	22,529	49,402	+15,000	+26,873
Total, Land Acquisition and State Assistance	64,024	22,529	99,402	+35,378	+76,873
TOTAL, NATIONAL PARK SERVICE	2,299,960	2,363,784	2,512,172	+212,212	+148,388

NATIONAL PARK SERVICE CENTENNIAL

Restoring the Parks for the Centennial.—The National Park Service (NPS) will be 100 years old in 2016 and the Service has embarked on an historic ten-year, $3 billion effort to enhance the national parks leading up to the Centennial celebration. The Committee welcomes the Administration's new initiative and has, with the few exceptions noted below, approved the budget request in support of the Centennial effort. The $2,512 million recommended in this bill for 2008 is the largest appropriation ever for the Parks, an increase of $223 million over the 2007 enacted level. These amounts will provide the resources to begin preparing the system for a second century of conservation, environmental stewardship and recreation benefiting millions of visitors from throughout the world. The fiscal year 2008 increase includes, for example:

A $199 million increase for core park operations, the largest increase for park operations in history and an 11 percent increase over fiscal year 2007. Every park in the system will receive a budget increase in fiscal year 2008.

Provides full fixed costs for parks for the second year in a row.

Provides $40.6 million for 3,000 new seasonal, uniformed park rangers for interpretation, maintenance, and resource protection to augment existing seasonal staff. In addition to the seasonals, funding is provided to increase permanent staffing by 590 full time equivalents (FTEs).

Provides $50 million in additional funds for facility maintenance programs of cyclic maintenance and repair and rehabilitation.

Provides $3.8 million to expand park volunteer programs, $1 million to expand the junior ranger program, $1.8 million to augment youth programs, and $1 million to improve the NPS website content and better connect to all segments of the population.

The Committee believes that the fiscal year 2008 request provides an excellent foundation for the ten-year effort to achieve these goals and commends the Secretary of the Interior and Director of the National Park Service for their leadership in presenting this request.

Centennial Challenge Matching Funds.—A key part of the Centennial effort is its ten-year proposal for a $2 billion public-private partnership program called the Centennial Challenge. This is in addition to the $1 billion commitment for enhancements in the basic operational budget of the parks. Under the Centennial Challenge program, $200 million per year, $100 million each of public and private funds, would be dedicated to support "signature projects," which provide critical enhancements for the parks beyond the amounts necessary for their basic operations. The President has proposed new legislation providing that the $100 million of annual public funding for this program be permanent funding. This legislation is being considered by the Natural Resources Committee, but it may not be enacted in time for fiscal year 2008. For this reason, the Committee has recommended a 2008 discretionary appropriation of $50 million, using the existing challenge cost-

share authorization, to initiate this important aspect of the Centennial effort.

The Committee notes that the National Park System has a long history of philanthropic support and encourages this public-private partnership effort. It wishes, however, to emphasize several points in approving funds for this purpose.

First, the amount provided for the Centennial Challenge is intended to supplement funding for core operations. The Committee expects the Administration to fully fund the day-to-day operational costs of the parks through its core appropriations accounts.

Second, the Park Service should be aggressive in structuring its partnership agreements to avoid projects which commercialize the parks and ensure that projects are chosen through a transparent and completely apolitical process.

Lastly, the Service, in structuring this large public-private partnership, must ensure that control of projects remains with the Federal government and that projects are consistent with Park Service needs and priorities, as reflected in general management plans or other Service-wide needs documents. In order to ensure that appropriated funds are spent on activities which meet these standards, the Committee directs that the House and Senate Appropriations Committees be kept informed as the Centennial Challenge program criteria are finalized. It also directs that the Committees be consulted before final action is taken on all projects.

The Committee, in approving these funds, recognizes that the scope of this effort, both in terms of the amounts of money and duration of time, is unique and that new procedures and mechanisms may be required for handling private donations of this magnitude. This includes financial arrangements through private foundations or other third parties. It is essential, however, that control of projects be retained by the National Park Service, which retains the fundamental stewardship responsibility for the parks.

OPERATION OF THE NATIONAL PARK SYSTEM

Appropriation enacted, 2007	$1,847,897,000
Budget estimate, 2008	2,057,132,000
Recommended, 2008	2,046,809,000
Comparison:	
Appropriation, 2007	+198,912,000
Budget estimate, 2008	−10,323,000

The Committee recommends $2,046,809,000 for operation of the National Park System (NPS), an increase of $198,912,000 above the 2007 enacted level and $10,323,000 below the request. This account funds the day-to-day operations of individual park units as well as regional and headquarters support operations. This includes funding for 21,589 FTE positions. The increases approved by the Committee include the full amount necessary to cover fixed costs and support for an additional 3,000 seasonal employees and 590 additional full-year FTE positions, as requested. This is the largest increase for the park operations ever requested or appropriated. Funds will be used to restore staffing for parks in areas of visitor services, maintenance and interpretation as well as for rebuilding and refurbishing park landscapes and infrastructure.

The Committee has consolidated funding for activities of the United States Park Police within the "Operations of the National Park System" account to allow more flexibility in administering this budget. Funding was requested in a separate account by the President. The Committee has approved the full amount requested for the Park Police, $88,122,000.

The Committee has not approved the request for $7,000,000 to initiate restoration studies related to the Hetch Hetchy Valley in California. This highly controversial proposal, with a potential cost of as much as $10 billion, was not well justified in the budget materials. The Committee has also rejected the request for $5,108,000 in this account related to development costs of the department-wide Financial and Business Management System (FBMS). Funding for FBMS activity has been consolidated in the "Office of the Secretary" account. Lastly, the Committee has reallocated $1,000,000 from "maintenance" to "park support" to expand social science support for the park system, as discussed below.

Park Base Funding.—The Committee has provided not less than $1,233 million for the support of individual park units under the "park base" funding category. This is an increase of $105 million over the 2007 enacted level and the same as the President's request. This increase will support improved visitor services including, but not limited to, education, interpretation, maintenance and law enforcement. All parks will benefit from this increase. Funding provided for the direct support of parks through the "park base" activity should not be reduced or reallocated to any other activity without the express approval of the House and Senate Committees on Appropriations following the reprogramming guidelines in this report.

Social Science Support/Diversity in the Parks.—The Committee continues to be concerned that minorities do not use the parks more frequently despite their growing numbers within the U.S. population. To address this challenge, the Committee believes that the Service must first improve its system for collecting basic visitation statistics, including which demographic and economic groups are not using the parks and why. To address these challenges, the Committee has reallocated $1,000,000 from the maintenance program to park support to expand the social science capacity of the park system.

South Florida Initiative.—The Committee continues to support the restoration of the Everglades and the protection and preservation of the national parks and national wildlife refuges located in South Florida. Since this initiative began over a decade ago, the Committee has provided over $1 billion to the Department of the Interior and its bureaus for restoration projects and activities. The Committee appreciates the progress that has been made to restore the Everglades but it remains critical to hold all parties accountable for the environmental goals, which are the ultimate justification for the public's investment and support. Without clean water, the Everglades will be irretrievably altered, and its unique habitat will continue to be degraded. The Committee intends to continue to monitor this project carefully and requests that the Department submit a detailed report by February 1, 2008, describing the status of the Everglades restoration program.

The following additional guidance is provided with respect to funding provided under this account:

National Trail System.—The Committee has provided $10,000,000 for the National Trail System, an increase of $1,785,000 above the request.

Partnerships Wild and Scenic Rivers.—The Committee has provided $2,000,000 for the Partnerships Wild and Scenic Rivers program, an increase of $1,142,000 above the request. This funding level permits inclusion of additional partnerships and expanded support for existing programs.

Park Service Police Helicopter.—The Committee is aware that the Park Service Police helicopter is aging and encourages the Service to develop a plan for its replacement in its fiscal year 2009 budget submission.

Civil War Sesquicentennial.—The Committee encourages the Park Service to begin a focused effort to develop plans for commemoration of the 150th anniversary of the Civil War and to submit a report to the Committee prior to the fiscal year 2009 appropriations hearings on its efforts in this regard. The Committee also wishes to commend the Service for its expanded efforts to include the role of slavery in its interpretations at Civil War battlefields and monuments.

Japanese American Confinement Sites.—The Committee is aware that legislation passed at the end of the 109th Congress authorizing a new program of grant support to preserve Japanese American World War II confinement sites through partnerships with local preservation groups (P.L. 109–441). The Committee directs that the Service analyze the scope of such an effort and submit a report on how this legislation might be implemented. The Committee expects to receive this report prior to the fiscal year 2009 appropriation hearings.

Buffalo National River.—The Committee expects the Service to fully consult with local and regional officials and the public before taking any actions with respect to access or road closings related to the Buffalo National River, Arkansas.

Gettysburg Historic Landscape.—The Committee remains supportive of efforts to restore the historic landscapes of the Gettysburg battlefields.

Chesapeake Bay Historic Heritage Support.—The Committee is fully supportive of Park Service activities related to historic tourism and recreation in the Chesapeake Bay region and encourages continuation of these efforts.

Mississippi National River and Recreation Area Visitor Center.—The Committee encourages the National Park Service to consider recognizing the contributions of former Congressman Bruce Vento to the creation of the Mississippi National River and Recreation Area by naming its new visitor center in his honor.

Connecting Children with Nature.—The Committee recognizes that the growing disconnection of America's children from the natural world impacts the children's health as well as the future of natural resource conservation. The Service should implement projects that help connect children and their families with nature using visitor services and Centennial Challenge funds, as appropriate.

4th of July and Memorial Day Concerts.—The Committee is appreciative of the Park Service support of the 4th of July and Memorial Day concerts conducted on the grounds of the U.S. Capitol and has included funds which will allow expansion of this support at levels determined to be appropriate by the Director.

Brown v. Board of Education National Historic Site.—The Committee is supportive of efforts by the Service for enhanced interpretation and visitor services at the Brown v. Board of Education National Historic Site and encourages the continuation of these activities.

Virgin Islands National Park.—The Committee supports the Department's proposal to convert the present retained use estate at Virgin Islands National Park to a lease and urges the Department to move expeditiously to achieve that goal.

National Park System Advisory Board.—The Committee has included language in the bill extending the authorization for the National Park System Advisory Board for one year.

Urban Park and Recreation Recovery Program.—The Secretary and National Park Service have on-going statutory duties with respect to the Urban Park and Recreation Recovery (UPARR) program (16 USC 2501 et seq.) that are unaffected by funding levels in this bill. The Committee expects the Park Service to continue to carry out these duties, including, but not limited to, on-going monitoring and active enforcement of Section 1010 (16 USC 2509) concerning conversion of UPARR-funded projects from public recreational use to other uses.

Kenilworth Park South:—The Committee is aware of efforts by non-profit organizations to partner with the National Park Service in providing educational and recreational facilities on National Park Service property at Kenilworth Park South in the District of Columbia whose primary purpose will be the development of life skills and character-enhancing values. The Committee encourages the National Park Service to act promptly on this partnership proposal.

CENTENNIAL CHALLENGE

Appropriation enacted, 2007	$0
Budget estimate, 2008	100,000,000*
Recommended, 2008	50,000,000
Comparison:	
Appropriation, 2007	+50,000,000
Budget estimate, 2008	−50,000,000

*These funds were requested as permanent funding under the President's budget. This proposal has not yet been considered by the Congress. Funds in this bill are annual appropriations.

The bill includes $50,000,000 of annual appropriations to initiate the new Centennial Challenge matching grant program. This is in lieu of the $100,000,000 of permanent appropriation funding proposed by the President but not yet enacted into law. The Committee's instructions regarding the expenditure of these funds are included under the section on the "National Park Service Centennial."

NATIONAL RECREATION AND PRESERVATION

The National recreation and preservation appropriation provides for outdoor recreation planning, preservation of cultural and Na-

tional heritage resources, technical assistance to Federal, State and local agencies, and administration of Historic Preservation Fund grants.

Appropriation enacted, 2007	$54,369,000
Budget estimate, 2008	48,885,000
Recommended, 2008	62,881,000
Comparison:	
Appropriation, 2007	+8,512,000
Budget estimate, 2008	+13,996,000

The Committee recommends $62,881,000 for national recreation and preservation, an increase of $13,996,000 above the request and an increase of $8,512,000 above the enacted level (see NPS table for details).

Heritage Partnership Program.—The Committee recommends $20,000,000 for the heritage partnership program, an increase of $9,996,000 over the budget request and $6,665,000 above the enacted level. These funds finance grants to local non-profit groups in support of historical and cultural recognition, preservation and tourism activities. The Committee has recommended this increase to allow funding for the expanded number of heritage partnerships authorized during the 109th Congress. The number of authorized partnerships has increased from 27 to 37. The Committee has not specified funding levels for individual heritage partnership grants in the bill or in this report. The Park Service is directed to allocate funding based on competitive criteria, following the general approach used in 2007.

Statutory or Contractual Aid.—The Committee has recommended $5,000,000 for grants and contracts in support of national, State and regional recreation and preservation activities. This is $1,777,000 above the 2007 enacted level. The President did not request funding for this program.

National Inventory of Historic Properties within the National Park System.—The Committee has not approved the request for $1 million to begin a ten-year program to inventory all historic assets within the national parks. The Committee does not believe that the budget adequately justifies this program. In particular, the Committee did not have enough information about the definitions of historic assets to be used, methodologies for conducting the inventories or the long-term cost of such an undertaking.

HISTORIC PRESERVATION FUND

The Historic Preservation Fund allows the State historic preservation offices to perform a variety of functions. These include State management and administration of existing grant obligations; review and advice on Federal projects and actions; determinations and nominations to the National Register; Tax Act certifications; and technical preservation services. The States also review properties to develop data for planning use. Funding in this account also supports direct grants to qualifying organizations for individual preservation projects and for activities in support of heritage tourism and local historic preservation.

Appropriation enacted, 2007	$55,663,000
Budget estimate, 2008	63,658,000
Recommended, 2008	81,500,000
Comparison:	
Appropriation, 2007	+25,837,000
Budget estimate, 2008	+17,842,000

The Committee recommends $81,500,000 for historic preservation programs, an increase of $17,842,000 above the request and $25,837,000 above the enacted level (see NPS table for details).

State Historic Preservation Offices.—The Committee is fully supportive of longstanding efforts of the State Historic Preservation Offices to identify and protect irreplaceable historic and archeological resources. The Committee has provided $45,000,000 for State Historic Preservation offices, an increase of $7,783,000 over the 2007 enacted level for these programs.

National Inventory of Historic Properties.—The Committee has not approved the request for $4 million to begin a ten-year program to inventory all historic assets throughout the United States. While the Committee believes that the concept of a comprehensive inventory and database of historic sites has potential merit, it does not believe that the 2008 budget request adequately justified this expenditure. In particular, the Committee did not have enough information about the definitions of historic assets to be used, methodologies for conducting the inventories or the long term cost of such an undertaking.

Historically Black Colleges and Universities (HBCU) Grants.—The Committee remains strongly supportive of HBCU historic preservation activities, but there have been significant carryover balances over the last three years in this program. The Committee has deferred consideration of further funding for this program until prior year funds have been utilized.

Save America's Treasures.—The Committee has recommended $20,000,000 for the Save America's Treasures program for 2008. This is $10,000,000 more than requested by the President and $11,926,000 more than the 2007 enacted level. These funds are used to make small, one-time grants for specific local, historic projects to preserve a building or artifact which might otherwise be lost to future generations. All projects require a 50 percent match.

Preserve America.—The Committee has recommended $10,000,000 for the Preserve America program, the same as requested by the President and $5,074,000 above the 2007 enacted level. This program provides small grants to local communities in support of heritage tourism, education and historic preservation planning activities. The Committee is fully supportive of this program.

CONSTRUCTION

Appropriation enacted, 2007	$297,482,000
Budget estimate, 2008	201,580,000
Recommended, 2008	201,580,000
Comparison:	
Appropriation, 2007	−95,902,000
Budget estimate, 2008	0

The Committee recommends $201,580,000 for construction, the same amount as the budget request and a decrease of $95,902,000

below the 2007 enacted level. While the construction and facility improvement needs of the parks are substantial, the Park Service construction program has had significant funding increases in recent years and has accumulated a large backlog of incomplete projects. Agency personnel testified to the Committee that there are over $370 million of unobligated balances in the "Construction" account. Based on this information, the Committee recommends approval of the budget request.

Bill language carried in previous years requiring pre-approval by the Committee of any partnership construction agreement with a value in excess of $5 million has been deleted from the bill. The Committee directs, however, that the Service continue to submit such projects for review in advance of final approval, as in previous years.

Projects.—Congress has made significant reforms in the way it reviews funding for the Federal government; reforms which the Committee takes very seriously as it executes its constitutional authority. Earmarking or directed spending of Federal dollars does not begin with Congress. It begins with the Executive Branch. Following are examples of National Park Service construction projects submitted by the Administration:

Everglades National Park water delivery projects (FL),	$14,526,000
Ford's Theater National Historic site (DC)	3,521,000
Channel Islands National Park, pier replacement (CA)	9,294,000
Five Forks National Historic Landmark (VA)	3,045,000
Redwood National Park maintenance facility (CA)	11,144,000
San Francisco National Maritime Park amphitheater (CA)	10,051,000
White House, Washington, utility upgrade (DC)	5,902,000

The Administration, in selecting these projects, goes through a process that is the functional equivalent of earmarking. When the Committee reviews the budget request, it goes through a process of rigorous review and may alter or modify this list to reflect additional priorities.

The Committee provides no recommendation at this time for specific projects contained either in the Administration's budget or proposed by Members of Congress. Individual project allocations will be considered comprehensively after the Committee has properly analyzed all relevant information.

LAND AND WATER CONSERVATION FUND

RESCISSION

Appropriation enacted, 2006	−$30,000,000
Budget estimate, 2007	−30,000,000
Recommended, 2007	−30,000,000
Comparison:	
Appropriation, 2006	0
Budget estimate, 2007	0

The Committee recommends the rescission of $30,000,000 in the annual contract authority provided by 16 U.S.C. 46l–10a. There are no plans to use this authority in fiscal year 2008. The Committee does not agree with the Administration's proposal to permanently cancel the authority.

LAND ACQUISITION AND STATE ASSISTANCE

Appropriation enacted, 2007	$64,024,000
Budget estimate, 2008	22,529,000
Recommended, 2008	99,402,000
Comparison:	
Appropriation, 2007	+35,378,000
Budget estimate, 2008	+76,873,000

The Committee recommends $99,402,000 for land acquisition and State assistance, an increase of $35,378,000 above the fiscal year 2007 enacted level and $76,873,000 above the request.

The Committee recommends funding levels of $50,000,000 for assistance to States, $34,535,000 for land acquisition projects, $9,786,000 for acquisition management, $2,540,000 for inholdings, and $2,541,000 for emergencies and hardships.

The Committee provides no recommendation at this time for specific projects contained either in the Administration's budget or proposed by Members of Congress. Individual project allocations will be considered comprehensively after the Committee has properly analyzed all relevant information.

UNITED STATES GEOLOGICAL SURVEY

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

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

(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	FY 2008 Recommended	Recommended versus Enacted	Recommended versus Request
UNITED STATES GEOLOGICAL SURVEY					
Surveys, Investigations, and Research					
Geographic Research, Investigations, & Remote Sensing					
Cooperative topographic mapping	---	---	---	---	---
Land remote sensing	63,264	61,431	63,431	+167	+2,000
Geographic analysis and monitoring	16,926	13,524	16,524	-402	+3,000
Subtotal, Geographic Research & Remote Sensing	80,190	74,955	79,955	-235	+5,000
Geologic Hazards, Resource and Processes					
Geologic hazards assessments	81,890	84,008	89,008	+7,118	+5,000
Geologic landscape and coastal assessments	78,327	81,391	82,391	+4,064	+1,000
Geologic resource assessments	76,786	56,686	78,435	+1,649	+21,749
Subtotal, Geologic Hazards, Resource & Processes	237,003	222,085	249,834	+12,831	+27,749
Water Resources Investigations					
Hydrologic monitoring, assessments and research					
Ground water resources program	8,098	7,628	7,628	-470	---
National water quality assessment	62,818	64,925	64,925	+2,107	---
Toxic substances hydrology	13,293	13,730	13,730	+437	---
Hydrologic research and development	14,754	14,167	15,167	+413	+1,000
National streamflow information program	16,612	18,945	21,612	+5,000	+2,667
Hydrologic networks and analysis	29,572	30,678	30,678	+1,106	---
Subtotal, Hydrologic monitoring, assessments and research	145,147	150,073	153,740	+8,593	+3,667

(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Federal-State program	64,345	62,381	63,345	-1,000	+964
Water resources research institutes	5,404	---	6,404	+1,000	+6,404
Subtotal, Water Resources Investigations	214,896	212,454	223,489	+8,593	+11,035
Biological Research					
Biological research and monitoring	138,072	143,406	147,906	+9,834	+4,500
Biological information management and delivery	22,856	22,278	22,278	-578	---
Cooperative research units	14,764	15,430	16,930	+2,166	+1,500
Subtotal, Biological Research	175,692	181,114	187,114	+11,422	+6,000
Enterprise Information					
Enterprise information security and technology	26,061	24,902	24,902	-1,159	---
Enterprise information resources	17,030	17,041	17,041	+11	---
National geospatial program	68,691	70,177	70,177	+1,486	---
Subtotal, Enterprise Information	111,782	112,120	112,120	+338	---
Science support	67,782	68,231	68,699	+917	+468
Financial and Business Managment System (FBMS)	---	2,440	---	---	-2,440
Facilities	95,435	101,553	101,553	+6,118	---
Global climate change research increase	---	---	10,000	+10,000	+10,000
Emergency appropriations (P.L. 110-28)	5,270	---	---	-5,270	---
TOTAL, UNITED STATES GEOLOGICAL SURVEY	988,050	974,952	1,032,764	+44,714	+57,812

SURVEYS, INVESTIGATIONS, AND RESEARCH

Appropriation enacted, 2007	$982,780,000
Budget estimate, 2008	974,952,000
Recommended, 2008	1,032,764,000
Comparison:	
Appropriation, 2007	+49,984,000
Budget estimate, 2008	+57,812,000

The Committee recommends $1,032,764,000 for surveys, investigations, and research, an increase of $57,812,000 above the budget request and $49,984,000 above the fiscal year 2007 enacted level. Changes to the budget request are discussed below.

Geographic Research, Investigations, and Remote Sensing.—The Committee recommends $79,955,000 for geographic research and remote sensing, $5,000,000 above the budget request and $235,000 below the fiscal year 2007 enacted level. The recommendation includes $2,000,000 for the national cooperative geographic information system mapping program and $3,000,000 for the geographic analysis and monitoring activity to enhance the integrated multi-hazards initiative and to restore reductions in the request. The recommendation fully funds the budget request of $24,150,000 for the Landsat Data Continuity Mission.

Geologic Hazards, Resources and Processes.—The Committee recommends $249,834,000 for geologic hazards, resources, and processes, $27,749,000 above the budget request and $12,831,000 above the fiscal year 2007 enacted level. The recommendation includes a total of $51,636,000 for the minerals resources program, an increase of $21,749,000 above the request. This large funding increase restores the minerals assessment team; the Committee strongly encourages the Administration to support this vital program and not suggest its elimination again. Other changes include increases of $4,000,000 for the earthquake multi-hazards program, $500,000 each for the volcano and global seismographic network programs, and $1,000,000 for national cooperative geologic mapping. The increase for earthquake science and monitoring should be used to enhance monitoring and analysis around the Nation and be implemented in cooperation with the integrated multi-hazards demonstration project. The Committee is aware that earthquake science is vital to the Nation and the Survey should consider major faults wherever they occur.

Water Resources Investigations.—The Committee recommends $223,489,000 for water resources investigations, $11,035,000 above the budget request and $8,593,000 above the fiscal year 2007 enacted level. Changes from the request include: an increase of $2,667,000 for the National streamflow information program to enhance the multi-hazards initiative and to rebuild basic capacity for this vital network; $1,000,000 for hydrologic research and development; $964,000 for the cooperative water program; and an increase of $6,404,000 for the Water Resources Research Act program to bring its funding back to the fiscal year 2006 level.

Biological Research.—The Committee recommends $187,114,000 for biological research, $6,000,000 above the budget request and $11,422,000 above the fiscal year 2007 enacted level. The recommendation includes the requested amount to continue support of the national rare species data network and the highly pathogenic

avian influenza monitoring effort. Changes from the request include a non-specified increase of $4,500,000 to restore basic biological research and monitoring capacity such as restoring funding for contaminant/endocrine biology and northwest forest biology, and $1,500,000 for the cooperative research units. The Committee recommendation fully funds the budget request of $5,000,000 for the Healthy Lands Initiative, and provides no less than the request for the multi-hazards initiative.

Enterprise Information.—The Committee recommends $112,120,000 for enterprise information as requested, $338,000 above the fiscal year 2007 enacted level.

The Committee notes with concern that the Survey continues to have difficulties consolidating the National Geospatial Technical Operations Center (NGTOC). The ongoing delays are harming the Federal functions of geospatial and technical science. Services to the national geospatial community are too important to risk loss or delay of these functions. The Committee directs the Survey to implement a new and streamlined approach to establish a future Federal NGTOC with operations centers in both existing sites.

Science Support.—The Committee recommends $68,699,000 for science support, $468,000 above the budget request and $917,000 above the fiscal year 2007 enacted level. The Committee has rejected the request for $2,440,000 in this account related to development costs of the department-wide financial and business management system (FBMS). Funding for the FBMS activity has been consolidated in the "Office of the Secretary" account.

Facilities.—The Committee recommends $101,553,000 for facilities as requested, a $6,118,000 increase to the fiscal year 2007 enacted level. The Committee fully supports the needed updates in the request for the wildlife research facilities.

Global Climate Change Research Program Increase.—The Committee recommends a $10,000,000 increase for vital research efforts of Survey scientists related to various aspects of global climate change. The Committee notes the overall high quality of research programs of the Survey in this important area, and requests that the Survey notify the House and Senate Committees on Appropriations of its allocation of these funds within 60 days of enactment. The Committee notes that these funds may be used to support the National Global Warming and Wildlife Science Center, if authorized.

MINERALS MANAGEMENT SERVICE

The Minerals Management Service is responsible for collecting, distributing, accounting and auditing revenues from mineral leases on Federal and Indian lands. In fiscal year 2007, MMS expects to collect and distribute about $14.0 billion from active Federal and Indian leases. The MMS also manages the offshore energy and mineral resources on the Nation's outer continental shelf. To date, the OCS program has been focused primarily on oil and gas leasing. Over the past several years, MMS has been exploring the possible development of other marine mineral resources, especially sand and gravel. With the passage of the Oil Pollution Act of 1990, MMS assumed increased responsibility for oil spill research, including the promotion of increased oil spill response capabilities, and

for oil spill financial responsibility certifications of offshore platforms and pipelines. Under the Energy Policy Act of 2005, MMS has new responsibilities over Federal offshore renewable energy and related uses of America's offshore public lands. Fiscal year 2007 marks the start of the Coastal Impact Assistance Program; it will provide $1 billion in mandatory funding over the next 4 years from offshore oil and gas receipts to coastal States (primarily Louisiana, Texas and Mississippi) and counties for environmental restoration and other important civic projects.

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

(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	FY 2008 Recommended	Recommended versus Enacted	Recommended versus Request
MINERALS MANAGEMENT SERVICE					
Royalty and Offshore Minerals Management					
OCS Lands					
Leasing and environmental program	41,529	45,201	44,201	+2,672	-1,000
Resource evaluation	28,633	29,799	29,799	+1,166	---
Regulatory program	52,629	56,069	56,069	+3,440	---
Information management program	29,998	28,887	28,887	-1,111	---
Subtotal, OCS Lands	152,789	159,956	158,956	+6,167	-1,000
Royalty Management					
Compliance and asset management	43,034	45,464	45,464	+2,430	---
Revenue and operations	37,069	36,907	36,907	-162	---
Subtotal, Royalty Management	80,103	82,371	82,371	+2,268	---
General Administration					
Executive direction	2,691	2,615	2,615	-76	---
Policy and management improvement	4,374	4,215	4,215	-159	---
Administrative operations	17,987	17,560	17,560	-427	---
General support services	23,398	23,565	23,565	+167	---
Financial and Business Management System (FBMS)	---	496	---	---	-496
Subtotal, General Administration	48,450	48,451	47,955	-495	-496
Total (gross)	281,342	290,778	289,282	+7,940	-1,496

(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Use of receipts	-128,730	-135,730	-135,730	-7,000	---
Total, Royalty and Offshore Minerals Management	152,612	155,048	153,552	+940	-1,496
Oil Spill Research					
Oil spill research	6,903	6,403	6,403	-500	---
Administrative Provisions					
Ultra deepwater research deferral	---	---	-50,000	-50,000	-50,000
State royalty administrative cost deduction	---	---	-43,000	-43,000	-43,000
Subtotal	---	---	-93,000	-93,000	-93,000
TOTAL, MINERALS MANAGEMENT SERVICE	159,515	161,451	66,955	-92,560	-94,496

ROYALTY AND OFFSHORE MINERALS MANAGEMENT

Appropriation enacted, 2007	$152,612,000
Budget estimate, 2008	155,048,000
Recommended, 2008	153,552,000
Comparison:	
Appropriation, 2007	+940,000
Budget estimate, 2008	−1,496,000

The Committee recommends an appropriation of $153,552,000 for royalty and offshore minerals management, a decrease of $1,496,000 below the budget request and $940,000 above the 2007 enacted level. The Committee recommends use of $135,730,000 in receipts, as requested, which agrees with the Administration request to increase receipts by $7,000,000. The recommendation decreases the leasing activity by $1,000,000 below the request, but still $2,672,000 above the fiscal year 2007 level. In addition, the Committee has rejected the request for $496,000 in this account related to development costs of the department-wide financial and business management system (FBMS). Funding for the FBMS activity has been consolidated in the "Office of the Secretary" account.

The Committee is concerned about recent Departmental Inspector General reports regarding the need for more and better audits, in addition to ongoing compliance monitoring. The Committee expects the Service to report back by January 31, 2008 on steps it is taking to remedy this situation, including a discussion of what kind of auditors are needed, and comments from the Department regarding whether auditors should be housed in separate bureaus or perhaps in the Inspector General's office.

The Committee is aware that concerns have been raised about the MMS's methods for collecting royalties for extraction of gas from certain Federal and Indian lands. The Committee believes it is imperative that the Interior Department's inspection, audit and enforcement activities result in proper revenue collections. Accordingly, the Committee directs the Department of the Interior to provide a report to the House and Senate Committees on Appropriations by January 31, 2008. The report should include a proposed timetable and estimated costs associated with analyzing options for changing regulations for Federal and Native American natural gas leases, to institute more accurate measurement and reporting of natural gas that can improve the accuracy of gas flow measurements including but not limited to: requiring the use of digital meters on all leases which are calibrated monthly; checking for pipeline bypasses; ensuring condensates are reported; and regularly inspecting measurements taken at company master meters which can then be compared to well-specific meters for accuracy.

The Committee expects that the authorizing committees of jurisdiction will provide a thorough legislative solution to the deepwater royalty relief issue. Until that occurs, the Committee expects the Secretary to conduct negotiations with holders of offshore leases which were previously issued without price thresholds on royalty relief to see that fair royalties are provided for the American taxpayers.

The Committee is concerned about potential oil and gas leasing in Alaska's North Aleutian OCS Planning Area, also known as

Bristol Bay. Bristol Bay is home to one of the world's great fisheries, and is home to a vital Alaska culture, both of which could be at risk from off-shore drilling or spills. Given the extreme oceanographic and meteorological conditions prevalent in the North Aleutian Basin, and the extremely valuable fishery, it is vital that outer continental shelf oil or gas drilling only be conducted only after detailed studies and information are available and guarantee safety.

The Committee is very concerned that there is a lack of sound, peer-reviewed scientific data to support OCS leasing decisions in this area. The Committee directs the MMS, working with the U.S. Geological Survey and other technical and scientific bodies, to document technological and economic aspects of currently available, state-of-the-art oil spill containment, responses to blowouts, and the availability and response time for seagoing response tugboats and skimmer vessels; recommend appropriate necessary networks of oceanic monitoring infrastructure capable of providing real-time data in support of oil spill response operations, including predictive ocean surface current data, and probable impacts to affected shoreline segments from barge and tanker transport; and develop a worst-case scenario cost analysis of the maximum credible OCS accident in the North Aleutian Basin, including lost access to commercial and indigenous fisheries and long-term damage to fisheries and other marine resources.

The Committee is also concerned that MMS has had inadequate coordination with other Federal agencies to ensure the best available protection of this region. The Committee directs the Minerals Management Service to coordinate with National Marine Fisheries Service, the Fish and Wildlife Service and the National Meteorological Center and to conduct a gap-analysis literature review of all available peer-reviewed scientific papers to determine what studies must be subjected to further analysis, including a literature review on the impacts of oil spills on commercial fisheries and marine mammals.

In addition, the Committee directs the GAO to conduct an economic analysis and provide a report to the Committee as soon as possible delineating the total anticipated cost to the American taxpayer of additional OCS royalty forgiveness provisions that will be applied to the North Aleutian Basin and to other Alaskan OCS waters as a result of the relevant provisions of the Energy Policy Act of 2005 and the cost, in 2007 dollars, of federal repurchase or buybacks of previously-leased OCS tracts within the North Aleutian Basin that were deemed too risky to develop.

OIL SPILL RESEARCH

Appropriation enacted, 2007	$6,903,000
Budget estimate, 2008	6,403,000
Recommended, 2008	6,403,000
Comparison:	
Appropriation, 2007	−500,000
Budget estimate, 2008	0

The Committee recommends $6,403,000, as requested, to be derived from the Oil Spill Liability Trust Fund, to conduct oil spill

research and financial responsibility and inspection activities associated with the Oil Pollution Act of 1990, Public Law 101–380.

ADMINISTRATIVE PROVISIONS

The Committee recommendation includes bill language on three legislative matters requested by the Administration. First, language is included to continue to allow three percent of the coastal impact assistance funds provided in section 31 of the Outer Continental Shelf Lands Act to be used for necessary administrative requirements of the Service. The Service should include information on activities and funding related to the coastal impact program in future budget justifications. Second, the Committee has included bill language which deducts a portion of State royalties to help cover Federal administrative costs, resulting in a $43,000,000 revenue source for the bill. Finally, the recommendation has language which defers an Ultradeepwater oil and gas research and development grant directed by the Energy Policy Act of 2005, resulting in a $50,000,000 addition to the bill.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

The Office of Surface Mining Reclamation and Enforcement (OSMRE), through its regulation and technology account, regulates surface coal mining operations to ensure that the environment is reclaimed once mining is completed. The OSMRE accomplishes this mission by providing grants to those States that maintain their own regulatory and reclamation programs and by conducting oversight of State programs. Further, the OSMRE administers the regulatory programs in the States that do not have their own programs and on Federal and Tribal lands. Through its Abandoned Mine Land (AML) reclamation account, the OSMRE provides environmental restoration at abandoned coal mines using tonnage-based fees collected from current coal production operations. In their un-reclaimed condition these abandoned sites endanger public health and safety, and prevent the beneficial use of land and water resources. The Surface Mining Control and Reclamation Act amendments of 2006 dramatically changed the manner in which AML funds are distributed. Beginning in 2007, the State AML payments are mandatory and not subject to appropriation, resulting in a net savings of $133,000,000 to the discretionary appropriation account.

The amounts recommended by the Committee for each Office of Surface Mining Reclamation and Enforcement appropriation account, compared with the budget estimates by activity, are shown in the following table:

(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Recommended	Recommended versus Enacted	Recommended versus Request
OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT					
Regulation and Technology					
Environmental restoration	158	160	160	+2	---
Environmental protection	78,700	83,810	85,810	+7,110	+2,000
Technology development and transfer	14,976	15,416	15,416	+440	---
Financial management	483	491	491	+8	---
Executive direction	14,783	15,360	15,360	+577	---
Financial and Business Management System (FBMS)	---	123	---	---	-123
Subtotal, Regulation and Technology	109,100	115,360	117,237	+8,137	+1,877
Civil penalties	98	100	100	+2	---
Total, Regulation and Technology	109,198	115,460	117,337	+8,139	+1,877

(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Abandoned Mine Reclamation Fund					
Environmental restoration	167,730	34,483	34,483	-133,247	---
Technology development and transfer	3,881	3,983	3,983	+102	---
Financial management	6,197	6,408	6,408	+211	---
Executive direction	7,585	7,900	7,900	+315	---
Financial and Business Management system (FBMS)	---	61	---	---	-61
Total, Abandoned Mine Reclamation Fund	185,393	52,835	52,774	-132,619	-61
TOTAL, OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT	294,591	168,295	170,111	-124,480	+1,816

REGULATION AND TECHNOLOGY

Appropriation enacted, 2007	$109,198,000
Budget estimate, 2008	115,460,000
Recommended, 2008	117,337,000
Comparison:	
Appropriation, 2007	+8,139,000
Budget estimate, 2008	+1,877,000

The Committee recommends $117,337,000 for regulation and technology, $1,877,000 above the budget request and $8,139,000 above the fiscal year 2007 enacted level. The amounts recommended by the Committee compared with the budget estimates by activity are shown in the table at the beginning of the Office of Surface Mining Reclamation and Enforcement entry. The recommendation includes an increase of $2,000,000 above the request and $7,110,000 above the fiscal year 2007 level for support to the State regulatory programs. The Committee encourages continued support for the State regulatory programs which provide important services to their States and to the Nation. In addition, the Committee has rejected the request for $123,000 in this account related to development costs of the department-wide financial and business management system (FBMS). Funding for the FBMS activity has been consolidated in the "Office of the Secretary" account.

ABANDONED MINE RECLAMATION FUND

Appropriation enacted, 2007	$185,393,000
Budget estimate, 2008	52,835,000
Recommended, 2008	52,774,000
Comparison:	
Appropriation, 2007	−132,619,000
Budget estimate, 2008	−61,000

The Committee recommends $52,774,000 for the Abandoned Mine Reclamation Fund, $61,000 below the budget request and $132,619,000 below the fiscal year 2007 enacted level. The large reduction below the fiscal year 2007 level is due to the Surface Mining Control and Reclamation Act amendments passed in late 2006 which move the coal tax and abandoned mine land fund payments from discretionary to mandatory payments. All States will receive increases over past practices. The amounts recommended by the Committee compared with the budget estimates by activity are shown in the table at the beginning of the Office of Surface Mining Reclamation and Enforcement entry. The only change from the budget request is that the Committee has rejected the request for $61,000 in this account related to development costs of the department-wide financial and business management system (FBMS). Funding for the FBMS activity has been consolidated in the "Office of the Secretary" account. The Committee notes that the acid mine drainage set-aside was expanded from 10 percent to 30 percent, and therefore the Committee strongly encourages the States to utilize the increased mandatory funding provided for acid mine drainage remediation to support the clean stream efforts.

BUREAU OF INDIAN AFFAIRS

The Bureau of Indian Affairs was created in 1824. Its mission is founded on a government-to-government relationship and trust re-

sponsibility that results from treaties with Native groups. The Bureau delivers services to over 1.6 million Native Americans. In addition, the Bureau provides education programs to Native Americans through the operation of 170 schools and 14 dormitories. The Bureau administers more than 56 million acres of land held in trust status. Over 10 million of these acres belong to individuals and 46 million acres are held in trust for Tribes.

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

(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Recommended	Recommended versus Enacted	Recommended versus Request
BUREAU OF INDIAN AFFAIRS					
Operation of Indian Programs					
Tribal Budget System					
Tribal Government					
Aid to tribal government	35,954	33,671	33,671	-2,283	---
Consolidated tribal government program	63,185	68,229	69,240	+6,055	+1,011
Self governance compacts	137,583	139,036	139,036	+1,453	---
Johnson O'Malley grants	4,266	---	4,300	+34	+4,300
Contract support	143,628	149,628	149,628	+6,000	---
New tribes	316	316	316	---	---
Tribal government program oversight	7,329	6,818	6,818	-511	---
Subtotal, Tribal Government	392,261	397,698	403,009	+10,748	+5,311
Human Services					
Social services	31,421	32,414	32,414	+993	---
Welfare assistance	80,179	74,164	80,179	---	+6,015
Indian child welfare act	10,063	9,974	10,974	+911	+1,000
Housing improvement program	18,824	---	18,830	+6	+18,830
Human services tribal design	446	449	449	+3	---
Human services program oversight	3,891	3,702	3,702	-189	---
Subtotal, Human Services	144,824	120,703	146,548	+1,724	+25,845

(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Trust - Natural Resources Management					
Natural resources, general	8,104	4,335	6,335	-1,769	+2,000
Irrigation operations and maintenance	12,074	11,062	12,062	-12	+1,000
Rights protection implementation	18,076	16,615	20,615	+2,539	+4,000
Tribal management/development program	4,278	4,373	7,373	+3,095	+3,000
Endangered species	219	247	1,247	+1,028	+1,000
Integrated resource information program	1,250	1,250	1,250	---	---
Agriculture and range	23,236	24,395	24,395	+1,159	---
Forestry	42,459	43,405	43,405	+946	---
Water resources	11,159	9,913	9,913	-1,246	---
Fish, wildlife and parks	6,669	6,591	6,591	-78	---
Minerals and mining	10,207	11,678	11,678	+1,471	---
Resource management program oversight	7,507	7,820	7,820	+313	---
Subtotal, Trust - Natural Resources Management	145,238	141,684	152,684	+7,446	+11,000
Trust - Real Estate Services	144,073	150,722	150,722	+6,649	---
Education					
Elementary and secondary programs (forward funded)	458,310	476,500	487,500	+29,190	+11,000
Elementary and secondary programs	60,390	61,803	61,803	+1,413	---
Johnson O'Malley Education Grants	12,000	---	16,500	+4,500	+16,500
Post secondary programs	108,619	98,520	109,520	+901	+11,000
Education management	18,593	23,717	23,717	+5,124	---
Subtotal, Education	657,912	660,540	699,040	+41,128	+38,500

	(Amounts in thousands)				
	FY 2007 Enacted	FY 2008 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Public Safety and Justice					
Law enforcement	204,454	221,753	231,753	+27,299	+10,000
Tribal courts	12,013	12,065	17,065	+5,052	+5,000
Fire protection	1,144	---	1,200	+56	+1,200
Subtotal, Public Safety and Justice	217,611	233,818	250,018	+32,407	+16,200
Community and Economic Development	42,234	39,061	47,339	+5,105	+8,278
Executive Direction and Administrative Services	244,070	244,185	244,185	+115	---
Financial and Business Management System (FBMS)	---	2,507	---	---	-2,507
Total, Operation of Indian Programs	1,988,223	1,990,918	2,093,545	+105,322	+102,627
Construction					
Education	204,956	139,844	145,200	-59,756	+5,356
Public safety and justice	11,605	11,621	14,621	+3,016	+3,000
Resources management	45,125	37,916	39,916	-5,209	+2,000
General administration	4,108	2,114	2,114	-1,994	---
Construction management	6,029	6,132	6,132	+103	---
Total, Construction	271,823	197,627	207,983	-63,840	+10,356
Indian Land and Water Claim Settlements and Miscellaneous Payments to Indians					
White Earth Land Settlement Act (Admin)	625	625	625	---	---
Hoopa-Yurok settlement fund	250	250	250	---	---
Pyramid Lake water rights settlement	142	142	142	---	---
Cherokee, Choctaw, and Chickasaw settlement	10,339	---	---	-10,339	---
Quinault Settlement	316	---	---	-316	---

(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Nez Perce/Snake River*	20,730	16,152	21,219	+489	+5,067
Puget Sound regional shellfish settlement	2,000	7,000	7,000	+5,000	---
Pueblo of Isleta settlement	---	2,400	2,400	+2,400	---
Rocky Boy operation and maintenance trust fund	7,500	7,500	7,500	---	---
Settlement round adjustment	98	---	---	-98	---
Total, Miscellaneous Payments to Indians	42,000	34,069	39,136	-2,864	+5,067

*Requested in Fish and Wildlife Cooperative Endangered Species Program.

Indian Guaranteed Loan Program Account

Indian guaranteed loan program account	6,258	6,276	6,276	+18	---
TOTAL, BUREAU OF INDIAN AFFAIRS	2,308,304	2,228,890	2,346,940	+38,636	+118,050

OPERATION OF INDIAN PROGRAMS

Appropriation enacted, 2007	$1,988,223,000
Budget estimate, 2008	1,990,918,000
Recommended, 2008	2,093,545,000
Comparison:	
Appropriation, 2007	+105,322,000
Budget estimate, 2008	+102,627,000

The Committee recommends $2,093,545,000 for the operation of Indian programs, $105,322,000 above the fiscal year 2007 enacted level and $102,627,000 above the budget request.

Tribal Government.—The Committee recommends $403,009,000 for Tribal Government activities, an increase of $10,748,000 above the fiscal year 2007 enacted level and $5,311,000 above the budget request.

The change to the request is to fund compacts associated with the Johnson-O'Malley educational assistance grants in the consolidated tribal government and self governance compacts programs.

Human Services.—The Committee recommends $146,548,000 for human services, an increase of $1,724,000 above the fiscal year 2007 enacted level and $25,845,000 above the budget request.

Changes to the request include increases of $18,830,000 to restore the housing improvement program, $6,015,000 to restore the welfare assistance program and $1,000,000 for the Indian Child Welfare Act program.

The Committee is concerned that the housing needs in areas of Indian Country are not being met. The Committee directs the Bureau to work with the Department of Housing and Urban Development (HUD) to evaluate the effectiveness of the Bureau's Housing Improvement Program and determine whether the program and its criteria could be successfully integrated into HUD's existing housing programs and expanded to better meet the needs in Indian Country.

Bill Language.—The Committee has included bill language, as proposed by the Administration, to allow the Secretary to exceed the welfare budget cap in cases of designated Federal disasters.

Trust: Natural Resources Management.—The Committee recommends $152,684,000 for natural resources management and oversight, an increase of $7,446,000 above the fiscal year 2007 enacted level and $11,000,000 above the budget request.

Changes to the request include $2,000,000 for the general natural resource program, $4,000,000 for rights protection implementation, $3,000,000 for tribal management development programs, $1,000,000 for endangered species management and $1,000,000 for irrigation operations and maintenance.

Trust: Real Estate Services.—The Committee recommends $150,722,000 for real estate services and oversight, $6,649,000 above the fiscal year 2007 enacted level and the same as the budget request.

Education.—The Committee recommends $699,040,000 for education, $41,128,000 above the fiscal year 2007 enacted level and $38,500,000 above the budget request.

Changes to the request include increases of $16,500,000 to restore the Johnson-O'Malley assistance grants, $3,000,000 to restore the early childhood development program, $5,000,000 to restore

scholarships and adult education, $7,000,000 for elementary and secondary education program enhancements, $1,000,000 for student transportation, and $6,000,000 for tribal technical colleges.

The Committee directs that not less than $2,000,000 of the increase provided for education program enhancements should be used to implement anti-drug education programs in Bureau schools.

The Committee agrees with the premise put forward by the Administration that we must work to improve Indian education to boost student learning and academic achievement. However, the Administration's initiative to increase funding for one portion of education is financed by decreasing other vital areas of education. Reducing funding for adult education and scholarships, tribal technical colleges, early childhood development and Johnson-O'Malley assistance grants under the premise of improving education is clearly disingenuous. The Committee has restored these important programs and provided additional increases for elementary and secondary education programs, student transportation, and tribal technical colleges.

The Committee has once again rejected the Administration's proposal to eliminate the Johnson-O'Malley Education Assistance grants. Every attempt by this Administration to terminate this program has been resoundingly rejected by Congress. The feckless justification for the termination of this program—that Department of Education programs can take the place of these grants—has never been substantiated or explained to any level of adequacy. The Committee implores the Administration to include this program in future requests.

The Committee is concerned about the coordination of educational opportunities between the Bureau of Indian Affairs and the Department of Education. The Committee expects the Bureau to establish a formal way of tracking individual students, including a formal point of contact at the Bureau, as they alternate between Bureau schools and public schools to ensure that Indian children's educational progress is tracked sufficiently. The Bureau should report to the Committee on its progress in meeting this goal by January 30, 2008.

Public Safety and Justice.—The Committee recommends $250,018,000 for public safety and justice, an increase of $32,407,000 above the fiscal year 2007 enacted level and $16,200,000 above the budget request.

Changes to the request include $9,500,000 for tribal law enforcement to combat methamphetamine use in Indian Country, $500,000 for increased training activities at the Indian police academy, $5,000,000 for increased capacity for tribal courts, and $1,200,000 to restore the fire protection program.

The Committee is extremely concerned about the increasing use of methamphetamine in Indian Country and has provided language delineating these concerns in the front of this report.

Community and Economic Development.—The Committee recommends $47,339,000 for community and economic development, an increase of $5,105,000 above the fiscal year 2007 enacted level and $8,278,000 above the request.

Executive Direction and Administration Services.—The Committee recommends $244,185,000, an increase of $115,000 above the fiscal year 2007 enacted level and a decrease of $2,507,000 below the request.

The Committee has rejected the request for $2,507,000 related to development costs of the department-wide financial and business management system (FBMS). Funding for FBMS activity has been consolidated in the "Office of the Secretary" account.

CONSTRUCTION

Appropriation enacted, 2007	$271,823,000
Budget estimate, 2008	$197,627,000
Recommended, 2008	207,983,000
Comparison:	
Appropriation, 2007	−63,840,000
Budget estimate, 2008	+10,356,000

The Committee recommends $207,983,000 for construction, a decrease of $63,840,000 below the fiscal year 2007 enacted level and an increase of $10,356,000 above the budget request.

Education.—The Committee recommends $145,200,000 for education construction, a decrease of $59,756,000 below the fiscal year 2007 enacted level and an increase of $5,356,000 above the budget request.

Changes to the request include $356,000 to restore employee housing repair and $5,000,000 for facilities improvement and repair.

Public Safety and Justice.—The Committee recommends $14,621,000 for public safety and justice construction, an increase of $3,016,000 above the fiscal year 2007 enacted level and $3,000,000 above the budget request.

The change to the request is for maintenance and improvement of existing detention centers.

The Committee is concerned about the deplorable conditions that exist in detention centers in Indian Country. The Committee directs the Bureau, in partnership with the Department of Justice, to develop a plan for the replacement and construction of deteriorated detention centers, including recommendations on the location of those detention facilities based on need by March 30, 2008.

Resources Management.—The Committee recommends $39,916,000 for resources management construction, a decrease of $5,209,000 below the fiscal year 2007 enacted level and an increase of $2,000,000 above the request.

The change to the request is for repair and rehabilitation of Indian irrigation projects.

General Administration.—The Committee recommends $2,114,000 for general administration, a decrease of $1,994,000 below the fiscal year 2007 enacted level and the same as the budget request.

Construction Management.—The Committee recommends $6,132,000 for construction management, an increase of $103,000 above the fiscal year 2007 enacted level and the same as the budget request.

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

(INCLUDING TRANSFER OF FUNDS)

Appropriation enacted, 2007	$42,000,000
Budget estimate, 2008	34,069,000
Recommended, 2008	39,136,000
Comparison:	
Appropriation, 2007	−2,864,000
Budget estimate, 2008	+5,067,000

The Committee recommends $39,136,000 for Indian land and water claim settlements and miscellaneous payments to Indians, a decrease of $2,864,000 below the fiscal year 2007 enacted level and an increase of $5,067,000 above the request.

The change to the request is an increase of $5,067,000 for the Nez Perce/Snake River settlement, which was requested in the U.S. Fish and Wildlife Service, Cooperative Endangered Species Fund account.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

Appropriation enacted, 2007	$6,258,000
Budget estimate, 2008	6,276,000
Recommended, 2008	6,276,000
Comparison:	
Appropriation, 2007	+18,000
Budget estimate, 2008	0

The Committee recommends $6,276,000 for the Indian guaranteed loan program account, an increase of $18,000 above the fiscal year 2007 enacted level and the same as the budget request.

DEPARTMENTAL OFFICES

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

Appropriation enacted, 2007	$116,265,000
Budget estimate, 2008	101,445,000
Recommended, 2008	136,413,000
Comparison:	
Appropriation, 2007	+20,148,000
Budget estimate, 2008	+34,968,000

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

(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Recommended	Recommended versus Enacted	Recommended versus Request
DEPARTMENTAL OFFICES					
Office of the Secretary					
Departmental direction	13,448	14,104	14,104	+656	---
Management and coordination	29,802	31,492	31,492	+1,690	---
Hearings and appeals	7,407	7,612	7,612	+205	---
Central services	33,703	37,801	37,801	+4,098	---
Financial and Business Management System (FBMS)*	22,236	294	35,262	+13,026	+34,968
Bureau of Mines workers compensation/unemployment	627	647	647	+20	---
Take Pride in America	495	513	513	+18	---
Indian Arts and Crafts Board	1,150	1,190	1,190	+40	---
Appraisal services	7,397	7,792	7,792	+395	---
Total, Office of the Secretary	116,265	101,445	136,413	+20,148	+34,968

*$38,858,000 requested throughout Department of Interior.

The Committee recommends $136,413,000 for salaries and expenses for the Office of the Secretary, an increase of $20,148,000 above the enacted and $34,968,000 above the official budget request. With the exception of a reduction in funding for the Financial and Business Management System (FBMS) as discussed below, the Committee has approved the amounts requested for this account.

Financial and Business Management System.—The President's budget requests $38,858,000 for the new department-wide financial and business management system spread throughout various appropriation accounts of the Department. The Committee bill includes $35,262,000 for the FBMS system in this account. This is $3,596,000 below the request and $13,026,000 above the comparable amount available in fiscal year 2007.

The Committee continues to be concerned about the development of the new financial and business management system (FBMS). Numerous sources within the Department have indicated that early implementation efforts at the Minerals Management Service and the Office of Surface Mining have not gone smoothly and that substantial improvements in the system are required but have not yet been fully tested. Because of the potential for serious and costly errors, which may occur when large scale restructuring of financial control systems are implemented, the Committee directs that the FBMS system not be implemented in other bureaus until all issues raised during the MMS and OSMRE implementation have been addressed and the FBMS system readiness for deployment has been validated by an external review organization with experience with such systems.

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

The Office of Insular Affairs (OIA) was established on August 4, 1995, through Secretarial Order No. 3191, which also abolished the former Office of Territorial and International Affairs. The OIA has important responsibilities to help the United States government fulfill its responsibilities to the four U.S. territories of Guam, American Samoa (AS), U.S. Virgin Islands (USVI) and the Commonwealth of the Northern Mariana Islands (CNMI) and also the three freely associated States: the Federated States of Micronesia (FSM), the Republic of the Marshall Islands (RMI) and the Republic of Palau. The permanent and trust fund payments to the territories and the compact nations provide substantial financial resources to these governments. During fiscal year 2004 new financial arrangements for the Compacts of Free Association with the FSM and the RMI were implemented; this also included mandatory payments for certain activities previously provided in discretionary appropriations as well as Compact impact payments of $30,000,000 per year split among Guam, CNMI, AS, and Hawaii.

Appropriation enacted, 2007	$76,197,000
Budget estimate, 2008	74,921,000
Recommended, 2008	78,292,000
Comparison:	
Appropriation, 2007	+2,095,000
Budget estimate, 2008	+3,371,000

The amounts recommended by the Committee for the Office of Insular Affairs appropriations accounts compared with the budget estimates by activity are shown in the following table:

(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Insular Affairs					
Assistance to Territories					
Territorial Assistance					
Office of Insular Affairs	7,381	8,176	8,476	+1,095	+300
Financial and Business Management System (FBMS)	---	8	---	---	-8
Technical assistance	10,305	8,226	10,805	+500	+2,579
Maintenance assistance fund	2,277	2,277	2,277	---	---
Brown tree snake	2,673	2,673	2,673	---	---
Insular management controls	1,476	1,476	1,476	---	---
Coral reef initiative	495	495	995	+500	+500
Water and wastewater projects	990	990	990	---	---
Subtotal, Territorial Assistance	25,597	24,321	27,692	+2,095	+3,371
American Samoa					
Operations grants	22,880	22,880	22,880	---	---
Northern Marianas					
Covenant grants	27,720	27,720	27,720	---	---
Subtotal, discretionary	22,880	22,880	22,880	---	---
(mandatory)	(27,720)	(27,720)	(27,720)	---	---
Total, Assistance to Territories	76,197	74,921	78,292	+2,095	+3,371

(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Compact of Free Association					
Compact of Free Association - Federal services.....	2,820	2,862	2,862	+42	---
Mandatory payments - program grant assistance.....	2,000	2,000	2,000	---	---
Enewetak support.....	493	---	500	+7	+500
Total, Compact of Free Association.....	5,313	4,862	5,362	+49	+500
Total, Insular Affairs.....	81,510	79,783	83,654	+2,144	+3,871

The Committee recommends $78,292,000 for assistance to territories, $3,371,000 above the budget request and $2,095,000 above the fiscal year 2007 level.

Territorial Assistance.—The Committee recommends $27,692,000 for territorial assistance, $3,371,000 above the budget request and $2,095,000 above the fiscal year 2007 level. Increases to the budget request should be used to allow previous initiatives on health and retired government workers to continue as in the past, and to provide critically needed oversight of the compacts of free association and territorial negotiations. In addition, the Committee has rejected the request for $8,000 in this account related to development costs of the department-wide financial and business management system (FBMS). Funding for the FBMS activity has been consolidated in the "Office of the Secretary" account.

The Committee directs that the funds provided for water and wastewater projects not be allocated to the CNMI until and unless the Commonwealth has a unified territorial infrastructure plan certified by the Secretary.

The Committee has included $500,000 above the request for the coral reef initiative to enhance work at the U.S. territories in the Pacific and the USVI and the freely associated States; the Secretary should notify the Committees on the intended use of these funds within 60 days of enactment of this Act.

American Samoa.—The Committee recommends $22,880,000 for American Samoa operations, the same as both the budget request and the fiscal year 2007 level.

Northern Mariana Islands/Covenant Grants.—The Committee recommends $27,720,000 for CNMI covenant grants, the same as the budget request and the fiscal year 2007 level. The Committee is very concerned about the process used by the Department and the territorial government to allocate these funds, especially those needed in American Samoa. The Committee directs the Office of Insular Affairs and the Secretary to work with all territorial governmental bodies and the Congressional Delegate for American Samoa to be sure that the highest priority construction projects receive the covenant funding.

COMPACT OF FREE ASSOCIATION

Appropriation enacted, 2007	$5,313,000
Budget estimate, 2008	4,862,000
Recommended, 2008	5,362,000
Comparison:	
Appropriation, 2007	+49,000
Budget estimate, 2008	+500,000

The Committee recommends $5,362,000 for the compact of free association, $500,000 above the budget request and $49,000 above the fiscal year 2007 level. The Committee recommendation continues Enewetak support.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

Appropriation enacted, 2007	$55,018,000
Budget estimate, 2008	58,949,000
Recommended, 2008	59,250,000
Comparison:	
Appropriation, 2007	+4,232,000
Budget estimate, 2008	+301,000

The Committee recommends $59,250,000 for salaries and expenses of the Office of the Solicitor. The Committee has added $500,000 to the budget request to upgrade filing and record keeping capacity in the Office. The Committee has rejected the request for $199,000 in this account related to development costs of the department-wide financial and business management system (FBMS). Funding for the FBMS activity has been consolidated in the "Office of the Secretary" account.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

Appropriation enacted, 2007	$38,823,000
Budget estimate, 2008	42,322,000
Recommended, 2008	43,822,000
Comparison:	
Appropriation, 2007	+4,999,000
Budget estimate, 2008	+1,500,000

The Committee recommends $43,822,000 for salaries and expenses of the Office of Inspector General. The Committee greatly values this office and the important contributions it makes to the performance of the Department and its bureaus. The Committee believes that increased resources for this office will pay substantial dividends in savings to the taxpayer and has added $1,500,000 to the request to expand the investigation and audit functions of the Office. The Committee also believes that the increased resources will allow the Inspector General to expand efforts to share best management practices among the Department's bureaus and offices and ethics oversight.

OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS

FEDERAL TRUST PROGRAMS

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

American Indian Trust Fund Management Reform Act of 1994, Congressional action, and other applicable laws.

The Special Trustee for American Indians also has responsibility for the related financial trust functions including deposit, investment, and disbursement of trust funds. The Department has responsibility for what may be the largest land trust in the world. Indian trust lands today encompass approximately 56 million acres of land—over 10 million acres belonging to individual Indians and nearly 45 million acres owned by Indian Tribes. On these lands, the Interior Department manages over 100,000 leases for individual Indians and Tribes. Leasing, use permits, sale revenues, and investment income of over $330 million per year are collected into over 300,000 individual Indian money accounts, and over $460 million per year is collected into over 1,400 Tribal accounts per year. In addition, the trust manages approximately $2.9 billion in tribal funds and $400 million in individual Indian funds.

Appropriation enacted, 2007	$189,251,000
Budget estimate, 2008	186,158,000
Recommended, 2008	182,542,000
Comparison:	
Appropriation, 2007	−6,709,000
Budget estimate, 2008	−3,616,000

The Committee recommends $182,542,000 for Federal Trust programs, a decrease of $6,709,000 below the fiscal year 2007 enacted level and $3,616,000 below the budget request.

The change to the request is a reduction of $3,616,000 for the Office of Historical Accounting.

Since the inception of the Cobell case, the Committee has appropriated hundreds of millions of dollars for litigation and accounting activities. The Committee believes that these funds would have been better used to fund greatly needed health care, law enforcement and education programs in Indian country. The Committee believes that this case must be resolved without further negatively impacting funding levels for Indian programs. Proposals to settle this case and all other trust-related litigation should be expeditiously considered by the litigants, Indian Country, Congress, and the Administration. Any settlement of trust-related litigation must also address the land fractionation issue which is at the core of the trust issue. The Committee strongly suggests that the parties settle trust litigation in its entirety and finally move on to focus on the more pertinent needs in Indian Country.

The Committee has rejected the request to allocate $211,000 related to development costs of the department-wide financial and business management system (FBMS). Funding for FBMS activity has been consolidated in the "Office of the Secretary" account.

Bill Language.—As in previous fiscal years, the Committee has included bill language under the Office of Special Trustee that limits the amount of funding available for historical accounting to $56,384,000. The clear intent of the Committee is to definitively limit the amount of funding available to conduct historical accounting activities.

INDIAN LAND CONSOLIDATION

Appropriation enacted, 2007	$34,006,000
Budget estimate, 2008	10,000,000
Recommended, 2008	10,000,000
Comparison:	
Appropriation, 2007	−24,006,000
Budget estimate, 2008	0

The Committee recommends $10,000,000 for Indian Land Consolidation, a decrease of $24,006,000 below the fiscal year 2007 enacted level and the same as the budget request.

The Committee accepts the proposed reduction to this activity and reiterates its position that any settlement in ongoing Trust litigation includes a comprehensive reform to solve the problem of land fractionation.

DEPARTMENT-WIDE PROGRAMS

PAYMENTS IN LIEU OF TAXES

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

Appropriation enacted, 2007	$232,528,000
Budget estimate, 2008	190,000,000
Recommended, 2008	232,528,000
Comparison:	
Appropriation, 2007	0
Budget estimate, 2008	+42,528,000

The Committee recommends $232,528,000 for PILT, $42,528,000 above the budget request and the same amount as fiscal year 2007.

CENTRAL HAZARDOUS MATERIALS FUND

The Central Hazardous Materials Fund was established to fund response action-related studies and remediation/cleanup of contaminated sites for which the Department of the Interior may be liable pursuant to the Comprehensive Environmental Response, Compensation and Liability Act and includes sums recovered from or paid by a party as reimbursement for remedial action or related response activities. Prior to fiscal year 2007 this account was located in the Bureau of Land Management.

Appropriation enacted, 2007	$9,715,000
Budget estimate, 2008	9,954,000
Recommended, 2008	9,954,000
Comparison:	
Appropriation, 2007	+239,000
Budget estimate, 2008	0

The Committee recommends $9,954,000 for the central hazardous materials fund, as requested, an increase of $239,000 above the fiscal year 2007 enacted level.

NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

The purpose of the Natural Resource Damage Assessment Fund is to provide the basis for claims against responsible parties for the restoration of injured natural resources. Assessments ultimately will lead to the restoration of injured resources and reimbursement for reasonable assessment costs from responsible parties through negotiated settlements or other legal actions. Operating on a "polluter pays" principle, the program anticipates recovering about $40 million in receipts in fiscal year 2008, with the vast majority to be used for the restoration of injured resources. The program works to restore sites ranging in size from small town landfills to the Exxon Valdez oil spill of 1989 in Alaska.

Appropriation enacted, 2007	$6,043,000
Budget estimate, 2008	6,224,000
Recommended, 2008	6,224,000
Comparison:	
Appropriation, 2007	+181,000
Budget estimate, 2008	0

The Committee recommends $6,224,000 for the natural resource damage assessment fund, an increase of $181,000 above the fiscal year 2007 level and the same as the budget request.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

(INCLUDING TRANSFERS OF FUNDS)

Sections 101 and 102 provide for emergency transfer authority with the approval of the Secretary.

Section 103 provides for the use of appropriations for certain services.

Section 104 continues a provision which prohibits the expenditure of funds for Outer Continental Shelf (OCS) leasing activities in California, the North Atlantic, Washington, Oregon, and the eastern Gulf of Mexico near Florida.

Section 105 continues a provision which prohibits the expenditure of funds for oil and gas leasing activities in the Mid-Atlantic and South Atlantic planning areas.

Section 106 permits the transfer of funds between the Bureau of Indian Affairs and the Office of Special Trustee for American Indians.

Section 107 continues a provision permitting the redistribution of tribal priority allocation and tribal base funds to alleviate funding inequities.

Section 108 continues a provision permitting the conveyance of the Twin Cities Research Center of the former Bureau of Mines for the benefit of the National Wildlife Refuge System.

Section 109 continues a previous provision and authorizes the Secretary of the Interior to hereafter use helicopter or motor vehicles to capture and transport horses and burros at the Sheldon and Hart National Wildlife Refuges, OR.

Section 110 continues a provision limiting compensation for the Special Master and Court Monitor appointed by the Court in Cobell

v. Kempthorne to 200 percent of the highest Senior Executive Service rate of pay.

Section 111 continues a provision allowing the Secretary to pay private attorney fees for employees and former employees in connection with Cobell v. Kempthorne.

Section 112 continues a provision dealing with the U.S. Fish and Wildlife Service's responsibilities for mass marking of salmonid stocks.

Section 113 makes funds appropriated for fiscal year 2008 available to the tribes within the California Tribal Trust Reform Consortium and others on the same basis as funds were distributed in fiscal year 2005, and separates this demonstration project from the Department of the Interior's trust reform reorganization.

Section 114 continues a provision authorizing the Secretary of the Interior to acquire lands in support of transportation of visitors to Ellis, Governors, and Liberty Islands, NJ and NY.

Section 115 limits funds to issue new leases for oil or natural gas under the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et. seq.) to any lessee where such existing lease is not subject to limitations on royalty relief based on market price.

TITLE II—ENVIRONMENTAL PROTECTION AGENCY

The Environmental Protection Agency (EPA) was created by Reorganization Plan No. 3 of 1970, which consolidated nine programs from five different agencies and departments. Major EPA programs include air and water quality, drinking water, hazardous waste, research, pesticides, radiation, toxic substances, enforcement and compliance assurance, pollution prevention, oil spills, Superfund, Brownfields, and the Leaking Underground Storage Tank program. In addition, EPA provides Federal assistance for wastewater treatment, sewer overflow control, drinking water facilities, other water infrastructure projects, and diesel emission reduction projects. The Agency is responsible for conducting research and development, establishing environmental standards through the use of risk assessment and cost-benefit analysis, monitoring pollution conditions, seeking compliance through a variety of means including enforcement, managing audits and investigations, and providing technical assistance and grant support to States and tribes, which are delegated authority for much of the program implementation. Under existing statutory authority, the Agency contributes to specific homeland security efforts and may participate in international environmental activities.

Among the statutes for which the Environmental Protection Agency has sole or significant oversight responsibilities are:

National Environmental Policy Act of 1969, as amended.

Federal Insecticide, Fungicide, and Rodenticide Act, as amended.

Toxic Substances Control Act, as amended.

Federal Water Pollution Control Act, as amended.

Federal Food, Drug and Cosmetic Act, as amended.

Marine Protection, Research, and Sanctuaries Act of 1972, as amended.

Oil Pollution Act of 1990.

Public Health Service Act (Title XIV), as amended.

Solid Waste Disposal Act, as amended.

Clean Air Act, as amended.

Safe Drinking Water Act, as amended.

Great Lakes Legacy Act of 2002.

Bioterrorism Act of 2002.

Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended.

Small Business Liability Relief and Brownfields Revitalization Act of 2002 (amending CERCLA).

Emergency Planning and Community Right-to-Know Act of 1986.

Pollution Prevention Act of 1990.

Resource Conservation and Recovery Act, as amended.

Pollution Prosecution Act of 1990.

Pesticide Registration Improvement Act of 2003.

Energy Policy Act of 2005.

For fiscal year 2008, the Committee recommends $8,085,915,000 for the Environmental Protection Agency, an increase of $886,515,000 above the President's request and $360,785,000 above the fiscal year 2007 enacted level. The amounts recommended by

the Committee compared with the budget request and 2007 enacted levels are shown by account, program area and selected activity in the following table.

(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Recommended	Recommended versus Enacted	Recommended versus Request
TITLE II - ENVIRONMENTAL PROTECTION AGENCY					
Science and Technology					
Air toxics and quality	95,038	92,960	94,960	-78	+2,000
Climate protection program	12,877	13,104	18,604	+5,727	+5,500
Enforcement	13,568	15,075	15,075	+1,507	---
Homeland security	73,357	66,948	60,064	-13,293	-6,884
(Water Security Initiative)	(27,008)	(21,884)	(18,000)	(-9,008)	(-3,884)
(Decontamination)	(20,891)	(20,738)	(20,738)	(-153)	---
(Laboratory preparedness & response)	(600)	(600)	(600)	---	---
(Safe buildings)	(4,000)	(4,000)	(2,000)	(-2,000)	(-2,000)
Indoor air	1,192	1,216	1,216	+24	---
IT / Data management / Security	4,260	3,499	3,499	-761	---
Operations and administration	32,983	73,859	73,859	+40,876	---
(Rent)	(13,146)	(35,521)	(35,521)	(+22,375)	---
(Utilities)	(6,287)	(18,392)	(18,392)	(+12,105)	---
(Security)	(4,188)	(11,179)	(11,179)	(+6,991)	---
Pesticide licensing	5,737	5,881	5,881	+144	---
Research: Clean air	94,278	97,962	114,362	+20,084	+16,400
(Research: Global change)	(16,224)	(16,908)	(33,308)	(+17,084)	(+16,400)

(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Research: Clean water	105,351	105,002	110,002	+4,651	+5,000
(Water Breakthrough Technology Fund)	---	---	(5,000)	(+5,000)	(+5,000)
Research: Human health and ecosystems	229,321	217,574	229,321	---	+11,747
(Research: Computational toxicology)	(14,746)	(15,103)	(12,327)	(-2,419)	(-2,776)
(Research: Endocrine disruptor)	(10,481)	(10,131)	(10,481)	---	(+350)
(Research: Fellowship)	(10,091)	(8,438)	(11,214)	(+1,123)	(+2,776)
Research: Land protection	10,409	10,737	10,737	+328	---
Research: Sustainability	25,931	22,478	22,478	-3,453	---
Research: Pesticides and toxics	25,958	24,795	24,795	-1,163	---
Water: Human health protection	3,127	3,416	3,416	+289	---
(Transfer from Superfund)	(30,156)	(26,126)	(26,126)	(-4,030)	---
Total, Science and Technology	733,387	754,506	788,269	+54,882	+33,763
Commission on Climate Change Adaptation and Mitigation					
Transitional grants	---	---	45,000	+45,000	+45,000
Commission support	---	---	5,000	+5,000	+5,000
Subtotal, Commission on Climate Change	---	---	50,000	+50,000	+50,000

(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Environmental Programs and Management					
Air toxics and quality	191,806	188,561	190,561	-1,245	+2,000
(Greenhouse Gas regulation development)	---	---	(2,000)	(+2,000)	(+2,000)
Brownfields	25,019	23,450	23,450	-1,569	---
Climate protection program	92,202	87,927	95,501	+3,299	+7,574
(Energy star)	(45,888)	(43,926)	(52,000)	(+6,112)	(+8,074)
(Methane to markets)	(4,419)	(4,436)	(4,436)	(+17)	---
(Asia-Pacific Partnership)	(5,000)	(5,000)	(2,500)	(-2,500)	(-2,500)
Compliance	131,869	132,761	132,761	+892	---
Enforcement	186,016	187,666	197,844	+11,828	+10,178
(Environmental justice)	(4,725)	(3,822)	(7,000)	(+2,275)	(+3,178)
Geographic programs:					
Chesapeake Bay	26,751	28,768	30,000	+3,249	+1,232
Great Lakes	21,875	21,757	25,000	+3,125	+3,243
Puget Sound	1,000	1,000	15,000	+14,000	+14,000
Long Island Sound	1,354	467	10,000	+8,646	+9,533
Gulf of Mexico	4,404	4,457	4,457	+53	---
Lake Champlain	1,434	934	934	-500	---
Lake Pontchartrain	1,528	978	978	-550	---
CARE(Community action for a renewed environment)	4,448	3,448	4,448	---	+1,000

(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Other geographic activities	3,651	3,149	3,651	---	+502
Regional Administrators' geographic initiatives	9,225	9,553	4,600	-4,625	-4,953
Subtotal, Geographic programs	75,670	74,511	99,068	+23,398	+24,557
Homeland security	24,449	24,419	24,419	-30	---
(Laboratory preparedness and response)	(1,200)	(500)	(500)	(-700)	---
(Decontamination)	(3,464)	(3,479)	(3,479)	(+15)	---
Indoor air	29,114	26,869	27,369	-1,745	+500
Information exchange / Outreach	121,668	117,206	126,206	+4,538	+9,000
(Environmental education)	(5,614)	---	(9,000)	(+3,386)	(+9,000)
International programs	20,694	17,755	17,755	-2,939	---
IT / Data management / Security	102,255	96,602	96,602	-5,653	---
Legal/Science/Regulatory/Economic review	121,764	123,361	123,361	+1,597	---
Operations and administration	501,296	472,294	466,294	-35,002	-6,000
(Rent)	(179,772)	(165,817)	(163,817)	(-15,955)	(-2,000)
(Utilities)	(17,574)	(8,210)	(8,210)	(-9,364)	---
(Security)	(30,845)	(25,344)	(25,344)	(-5,501)	---
Pesticide licensing	119,503	118,158	118,158	-1,345	---
Resource Conservation and Recovery Act (RCRA)	120,563	122,397	120,397	-166	-2,000
(E-manifest)	---	(4,000)	---	---	(-4,000)

	(Amounts in thousands)				
	FY 2007 Enacted	FY 2008 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Toxics risk review and prevention	94,300	90,071	93,656	-644	+3,585
(Endocrine disruptors)	(8,250)	(5,890)	(8,250)	---	(+2,360)
(HPV/VCCEP)	(12,239)	(11,015)	(12,240)	(+1)	(+1,225)
Underground storage tanks (LUST / UST) (also LUST)	11,331	11,719	11,719	+388	---
Water: Ecosystems					
Great Lakes Legacy Act	30,080	35,000	37,000	+6,920	+2,000
National estuary program / Coastal waterways	21,462	17,203	27,203	+5,741	+10,000
Wetlands	20,954	21,518	21,518	+564	---
Subtotal, Water: Ecosystems	72,496	73,721	85,721	+13,225	+12,000
Water: Human health protection	110,269	99,797	115,797	+5,528	+16,000
(Rural water competitive grants)	(7,600)	---	(16,000)	(+8,400)	(+16,000)
Water quality protection	206,086	208,943	208,943	+2,857	---
Total, Environmental Programs and Management	2,358,370	2,298,188	2,375,582	+17,212	+77,394
Office of Inspector General					
Audits, evaluations, and investigations	37,172	38,008	43,500	+6,328	+5,492
(Transfer from Superfund)	(13,337)	(7,149)	(10,000)	(-3,337)	(+2,851)
Total, Office of Inspector General	37,172	38,008	43,500	+6,328	+5,492

	(Amounts in thousands)				
	FY 2007 Enacted	FY 2008 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Buildings and Facilities					
Homeland security: Protection of EPA personnel and infrastructure	11,331	7,870	7,870	-3,461	---
Operations and administration	28,295	26,931	26,931	-1,364	---
Total, Buildings and Facilities	39,626	34,801	34,801	-4,825	---
Hazardous Substance Superfund					
Air toxics and quality	2,298	2,373	2,373	+75	---
Audits, evaluations, and investigations	13,337	7,149	10,000	-3,337	+2,851
Compliance	1,345	1,348	1,348	+3	---
Enforcement	189,695	185,411	194,411	+4,716	+9,000
(Environmental justice)	(757)	(757)	(757)	---	---
(Superfund: Enforcement)	(164,236)	(161,610)	(170,610)	(+6,374)	(+9,000)
(Superfund: Federal facilities enforcement)	(10,361)	(9,843)	(9,843)	(-518)	---
Homeland security	52,266	47,731	47,731	-4,535	---
(Laboratory preparedness and response)	(9,813)	(6,064)	(6,064)	(-3,749)	---
(Decontamination)	(12,442)	(10,725)	(10,725)	(-1,717)	---
Information exchange / Outreach	1,584	1,588	1,588	+4	---
IT / Data management / Security	17,964	17,130	17,130	-834	---
Legal/Science/Regulatory/Economic review	1,517	1,443	1,730	+213	+287

(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Operations and administration	130,072	131,992	131,992	+1,920	---
(Rent)	(45,664)	(44,997)	(44,997)	(-667)	---
(Utilities)	(2,304)	(2,466)	(2,466)	(+162)	---
(Security)	(6,309)	(6,767)	(6,767)	(+458)	---
Research: Human health and ecosystems	6,329	3,972	3,972	-2,357	---
Research: Land protection	21,489	20,081	20,081	-1,408	---
Research: Sustainability	312	---	---	-312	---
Superfund cleanup					
Superfund: Emergency response and removal	193,749	191,880	191,880	-1,869	---
Superfund: EPA emergency preparedness	9,115	9,318	9,318	+203	---
Superfund: Federal facilities	31,612	31,879	31,879	+267	---
Superfund: Remedial	573,837	584,836	600,000	+26,163	+15,164
Superfund: Support to other Federal agencies	8,576	6,575	6,575	-2,001	---
Subtotal, Superfund cleanup	816,889	824,488	839,652	+22,763	+15,164
(Transfer to Inspector General)	(-13,337)	(-7,149)	(-10,000)	(+3,337)	(-2,851)
(Transfer to Science and Technology)	(-30,156)	(-26,126)	(-26,126)	(+4,030)	---
Total, Hazardous Substance Superfund	1,255,097	1,244,706	1,272,008	+16,911	+27,302

(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Leaking Underground Storage Tank Trust Fund (LUST)					
Compliance	724	688	688	-36	---
IT / Data management / Security	175	177	177	+2	---
Operations and administration	2,244	2,171	2,171	-73	---
(Rent)	(711)	(696)	(696)	(-15)	---
Research: Land protection	641	660	660	+19	---
Underground storage tanks (LUST / UST)	96,468	88,539	114,265	+17,797	+25,726
(LUST Cooperative agreements)	(57,661)	(58,207)	(68,207)	(+10,546)	(+10,000)
(Energy Policy Act grants)	(28,217)	(19,774)	(35,500)	(+7,283)	(+15,726)
Total, Leaking Underground Storage Tank Trust Fund	100,252	92,235	117,961	+17,709	+25,726
Oil Spill Response					
Compliance	277	291	291	+14	---
Enforcement	1,730	2,065	2,065	+335	---
IT / Data management / Security	34	34	34	---	---
Oil	12,348	13,499	13,499	+1,151	---
Operations and administration	501	490	490	-11	---
(Rent)	(447)	(438)	(438)	(-9)	---
Research: Land protection	844	901	901	+57	---
Total, Oil Spill Response	15,734	17,280	17,280	+1,546	---

(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	FY 2008 Recommended	Recommended versus Enacted	Recommended versus Request
State and Tribal Assistance Grants (STAG)					
Clean water state revolving fund (SRF)	1,083,817	687,554	1,125,000	+41,183	+437,446
Drinking water state revolving fund (SRF)	837,495	842,167	842,167	+4,672	---
STAG infrastructure grants	---	---	140,000	+140,000	+140,000
Alaska Native villages	34,485	15,500	10,500	-23,985	-5,000
Brownfields projects	88,676	89,258	100,000	+11,324	+10,742
Clean school bus initiative	6,897	---	---	-6,897	---
Diesel emissions reduction grants (Energy Policy Act)	---	35,000	50,000	+50,000	+15,000
Mexico border	49,264	10,000	10,000	-39,264	---
Subtotal, State and Tribal Assistance Grants	2,100,634	1,679,479	2,277,667	+177,033	+598,188
Categorical grants					
Beaches protection	9,853	9,900	9,900	+47	---
Brownfields	49,264	49,495	49,495	+231	---
Environmental information	19,706	12,850	10,000	-9,706	-2,850
Hazardous waste financial assistance	101,944	103,346	103,346	+1,402	---
Homeland security	4,926	4,950	4,950	+24	---
Lead	13,499	13,564	13,564	+65	---
Nonpoint source (Sec. 319)	199,278	194,040	204,040	+4,762	+10,000
Pesticides enforcement	18,622	18,711	18,711	+89	---
Pesticides program implementation	12,907	12,970	12,970	+63	---
Pollution control (Sec. 106)	221,664	221,664	221,664	---	---
(Water quality monitoring)	(18,500)	(18,500)	(18,500)	---	---
Pollution prevention	4,926	5,940	4,940	+14	-1,000
Public water system supervision	98,279	99,100	101,600	+3,321	+2,500
Radon	7,439	8,074	8,074	+635	---
Sector program	2,217	2,228	1,228	-989	-1,000
State and local air quality management	199,761	185,180	220,180	+20,419	+35,000
Targeted watersheds	16,608	---	25,000	+8,392	+25,000

(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Toxics substances compliance	5,074	5,099	5,099	+25	---
Tribal air quality management	10,887	10,940	10,940	+53	---
Tribal general assistance program	56,654	56,925	56,925	+271	---
Underground injection control (UIC)	10,838	10,891	10,891	+53	---
Underground storage tanks	2,500	2,500	2,500	---	---
Wastewater operator training	1,182	---	1,000	-182	+1,000
Wetlands program development	16,830	16,830	16,830	---	---
Subtotal, Categorical grants	1,084,858	1,045,197	1,113,847	+28,989	+68,650
Total, State and Tribal Assistance Grants	3,185,492	2,724,676	3,391,514	+206,022	+666,838
Rescission (various EPA accounts)	---	-5,000	-5,000	-5,000	---
TOTAL, TITLE II, ENVIRONMENTAL PROTECTION AGENCY	7,725,130	7,199,400	8,085,915	+360,785	+886,515

Reprogrammings.—The EPA is held to the bill-wide reprogramming limitation of $1,000,000 annually or increases or decreases of more than 10 percent annually. This limitation will be applied to each program area in every account at the levels provided in the detailed table above. This will allow the Agency the flexibility to reprogram funds within a set program area. However, the Committee has cited funding levels for certain program-projects or activities within a program area. The reprogramming limitation applies to those funding levels cited within a program area. The other guidelines laid out in the "Reprogramming Guidelines" section of the Committee's Report continue to be in effect.

Congressional Budget Justification.—The Committee continues to be disappointed by the lack of transparency in the Agency's budget submission. In order to address these concerns, the Committee directs a number of changes to all future EPA Budget Justifications. First, if the reader is unfamiliar with the Agency's budget structure, it is difficult to find specific programs in the Budget Justification. The Committee directs the Agency to include in its Budget Justifications a comprehensive index by topic and program, specifically providing a page reference for major programs and activities within the program-projects.

Second, in organizing the budget structure by program-project, and by justifying the budget at that level, the Agency does not provide to Congress the requested levels for many programs below the program-project level. Many of these programs are important to the Committee, Congress as a whole, and the public at large. For example, the budget includes a program-project entitled, "National Estuary Program/Coastal Waterways", which funds, among other things, the National Estuary grants authorized by Section 320 of the Clean Water Act. However, the requested level for this important grant program does not appear in the Budget Justification. The Committee directs the Agency to include in its Budget Justifications the budget request for the major component activities below the program-project level.

Third, the Committee finds it very useful to have the appropriations bill language included in the Budget Justification, as the Agency did in its fiscal year 2007 Budget Justification. The Committee directs the Agency to include the requested bill language, with changes highlighted, at the beginning of each account section in its Budget Justifications.

GAO Review of Agency Budget Execution.—The Committee directs the Government Accountability Office to review EPA's execution of the budget as directed by Congress. Specifically, for selected EPA programs, GAO should identify the factors that influence the Agency's allocation of funds to the regional offices, and the allocation of funds to individual projects within the regional offices. In addition, GAO should evaluate EPA's internal controls for ensuring that offices obligate funds consistent with the budget as justified to and amended by the Congress. This review should include sampling of obligation documents in at least 3 regional offices, and one large and one small headquarters office, to ensure that obligations align with program projects identified in the operating plan. GAO should make all efforts to provide its findings to the Committee before EPA's fiscal year 2009 budget hearing.

SCIENCE AND TECHNOLOGY

The Science and Technology (S&T) account funds all Environmental Protection Agency research, including, Superfund research activities paid with funds moved into this account from the Hazardous Substance Superfund account. This account includes programs carried out through grants, contracts, and cooperative agreements with other Federal agencies, States, universities, and private business, as well as in-house research. It also funds personnel compensation and benefits, travel, supplies and operating expenses, including rent, utilities and security, for all Agency research. Research addresses a wide range of environmental and health concerns across all environmental media and encompasses both long-term basic and near-term applied research to provide the scientific knowledge and technologies necessary for preventing, regulating, and abating pollution, and to anticipate emerging environmental issues.

Appropriation enacted, 2007	$733,387,000
Budget estimate, 2008	754,506,000
Recommended, 2008	788,269,000
Comparison:	
Appropriation, 2007	+54,882,000
Budget estimate, 2008	+33,763,000

The Committee recommends $788,269,000 for science and technology, $33,763,000 above the budget request and $54,882,000 above the 2007 enacted level. The Committee notes that a portion of the increase above the 2007 enacted level in this account is attributable to the realignment of rent, utilities and security from the Environmental Programs and Management (EPM) account. The Committee recommends that $26,126,000, as requested by the President, be paid to this account from the Hazardous Substance Superfund account for ongoing research activities consistent with the intent of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended. The changes to the request, as recommended by the Committee, are discussed by program area below.

Air Toxics and Quality.—The Committee recommends an increase of $2,000,000 above the request for Federal Vehicles and Fuels Standards and Certification. This increase is for activities related to greenhouse gas emission reductions.

Climate Protection Program.—The Committee recommends an increase of $5,500,000 above the request for the Clean Automotive Technology Program, which is an increase of $5,727,000 above fiscal year 2007. To the extent possible, the Committee expects that not less than $9,000,000 will be available for research and engineering for this program. The Committee continues to believe that the Agency's collaborative research with industry partners to advance hydraulic hybrid technology and clean combustion engines holds significant potential to cost-effectively reduce harmful emissions and greenhouse gases from motor vehicles. The Committee continues to believe the Administration should give this program high priority within its budget request.

Homeland Security.—The Committee recommends a decrease of $6,884,000 below the request, which is a decrease of $13,293,000

below fiscal year 2007. The decrease from the President's budget shall be applied as follows:

−$3,884,000 from the Water Security Initiative. The Committee supports the Water Security Initiative, but has deferred funding a small portion of the fiscal year 2008 request for two pilot projects. The Committee understands that the late action on the 2007 enacted budget will delay the obligation of funds for those pilot projects until 2008. The Agency should be prepared to brief the Committee in January 2008 on the status of the initiative and the Agency's plan for how it will use this information once the pilots are completed.

−$2,000,000 from Safe Buildings. Should the Agency continue to request funds for this program, the Committee directs the Agency to more fully justify the program in its future Budget Justification.

−$1,000,000 from overall Homeland Security activities in this account.

Research: Clean Air.—The Committee recommends an increase of $16,400,000 above the request, which is $20,084,000 above the fiscal year 2007 level. The increase is directed to Global Change Research. The Committee urges the Agency to expand its research related to climate and global change and suggests at least two areas for fruitful research. Given the interest in sequestering carbon emissions from power plants, the Committee suggests the Agency increase its research efforts into the ecosystem and public health impacts of carbon sequestration. To the extent necessary, the Agency shall use this increase for any necessary research or technology testing related to the development of the greenhouse gas regulation called for in the Administrative Provisions section of this bill. Finally, the Committee expects the Agency to use as much of these funds as possible to fund exploratory grants through the Science To Achieve Results (STAR) program.

Research: Clean Water.—The Committee recommends an increase of $5,000,000 for a new Breakthrough Technology Fund to develop, test and evaluate innovative water and wastewater technologies. The gap between the funding need for water and wastewater infrastructure and the funds available for such projects is enormous. The Committee supports the Agency's Sustainable Infrastructure Strategy, funded in the EPM account, which attempts to deal with this shortfall in innovative ways. The approach includes an emphasis on better management at water and wastewater facilities, water efficiency, reuse and conservation, and full cost pricing. The Committee believes that an added investment into clean water research will allow the Agency to make great strides in identifying and evaluating new technologies and compliment the Sustainable Infrastructure Strategy. To the extent the Agency chooses, these funds are available for STAR extramural grants, as well as intramural work.

Research: Human Health and Ecosystems.—The Committee recommends an increase of $11,747,000 above the request, which provides the fiscal year 2007 level of $229,321,000 for this program area. With the increase provided, the Committee directs:

+$2,776,000 for the STAR portion of the Fellowships program, for a total of $11,214,000.

+$350,000 for Endocrine Disruptor research to restore the program to the fiscal year 2007 level of $10,481,000. An additional increase for Endocrine Disruptor work is found in the EPM account.

−$2,776,000 from Computational Toxicology.

+$11,397,000 for basic research in this program area. From within this amount, the Committee directs no less than $5,000,000 to the Environmental Monitoring and Assessment Program (EMAP), to restore the majority of the reduction proposed by the President. The Committee finds the decreases to ecosystems research unacceptable.

The Committee notes that by providing over $229 million for the Research: Human Health and Ecosystems program area, it has approved the requested increase of $6,098,000 for Human Health Risk Assessments. The Committee expects the Agency to use as much of that increase as necessary to expedite its new risk assessment for trichloroethylene (TCE), as recommended by the National Academy of Science's National Research Council.

The Committee has included the following additional guidance with respect to funding provided under this account.

Science To Achieve Results (STAR) Across the Science and Technology Account.—The Committee continues to stress the importance of the STAR program and has attempted to target increases to areas that will both expand research and support the STAR program. Funding reductions to the STAR program are not acceptable because such reductions ultimately result in gaps in critical environmental research.

Polycyclic Aromatic Hydrocarbons (PAH) Study.—The Committee urges the Agency to study human health effects and ecosystem impacts from exposure to polycyclic aromatic hydrocarbons (PAH) through parking lot seal-coatings.

Study of Trona.—The Committee is aware of concerns about the public health impacts of using the chemical Trona as a means to control sulfur dioxide emissions at coal-fired power plants. The Committee urges the Agency to use a portion of the increase provided to the Research: Human Health and Ecosystems program area to investigate the potential adverse health and environmental impacts of Trona.

Endocrine Disruptor Research.—It has been more than 10 years since Congress passed the Food Quality Protection Act (FQPA) and amendments to the Safe Drinking Water Act (SDWA). Both Acts contain provisions that call for the screening and testing of chemicals and pesticides for possible endocrine disrupting effects. These laws require EPA to develop a screening program that uses appropriate validated test systems and other scientifically relevant information and to determine if the effect that certain substances have in humans is similar to the effect produced by a naturally occurring hormone. The Committee is troubled by the lack of progress in fulfilling this Federal mandate and believes that this lack of progress merits serious consideration of an alternative approach. The Committee, therefore, directs EPA to draft a proposal for an extramural research grant program and estimates of funding levels. The research program should be based at academic institutions which would apply in a competitive process for funding to address

critical questions in endocrine disruption. The research should include interdisciplinary collaboration and research designs using sensitive models at environmentally relevant doses and vulnerable life stages.

The Committee supports the Agency's effort to review the costs associated with running its laboratories. The Committee understands that the purpose of the study is not to close labs, but to identify efficiencies and cost savings applicable to all labs. The Committee expects the Agency to report near term recommendations, and any resulting savings by the end of the summer 2007, and its plans for a long term assessment of lab network needs over the next ten years as soon as possible, preferably before the 2009 budget hearings.

California Emissions Standards.— The transportation sector accounts for approximately one third of CO2 emissions within the United States. A reduction in vehicle emission levels will provide a significant public health benefit from decreased levels of respiratory illness and mitigation of global climate change forcing pollutants. In the absence of action by the federal government, the State of California, with the support of at least 11 other states, has proactively developed standards to address passenger car, light-duty truck, and medium-duty passenger vehicle greenhouse gas emissions. The Committee strongly encourages the EPA to promptly issue a decision on the State of California's December 2005 petition for a waiver to enact car emissions standards that would reduce greenhouse gases from vehicles by 30 percent by 2016. In light of the 2006 report by the National Academies of Sciences recommending a two-year limit on all waiver reviews, the committee believes it is reasonable to expect the Agency to issue this waiver no later then December 31, 2007. If the EPA is unable to issue a decision by that date, the committee expects the EPA to provide a report detailing why the review could not be completed by that date, the current status of the review, and a timeline for completion of any remaining phase of the review.

COMMISSION ON CLIMATE CHANGE ADAPTATION AND MITIGATION

Appropriation enacted, 2007	$0
Budget estimate, 2008	0
Recommended, 2008	50,000,000
Comparison:	
Appropriation, 2007	+50,000,000
Budget estimate, 2008	+50,000,000

CLIMATE CHANGE COMMISSION

As noted in the introduction to this report, the Committee views global climate change as one of the great challenges facing our country. The recent reports of the Intergovernmental Panel on Climate Change (IPCC) have eliminated any lingering doubt about whether global warming is occurring. In fact, these reports make clear that global warming has already resulted in real and significant impacts. This was confirmed at hearings held by the Appropriations Committee in April during which witnesses from the land management agencies of the Interior Department and Forest Service described climate related changes already occurring in the na-

tional parks, wildlife refuges and on other public lands. These impacts included increased wildfires, changing precipitation and water availability patterns, increasing presence of invasive species, changing migratory patterns for many animals and birds, and significant loss of habitat for many species. The conclusions are clear. Climate change is real; its impacts are already present; and, irrespective of regulatory or technological changes put in place over the next few years, climate change will remain a reality for the foreseeable future. The challenge now is how to live with this reality.

To begin to address this reality, society must now initiate a new stage of the debate which focuses on effective steps to facilitate adaptation to and mitigation of climate change. This debate will take many forms and it will be a long process which may lead us in unknown directions. At the onset of this effort, we know, however, that science will be a key tool for monitoring climate change and for developing and testing different adaptation and mitigation strategies and tools. For this reason, the Committee has included $50 million in this bill to jump-start the scientific effort around the adaptation and mitigation challenges.

The specific science activity which will be required will not be limited to agencies funded in the Interior and Environment Appropriations bill. The Committee has taken the unusual step, therefore, of creating a temporary, two-year Commission whose mission is to analyze the science needs throughout government with regard to climate change adaptation and mitigation. The design for this Commission follows that of the recent and widely cited National Academy of Sciences "Rising Above the Gathering Storm" review of American competitiveness. It is important to understand that the new Commission established in this bill is not charged with studying the question of whether climate change is occurring or at what rate. Nor is it a Commission to determine the causes of global warming or regulatory approaches to ameliorate these causes. Its charter is limited to making recommendations on the science questions that need to be addressed and the initial steps which should be taken to begin serious research related to those questions. The first set of recommendations of the Commission under this charter is due by July 1, 2008 and the second set of recommendations by March 30, 2009. The Commission will terminate on September 30, 2009 after submitting a final report on implementation of its recommendations.

While the use of a commission or advisory committee to guide Federal science investment is not unusual, this Commission is atypical in two ways. First, it cuts across all areas of climate related science which might contribute to these challenges. Second, it may be unique in that money is included in this fiscal year 2008 bill to begin implementation of the Commission's recommendations during 2008. Of the $50 million included in the bill, $45 million will be transferred on July 1, 2008 by the Administrator of the EPA to various Federal science agencies for implementation of Commission recommendations. The amounts of the various transfers are to be based on the Commission's report. In short, this is a Commission which will actually have money to invest, making it at the same time both more credible and more effective.

The Commission will be comprised of science leaders both inside and outside government. Specifically, it will include the Administrator of the Environmental Protection Agency, the Director of the National Science Foundation, the Administrator of the National Aeronautics and Space Administration, the Director of the United States Geological Survey, the Undersecretary for Science of the Department of Energy, the Administrator of the National Oceanographic and Atmospheric Administration, the Chief of the United States Forest Service, the President of the National Academy of Engineering, the President of the National Academy of Sciences, and six additional members with appropriate expertise to be selected by the Chairman. The President of the National Academy of Sciences is designated as the Chairman by statute. The Commission will be housed within the Environmental Protection Agency for administrative and logistical support. The bill includes $5 million for support costs of the Commission. In addition to supporting employment of Commission staff directly, funds are provided for contractual support from the National Academy of Sciences.

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

The Environmental Programs and Management account encompasses a broad range of abatement, prevention, enforcement, and compliance activities, and personnel compensation, benefits, travel, and expenses for all programs of the Agency except Science and Technology, Hazardous Substance Superfund, Leaking Underground Storage Tank Trust Fund, Oil Spill Response, and the Office of Inspector General.

Abatement, prevention, and compliance activities include setting environmental standards, issuing permits, monitoring emissions and ambient conditions and providing technical and legal assistance toward enforcement, compliance, and oversight. In most cases, the States are directly responsible for actual operation of the various environmental programs and the Agency's activities include oversight and assistance.

In addition to program costs, this account funds administrative costs associated with the operating programs of the Agency, including support for executive direction, policy oversight, resources management, general office and building services for program operations, and direct implementation of Agency environmental programs for headquarters, the ten EPA Regional offices, and all nonresearch field operations.

Appropriation enacted, 2007	$2,358,370,000
Budget estimate, 2008	2,298,188,000
Recommended, 2008	2,375,582,000
Comparison:	
Appropriation, 2007	+17,212,000
Budget estimate, 2008	+77,394,000

The Committee recommends $2,375,582,000 for environmental programs and management, an increase of $77,394,000 above the budget request and an increase of $17,212,000 above the 2007 enacted level. The changes to the request, as recommended by the Committee, are discussed by program area below.

Air Toxics and Quality.—The Committee recommends an increase of $2,000,000 to the request, which is a decrease of

$1,245,000 from fiscal year 2007. Based on the recent Supreme Court decision, Massachusetts et al. v. EPA et al., the Committee directs the Agency to use this increase to begin the process to develop a rule to reduce greenhouse gas emissions. An Administrative Provision at the end of Title II makes these funds available only for this purpose. The Agency may, of course, spend more on this effort, as it sees fit.

The Committee believes the Agency could begin as early as 2008 to promulgate a regulation to control greenhouse gas emissions. To the extent further research or technology testing is required, the Agency may use a portion of the $16,400,000 increase provided in the Science and Technology account under the Research: Clean Air program. Additional direction related to this provision is found in the EPA Administrative Provisions section below.

Climate Protection.—The Committee recommends a net increase of $7,574,000 above the request, which is $3,299,000 above fiscal year 2007. From within the new total, the Committee directs an increase of $8,074,000 for the Energy Star program to bring the total program level to $52,000,000. The Committee also has reduced the amount for the Asia-Pacific Partnership by $2,500,000, which is half the requested amount. The Committee intends the remainder of the increase provided in this program area for other core climate protection programs. The Committee has provided the budget request for the Methane-to-Markets program.

Enforcement.—The Committee recommends an increase of $10,178,000 above the request, which is $11,828,000 above fiscal year 2007. From the increase, the Committee directs $3,178,000 for the Environmental Justice program. This increase brings the total program to $7,000,000, almost $1,500,000 above the fiscal year 2006 level. The remaining increase of $7,000,000 is directed to support additional personnel in the Civil and Criminal Enforcement areas, to be allocated between the two at the Agency's discretion.

Geographic Programs.—The Committee recommends an increase of $24,557,000 in this program area in order to augument efforts to protect and save the Nation's great water bodies. This amount is $23,398,000 above the fiscal year 2007 level. This increase, coupled with funds provided elsewhere for the National Estuaries Program and the Great Lakes Legacy Act, greatly expands the Committee's commitment to a number of important water bodies throughout the country. The Committee directs the increase in this program area to be distributed to provide the following total program levels:

$30,000,000 for the Chesapeake Bay Program. Of this amount, $22,000,000 is for the base program, $4,000,000 for small watershed grants, and $4,000,000 for targeted watershed grants. The Committee notes recent GAO findings that EPA should focus on a cost effective strategy for nitrogen reductions and restoration activities that help the Agency achieve its Chesapeake 2000 commitments by 2010. To the extent possible, the Agency should focus the funds provided for targeted watershed grants to cost-effective, nitrogen reductions and restoration activities that have already been identified.

$25,000,000 for the Great Lakes National Program Office. A majority of the increase should be used for additional staff to implement the Great Lakes Legacy Act.

$15,000,000 for implementation of the Puget Sound program, including funding for both grants and contracts necessary to accomplish the goals of the section 320 management plan.

$10,000,000 for the Long Island Sound program to implement both the Long Island Sound Restoration and Stewardship Acts.

$4,448,000 for the Community for a Renewed Environment (CARE) program.

$3,651,000 for Other Geographic Activities, not specified in the detailed table.

In addition, the Committee directs a $4,953,000 reduction to the Regional Administrators' Geographic Initiative, for a total program level of $4,600,000. The Committee notes that the Agency's budget provides little justification on how these funds will be used in fiscal year 2008. At a minimum, future Budget Justifications should include the criteria used to allocate the funds by Region and the criteria used by each Region to select priojects. To the extent that the Agency can list the projects proposed to be funded, it should do so. In addition, the Committee also directs the Agency to submit a report by January 15, 2008, to include for fiscal years 2005, 2006, and 2007: (1) the criteria used to allocate these funds to each regional office; (2) the criteria used to select the projects funded by each Region; (3) a list, by Region, of the projects and amounts funded; and, (4) a summary of how each project met the selection criteria and its accomplishments.

Indoor Air.—The Committee recommends an increase of $500,000, which is $1,745,000 below fiscal year 2007. The Committee directs this increase to the Reduced Risks from Indoor Air program.

Information Exchange/Outreach.—The Committee recommends an increase of $9,000,000, which is $4,538,000 above fiscal year 2007. The Committee provides the increase to restore the Environmental Education Program and directs the Agency to apply the formula mandated in the statute to the entire amount provided.

Legal/Science/Regulatory/Economic Review.—The Committee provides the request and directs, from within that amount:

−$1,300,000 from the Regulatory Innovation and Regulatory/Economic-Management and Analysis program-projects, to be allocated between the two at the Agency's discretion.

+$1,300,000 to the Legal Advice: Environmental Program and Legal Advice: Support Program, to be allocated between the two at the Agency's discretion.

Operations and Administration.—The Committee recommends a decrease of $6,000,000, to be distributed as follows:

−$2,000,000 from facilities infrastructure and operations. The Committee takes this action in anticipation of rent savings identified from its building consolidation study. The Committee urges the Agency to complete this study as expeditiously as possible and report its findings, and any additional budget savings, to the Committee at that time.

−$2,000,000 from Acquisition Management from development of the new acquisition management system. According to information received by the Committee this new funding level will still provide a $1,000,000 increase above fiscal year 2007 for this new data system.

The Agency has the discretion to decide where within this program area to take the remainder of the reduction.

The Committee commends the Agency for its work to improve grants management and believes it has created a model program. Although the Committee has not specifically increased the request for "Financial Assistance Grants and IAG Management", it recognizes the additional workload associated with many of the programmatic increases recommended in this bill, including the grants for diesel emission reductions, environmental education, geographic specific and other programs. The Agency should brief the Committee as soon as possible on the impact of this additional workload and how the Agency will address it both at headquarters and in the regions.

Resource Conservation and Recovery Act.—The Committee recommends a decrease of $2,000,000, which is $166,000 less than fiscal year 2007. Within this program area, the Committee denies, without prejudice, the Agency's request of $4,000,000 for an electronic manifest for hazardous waste. The Committee takes this action because Congress has yet to authorize the Agency to collect fees to run this program. The Committee is willing to reconsider funding in future years once the authorization is enacted. Due to prior year shortfalls in this area, the Committee recommends $2,000,000 of the funds remain in this program area. The Committee is aware of the extraordinary delays in issuing a final regulation on disposal of industrial wipes. With a portion of the $2,000,000, the Committee expects the Agency to expedite completion of this regulation and report to the Committee no later than January 30, 2008 on its status.

Toxics Risk Review and Prevention.—The Committee recommends an increase of $3,585,000, which is $644,000 below fiscal year 2007. The Committee directs $2,360,000 of the increase to the Endocrine Disruptor program, which restores this program to its 2007 level. The remainder of the increase, $1,225,000, is directed to the High Production Volume Challenge and Voluntary Children's Chemical Evaluation Programs, restoring those programs to the enacted levels.

Water: Ecosystems.—The Committee recommends an increase of $12,000,000, which is $13,225,000 above fiscal year 2007. The Committee directs $10,000,000 of the increase to the National Estuary Program grant, authorized by section 320 of the Clean Water Act. This increase will provide a total of $16,832,000 for the grant program. The Committee directs all that each national estuary receive a minimum of $600,000.

The Committee has also provided an increase of $2,000,000 for the Great Lakes Legacy Act, for a total of $37,000,000. This is $6,920,000 above fiscal year 2007. The Committee notes its concern that the backlog to review proposals may delay the timely obligation of funds and the completion of clean-ups. As such, the Committee notes GAO observations that Agency staffing resources do

not match the complexity of the program and may not be sufficient to administer the program. Furthermore, GAO observed that the program has completed only three clean-up actions. Thus, the Committee provided, under the Geographic Program elsewhere in this account, resources to fund additional staff in the Great Lakes National program Office specifically to implement the Great Lakes Legacy Act.

Water: Ecosystems.—The Committee recommends an increase of $10,000,000, which is $11,225,000 above fiscal year 2007. The Committee directs the increase to the National Estuary Program grant, authorized by section 320 of the Clean Water Act. This increase will provide a total of $16,832,000 for the grant program. The Committee directs that each national estuary receive a minimum of $600,000.

The Committee has also provided the request of $35,000,000 for the Great Lakes Legacy Act. However, the Committee notes its concern that the backlog to review proposals may delay the timely obligation of funds and the completion of clean-ups. As such, the Committee notes GAO observations that Agency staffing resources do not match the complexity of the program and may not be sufficient to administer the program. Furthermore, GAO observed that the program has completed only one clean-up action. Thus, the Committee provided under the Geographic Program elsewhere in this account, resources to fund additional staff in the Great Lakes National Program Office specifically to implement the Great Lakes Legacy Act.

Water: Human Health Protection.—The Committee recommends an increase of $16,000,000, which is $5,528,000 over fiscal year 2007. The Committee directs the increase to a competitive program to provide technical assistance to rural and small public water systems, as authorized by section 1442(e) of the Safe Drinking Water Act, as amended. Such a program should include assistance to small public water systems for managing, financing, planning and developing new and existing water facilities to enable such water systems to achieve and maintain compliance with applicable national drinking water standards. Such assistance may include multi-state regional technical assistance. In addition, this competitive program should provide for source water and groundwater protection work, eligible to be provided under section 104 of the Federal Water Pollution Control Act, as amended. The Committee expects the Agency to issue the competitive announcement in a timely fashion to ensure no lag in assistance for small systems.

Rural Water Technical Assistance.—The Committee understands that EPA is planning to allocate approximately $7.6 million of FY 07 funds for competitive grants for rural water technical assistance activities. The Committee notes that the importance of continuing assistane to rural communities as virtually all the systems out of compliance with federal standards are small—having 3300 population or less. A recent report by the Agency indicated that there is still substantial need for third party technical assistance. For this reason, the Committee urges the Agency to expedite the process for making grants for rural water technical assistance and expects the Agency to complete the process no later than December 31, 2007.

The Committee has included the following additional guidance with respect to funding provided under this account.

Underground Injection of Carbon Dioxide.—The Committee recognizes that a safe system for underground sequestration of carbon dioxide emissions from industrial operations may be a key element of efforts to deal with global climate change. The Agency has recently issued draft guidelines for permitting experimental carbon dioxide underground injection pilot projects. The Committee encourages the Agency to expand its efforts to analyze the safety and permanence issues associated with this procedure if it is implemented on a large scale and to develop a regulatory framework for how these risks might be minimized. The Committee expects the Agency to be prepared to testify on this matter during the fiscal year 2009 appropriations hearings.

Voluntary Programs.—The Agency implements a number of programs it refers to as "Voluntary Programs", which are designed in part to foster partnerships with the regulated community. Information received by the Committee indicates that more than $180 million, or almost 8 percent of the funds requested in EPM, are associated with Voluntary Programs. To better understand the funding of and environmental benefits associated with these programs, the Committee directs the Agency to submit a report within 60 days of enactment on each voluntary program funded through this account and the Science and Technology account, to include the following for fiscal years 2006, 2007 and 2008: a short summary of the purpose of the program and an estimate of the environmental benefits achieved through the program; the funding for each program, by account and program-project; for each grant program, the salary, contract and grant amounts; to the extent grants are awarded in the program, the statutory authority used to award the grants and a short summary of the criteria used to select the grantee.

Migrant Farm Workers.—The Committee supports the Agency's programs on pesticides education, particularly those directed to migrant farm workers and encourage expansion of this effort.

Environmental Justice.—The Committee directs the Agency to submit a report, no later than 180 days after enactment of this bill, on its implementation of recommendations included in the 2004 and 2006 Inspector General (2004–P–00007 and 2006–P–00034) and 2005 Government Accountability Office (GAO–05–289) reports on environmental justice. The report should also identify actions to modify the Administrator's emergency management procedures to incorporate environmental justice in the Agency's Incident Command Structure (in accordance with the December 18, 2006, letter from the Deputy Administrator to the Acting Inspector General of the Agency). The Agency shall submit the report to both the Committees on Appropriations and Energy and Commerce.

Waste-Coal Fired Power Plant Emissions.—The Committee is aware of concerns that the Agency's Clean Air Interstate Rule (CAIR) includes provisions to regulate waste-coal fired power plants. Within 30 days of enactment, the Agency is directed to report to the Committee on the waste-coal plant inclusion in CAIR. This report should include the reasons the rule incorporated this type of plant, the economic impact to the included facilities and the environmental impact if the plants were to be excluded.

Green Infrastructure Partnership.—The Committee is supportive of the Agency's efforts to foster work in the area of green infrastructure and approaches to control combined sewer overflows and storm water pollution. The Committee is aware of and supports the Agency's April 19, 2007, partnership agreement to promote this type of infrastructure and supports Agency efforts to provide technical assistance, training, and resource materials to Federal, State, and local partners who want to implement green infrastructure projects. The Committee urges the Agency to include information on implementation in its fiscal year 2009 Budget Justification.

Great Lakes Legacy Act Cost Share Criteria.—The Committee directs the Environmental Protection Agency to provide as soon as possible a report outlining the criteria it uses to determine the types of projects which qualify for the non-Federal match under the Great Lakes Legacy Act (GLLA). The Committee understands that the Agency has denied the Toledo Waterways Initiative as the required non-Federal share for a GLLA sediment remediation project on the Ottawa River. Because the denial came after an initial indication that the project would be acceptable, the Committee is concerned that the criteria used to determine applicability of the match requirement may be unclear. The Toledo Waterways Initiative and other Combined Sewer Overflow projects represent significant expenditures of local resources. Concerned that the Agency may have missed opportunities to remediate dangerous, toxic outflows into the Great Lakes, the Committee expects the Agency to explain its decision and the steps it has taken to clarify the criteria for future proposals.

Pesticide and Endocrine Disruptor Report.—Given that the Committee has restored funding for the Endocrine Disruptor Program, it expects the Agency to accelerate its schedule for completing validation of screening and testing assays. To that end, the Committee directs the Agency to report to Congress within six months of enactment of this Act, and annually thereafter, on: (a) the number of pesticides that EPA has registered or re-registered, and the number of pesticides for which EPA has made either a re-registration eligibility decision, issued a tolerance, or conducted a registration review, since August 3, 1999; (b) the number of such pesticides for which EPA has conducted or required testing for endocrine disrupting effects; (c) the number of such pesticides for which EPA has considered and made a determination regarding endocrine disrupting effects; (d) the number and identity of endocrine disruptor screening and testing assays EPA has validated; (e) the number and identity of endocrine disruptor screening and testing assays that EPA has not validated; and (f) the reasons each assay has not been validated. The Committee encourages the Agency to expedite its validation of Tier 2 screening and directs the Agency to include in this report a schedule for completing validations for Tier 2 screening and testing assays. The Committee is aware that EPA plans to complete its validation of the Tier 1 assay system for screening endocrine disruptor chemicals and expects to require Tier 1 screening during calendar year 2008. The Committee directs the Agency to begin, by August 2008, to require the use of a battery of assays for endocrine disruptor screening as required by section 408(p) of the Federal Food, Drug and Cosmetic Act. Should EPA

decide to delay implementation of the Tier 1 screening, the Agency should notify the Committee of the reasons for such delay and provide a revised date for implementation.

Water Quality Best Management Practices.—The Committee urges the Agency to conduct a comprehensive update of the Water Quality National Best Management Practices Database and to contribute data to update international best management practices databases.

OFFICE OF INSPECTOR GENERAL

The Office of Inspector General (OIG) provides audit, evaluation, and investigation products and advisory services to improve the performance and integrity of EPA programs and operations. For at least one additional fiscal year, the Inspector General (IG) will perform the function of IG for the Chemical Safety Board. This account funds personnel compensation and benefits, travel, and expenses (excluding rent, utilities, and security costs) for the Office of Inspector General. In addition to the funds provided under this heading, this account receives funds from the Hazardous Substance Superfund account.

Appropriation enacted, 2007	$37,172,000
Budget estimate, 2008	38,008,000
Recommended, 2008	43,500,000
Comparison:	
Appropriation, 2007	+$6,328,000
Budget estimate, 2008	+$5,492,000

The Committee recommends $43,500,000, $5,492,000 above the budget request and $6,328,000 above the 2007 enacted level. In addition, the Committee recommends that $10,000,000, an increase of $2,851,000 above the request, be paid to this account from the Hazardous Substance Superfund account.

The Committee has approved an increase to maintain the Office's staffing levels prior to the reductions implemented by the Acting Inspector General. The Committee directs that none of the funds provided in fiscal year 2008 be used for "buy outs" associated with proposed staffing reductions. The Committee believes the IG acted prematurely in pursuing staff "buy outs", based on the President's fiscal year 2008 budget request, prior to Congressional action on that request. The Committee is concerned that this action will result in loss of experienced staff, adversely affecting the OIG's ability to perform audits and respond to Congressional requests. The IG is directed to provide quarterly staffing reports to the Committee, to make every effort to maintain experienced staff, and in the future consult with Congress before taking actions to reduce the staff.

The Committee has again included authorization for the EPA IG to serve as the IG for the Chemical Safety and Hazard Investigation Board. The Committee has included direction in the Chemical Safety Board section of this report that it hopes will limit this activity of the EPA IG to only one more year. However, no matter how long this arrangement, the Committee recognizes the efforts of the Office of the Inspector General in this area.

BUILDINGS AND FACILITIES

The Buildings and Facilities account provides for the design and construction of EPA-owned facilities as well as for the repair, extension, alteration, and improvement of facilities used by the Agency. The funds are used to correct unsafe conditions, protect health and safety of employees and Agency visitors, and prevent deterioration of structures and equipment.

Appropriation enacted, 2007	$39,626,000
Budget estimate, 2008	34,801,000
Recommended, 2008	34,801,000
Comparison:	
Appropriation, 2007	−4,825,000
Budget estimate, 2008	0

The Committee recommends $34,801,000, the budget request, which is a decrease of $4,825,000 from the enacted level.

HAZARDOUS SUBSTANCE SUPERFUND

(INCLUDING TRANSFERS OF FUNDS)

The Hazardous Substance Superfund (Superfund) program was established in 1980 by the Comprehensive Environmental Response, Compensation, and Liability Act to clean-up emergency hazardous materials, spills, and dangerous, uncontrolled, and/or abandoned hazardous waste sites. The Superfund Amendments and Reauthorization Act (SARA) expanded the program substantially in 1986, authorizing approximately $8,500,000,000 in revenues over five years. In 1990, the Omnibus Budget Reconciliation Act extended the program's authorization through 1994 for $5,100,000,000 with taxing authority through calendar year 1995. Subsequent to the tax expiring, funding has come primarily by appropriation from the General Fund of the Treasury.

The Superfund program is operated by EPA subject to annual appropriations from a dedicated trust fund and from general revenues. Enforcement activities are used to identify and induce parties responsible for hazardous waste problems to undertake clean-up actions and pay for EPA oversight of those actions. In addition, responsible parties have been required to cover the cost of fund-financed removal and remedial actions undertaken at spills and waste sites by Federal and State agencies. Funds are paid from this account to the Office of Inspector General and the Science and Technology accounts for Superfund related activities.

Appropriation enacted, 2007	$1,255,097,000
Budget estimate, 2008	1,244,706,000
Recommended, 2008	1,272,008,000
Comparison:	
Appropriation, 2007	+16,911,000
Budget estimate, 2008	+27,302,000

The Committee recommends $1,272,008,000 for the Hazardous Substance Superfund, increases of $27,302,000 above the request and $16,911,000 above the fiscal year 2007 enacted level. The changes to the request, as recommended by the Committee, are discussed by program area below.

Audits, Evaluations and Investigations.—The Committee recommends an increase of $2,851,000, which is $3,337,000 below fis-

cal year 2007. The Committee directs these funds to partially restore the reduction in Superfund work assumed by the President's budget and directs that none of these funds be used for buyouts associated with staffing reductions. The Committee notes that nowhere in the Agency's budget justification does it explain why it has proposed such a large decrease in the IG portion of the Superfund. Considering that the Superfund program is the largest single program the Agency administers, recognizing past issues with implementation of the program, and acknowledging the need for effective management to stretch Federal dollars further, the Committee cannot agree to a large reduction in this program. The Committee cites, as an example of the OIG's important Superfund work, the recent report on the Agency's management of Interagency Agreements with the U.S. Army Corps of Engineers.

Enforcement.—The Committee recommends an increase of $9,000,000, which is an increase of $4,716,000 above fiscal year 2007. The Committee directs this increase to the Superfund Enforcement program, including a $1,500,000 increase for the Department of Justice Interagency Agreement. The Agency's focus on the "Enforcement First" philosophy for the Superfund program has been crucial in leveraging Federal funds. This effort has led to potentially responsible parties (PRPs) cleaning up 70 percent of the Superfund sites. A strong enforcement component is essential both to securing consent order agreements with PRPs for fund studies and clean-ups and to recovering from those PRPs Federal money spent on clean-ups. The more the Agency uses its enforcement program to leverage private resources from PRPs, the more limited Federal resources are available for those "orphan" sites without responsible parties. The Committee recognizes the importance of the correct "mix" between enforcement and clean-up funds. In the past, the program has demonstrated that when the two components work together to encourage private sector clean-up of sites, more is accomplished. To that end, the Committee has also recommended an increase in remedial clean-up funds, as referenced below.

Legal/Science/Regulatory/Economic Review.—The Committee recommends an increase of $287,000, which is an increase of $213,000 above fiscal year 2007. The Committee directs this increase to the Legal Advice: Environmental Program.

Superfund Cleanup.—The Committee recommends an increase of $15,164,000, which is $22,763,000 above fiscal year 2007. The Committee directs the increase to the Superfund Remedial program, providing a total funding level for this effort of $600,000,000. The Committee recognizes the ever increasing complexity of the remaining sites on the Superfund National Priority List. However, the Committee was most disappointed when the Agency reduced the number of completed constructions from the historic high of 88 per year to the new, low estimate of 24. With these additional funds, the Committee expects the Agency to raise its estimate of construction completes.

Bill Language.—Bill language is included to pay funds from this account to the Office of Inspector General and the Science and Technology accounts. The funds paid to the Office of the Inspector General account are increased above the budget request by $2,851,000.

The Committee has included the following additional guidance with respect to funding provided under this account.

Use of the Army Corps of Engineers To Oversee Superfund Clean-ups.—The Committee is concerned by the recent OIG report on the Agency's management of Superfund Interagency Agreements (IAGs) with the Army Corps of Engineers (the COE). According to the OIG, the Agency has spent over $500,000,000 in the last two completed fiscal years on Superfund IAGs with the COE. The Committee is disappointed to learn that the Agency does not routinely consider alternatives to using the COE. In principle, the Committee does not object to using the COE as a means to clean-up Superfund sites. However, cost considerations should always be an important consideration when determining how best to perform work at a Superfund site. The Committee believes the COE should be used only when it is the most cost effective and timely mechanism to complete clean-ups.

The Committee agrees with the OIG report that the Agency needs to develop its own independent cost estimates of the COE work and conduct cost analysis of alternatives prior to determining whether or not to engage the COE. The Committee appreciates the Agency's decision to update and reissue past policy guidance to the Regions. However, the Committee expects the Agency to also implement controls to ensure that the Regional Offices comply with the updated guidance. Therefore, the Committee directs the Agency to report on how it will monitor compliance with the policy to ensure implementation in all Regions. The report is due to the Committee on December 31, 2007.

Superfund Alternative Sites.—The Committee appreciates the Agency's responses to the Committee's questions on Superfund Alternative Sites (SAS), which are those sites that are eligible for the National Priority List (NPL) but not listed. The Committee understands the Agency has re-evaluated the number of sites it categorizes as SAS. Where it once reported 109 SAS in 2003, it now reports only 22 as of the end of 2005. The Committee notes that even at this lower number, 90 percent of the SAS are in three of the four Regions with the highest percentage of completed NPL sites. At best, this indicates an inconsistent use of Superfund Alternative Sites among the Regions.

The Committee directs the Agency to report by December 31, 2007 on these sites. The report should include a discussion of: (1) the steps the Agency has taken to ensure that the criteria the Regions use to identify and fund Alternative Sites are uniform; and, (2) how the Agency prioritizes these sites along with NPL sites to ensure that response funds are spent on sites with the highest risk. In addition, the Committee requests the Agency to report, at the end of each fiscal year, the number of SAS funded, by Region; the intramural and extramural costs associated with those sites; and information on each site listed including the risk posed by each site.

Relocations.—The Committee is aware of concerns about inconsistent policies regarding payment of relocation costs associated with Superfund sites. The Committee directs the Agency to provide information on: (1) the criteria it uses to determine when to relocate a jurisdiction (town, municipality, subdivision, etc.); (2) a list

of the requests for relocation it received in 2006 and 2007; (3) the final determination on the request; and, (4) the Agency's reasons for approving or denying the request.

LEAKING UNDERGROUND STORAGE TANK TRUST FUND PROGRAM

Subtitle I of the Solid Waste Disposal Act, as amended by the Superfund Amendments and Reauthorization Act, authorized the establishment of a response program for clean-up of releases from leaking underground storage tanks. Owners and operators of facilities with underground tanks must demonstrate financial responsibility and bear initial responsibility for clean-up. The Federal trust fund is funded through the imposition of a motor fuel tax of one-tenth of a cent per gallon.

In addition to State resources, the Leaking Underground Storage Tank (LUST) Trust Fund provides funding to clean-up sites, enforce necessary corrective actions and recover costs expended from the Fund for clean-up activities. The underground storage tank response program is designed to operate primarily through cooperative agreements with States. Funds are also used for grants to non-State entities, including Indian tribes, under Section 8001 of the Resource Conservation and Recovery Act. The Energy Policy Act of 2005 expanded the authorized activities of the Fund to include the underground storage tank program. In 2006, Congress amended section 9508 of the Internal Revenue Code to authorize expenditures from the trust fund for prevention and inspection activities.

Appropriation enacted, 2007	$100,252,000
Budget estimate, 2008	92,235,000
Recommended, 2008	117,961,000
Comparison:	
Appropriation, 2007	+17,709,000
Budget estimate, 2008	+25,726,000

The Committee recommends $117,961,000 for the Leaking Underground Storage Tank Trust Fund Program (LUST) Trust Fund, which is an increase of $25,726,000 above the request and $17,709,000 above the 2007 enacted level. To facilitate comparisons to the President's request, the amounts referenced below reflect the movement of the underground storage tank grants, as authorized by the Energy Policy Act, into this account. The changes to the request, as recommended by the Committee, are discussed by program area below

Underground Storage Tanks (LUST/UST).—After adjusting the account to reflect the movement of the grant program from the State and Tribal Assistance (STAG) account to the LUST account, the Committee's recommendation is an increase of $25,726,000. With the increase provided, the Committee directs:

+$10,000,000 for the LUST Cooperative Agreements with the States.

+$15,726,000 for the Underground Storage Tank Grants authorized by the Energy Policy Act. This increase, combined with the funds moved from the STAG account, will provide a total of $35,500,000 for this new grant program. A small portion of the President's request, which would fund State activities not authorized to be funded through the LUST Trust Fund, remains in the STAG account.

Bill Language.—Bill language is included to fund the underground storage tank grant program, authorized by the 2005 Energy Policy Act and tribal grants from this account. The President had proposed $22,274,000 for UST grants in the State and Tribal Assistance Grants account. However, the Energy Policy Act envisioned these grants to be funded from the LUST Trust Fund. Consistent with that authorization, the Committee includes bill language to provide LUST Trust Fund resources to fund the portion of the State and tribal grants associated with activities authorized by the Energy Policy Act. The President's budget had also requested an amendment to the Energy Policy Act to change the types and frequency of State inspections, in part to offset the impact of the proposed reduction in grant resources. With the increase provided, the Committee sees no need to accept the President's proposal to amend the Energy Policy Act.

The Committee also includes bill language which authorizes, for one year, the Administrator to use the LUST Trust Fund for tribal grants to develop and implement underground storage tank programs.

OIL SPILL RESPONSE

This appropriation, authorized by the Federal Water Pollution Control Act, as amended by the Oil Pollution Act of 1990, provides funds to prepare for and prevent releases of oil and other petroleum products in navigable waterways. In addition, EPA is reimbursed for incident specific response costs through the Oil Spill Liability Trust Fund managed by the United States Coast Guard.

EPA is responsible for directing all clean-up and removal activities posing a threat to public health and the environment; conducting site inspections; providing a means to achieve clean-up activities by private parties; reviewing containment plans at facilities; reviewing area contingency plans; pursuing cost recovery of fund-financed clean-ups; and conducting research of oil clean-up techniques. Funds for this appropriation are provided through the Oil Spill Liability Trust Fund which is composed of fees and collections made through provisions of the Oil Pollution Act of 1990, the Comprehensive Oil Pollution Liability and Compensation Act, the Deepwater Port Act of 1974, the Outer Continental Shelf Lands Act Amendments of 1978, and the Federal Water Pollution Control Act, as amended. Pursuant to law, the Trust Fund is managed by the United States Coast Guard.

Appropriation enacted, 2007	$15,734,000
Budget estimate, 2008	17,280,000
Recommended, 2008	17,280,000
Comparison:	
Appropriation, 2007	+1,546,000
Budget estimate, 2008	0

The Committee recommends $17,280,000 for oil spill response, the budget request, which is an increase of $1,546,000 above the enacted level.

STATE AND TRIBAL ASSISTANCE GRANTS

The State and Tribal Assistance Grants (STAG) account provides grant funds for programs operated primarily by State, local, tribal and other governmental partners. The account includes two broad types of funds: (1) Infrastructure Assistance, which is used primarily by local governments for projects supporting environmental protection; and, (2) Categorical Grants, which assist State and tribal governments with the operation of environmental programs.

In the STAG account, EPA provides funding for infrastructure projects through two State Revolving Funds (Clean Water and Drinking Water), geographic specific projects in Alaskan Native Villages and on the United States-Mexico Border, Brownfield revitalization projects, Diesel emission reduction grants and other targeted special projects.

The State Revolving Funds (SRFs) provide Federal financial assistance to protect the Nation's water resources. The Clean Water SRF helps eliminate municipal discharge of untreated or inadequately treated pollutants and thereby helps maintain or restore the country's water to a swimmable and/or fishable quality. The Clean Water SRF provides resources for municipal, inter-municipal, State, and interstate agencies and tribal governments to plan, design, and construct wastewater facilities and other projects, including non-point source, estuary, stormwater, and sewer overflow projects. The Safe Drinking Water SRF finances improvements to community water systems so that they can achieve compliance with the mandates of the Safe Drinking Water Act and continue to protect public health.

All of the major Federal environmental statutes include provisions that allow the Federal government, through EPA, to delegate to the States and tribes the day-to-day management of environmental programs. The Federal statutes were designed to recognize the State as partners and co-regulators, allowing the States to issue and enforce permits, carry out inspections and monitoring and collect data. To assist the States in this task, the statutes also authorized EPA to provide grants to the States and tribes. These grants, which cover every major aspect of environmental protection, include those programs authorized by sections 319 and 106 of the Federal Water Pollution Control Act, as amended (for non-point source pollution and the water quality permits programs), sections 105 and 103 of the Clean Air Act (for State and Local air quality management programs), section 128 of CERCLA (for the Brownfields program management), section 1443(a) of the Safe Drinking Water Act (for public water system supervision), and section 3011 of RCRA (for hazardous waste financial assistance.)

Appropriation enacted, 2007	$3,185,492,000
Budget estimate, 2008	2,724,676,000
Recommended, 2008	3,391,514,000
Comparison:	
Appropriation, 2007	+206,022,000
Budget estimate, 2008	+666,838,000

The Committee recommends $3,391,514,000 for State and tribal assistance grants, increases of $666,838,000 above the request and $206,022,000 above the 2007 enacted level. The changes to the re-

quest, as recommended by the Committee, are discussed below by program area.

For the infrastructure assistance portion of this account, the Committee recommends $2,277,667,000, an increase of $598,188,000 above the request and $177,033,000 above the fiscal year 2007 enacted level. The Committee recognizes the growing need to not only build new, but also repair and replace existing, water and wastewater infrastructure. Given the documented need, the Committee is concerned by the continued downward trend in the President's request for infrastructure assistance. Therefore, the Committee recommends $1,125,000,000 for the Clean Water State Revolving Fund, which is $437,446,000 above the request and $41,183,000 above the enacted level. Based on a rough historical average, this increase will assist as many as 150 communities with their water and wastewater needs. The Committee also has provided the requested level of $842,167,000 for the Drinking Water State Revolving Fund, an increase of $4,672,000 above the enacted level.

For other infrastructure programs in this account, the Committee recommends: (1) an allocation of $140,000,000 for grants to local communities for water and sewer infrastructure; (2) $100,000,000 for Brownfield projects, which is $10,742,000 above the request; (3) the requested level of $10,000,000 for the Mexican Border program; (4) $10,500,000 for the Alaskan Native Villages grant program, a reduction of $5,000,000 from the request; and, (5) $50,000,000 for the Diesel emissions reduction grant program, an increase of $15,000,000 above the request. The Diesel Emission Grant Program, authorized by Sections 791–797 of the 2005 Energy Policy Act, supersedes the Clean School Bus Demonstration Initiative. It targets emission reduction grants in five sectors: freight, construction, school buses, agriculture and ports.

For categorical grants to States, the Committee recommends a net increase of $68,650,000, to be allocated has follows:

−$2,850,000 from the Environmental Information grant program. This mature program, which supports the flow of environmental data between EPA and the States, will have operational nodes in all 50 States by 2008. The Committee encourages the Agency to focus future efforts on tribal and territorial programs, taking into account the unique needs of these smaller partners and expects the Agency to offer active assistance to advance small partner capabilities.

+$10,000,000 for Section 319 Non-point Source Grants, which restores the program to the fiscal year 2006 level.

−$1,000,000 from Pollution Prevention Grants, which provides a level slightly above the fiscal year 2007 level.

+$2,500,000 from Public Water System Supervision Grants, which is $3,321,000 above fiscal year 2007. The additional funding is intended to help the States implement new drinking water standards and rules.

+$35,000,000 for State and Local Air Quality Management Grants, an increase of $20,419,000 above fiscal year 2007. The Committee recognizes the importance of these grants to the States, which implement the majority of clean air regulations. This increase restores the grants to the fiscal year 2006 level.

+$25,000,000 for Targeted Watershed grants, an increase of $8,392,000 above fiscal year 2007. The Committee supports this grant program as an innovative way to target funding to some of the Nation's most problematic watersheds. Of the funds provided, the Committee directs $15,000,000 to continue the Western Estuaries Program initiated by the Agency in fiscal year 2007. The Committee also supports, through this grant program, work done in the mid-Atlantic highlands area.

+$1,000,000 for wastewater operator training grants, offset by an equal decrease to the Sector Grant.

In addition to these changes from the request, the Committee has moved to the LUST Trust Fund account all but $2,500,000 of the funding for the underground storage tank grants, as authorized by the 2005 Energy Policy Act. The amount remaining in the STAG account funds those activities not authorized to be funded through LUST Trust Fund receipts.

Bill Language.—The Committee recommendation retains language included in prior years on the State administrative costs of the Clean Water State Revolving Fund and Targeted Watershed grants. The Committee rejects bill language, as proposed by the President, that would have the effect of requiring a State match of funds provided for the particulate matter monitoring network. The Committee also rejects the proposal to limit funds provided for water quality monitoring to only those activities that meet standards for statistically representative monitoring programs. The Committee believes that these funds should be available in part to fund the States' monitoring needs for Total Maximum Daily Loads and National Pollutant Discharge and Elimination Systems (NPDES) permits.

The Committee includes a new provision to provide STAG account funds for a small portion of the underground storage tank program.

The Committee has included the following additional guidance with respect to funding provided under this account.

NPDES Permit Fees.—The Committee is aware of concerns expressed about the proposed pilot program to encourage States to charge fees for NPDES permits. The Committee understands that the Agency received many negative comments during the comment period on the proposed rule. Therefore, the Committee urges the Agency to delay implementation of this program until the concerns are addressed. Until then, the Committee denies, without prejudice, the $5,000,000 request for the fees pilot program.

State use of bonds as match for the SRFs.—The Committee is interested in the policy implications of a recent OIG report on the States' use of bonds to meet Clean Water and Drinking Water Revolving Fund match requirements (Report No. 2007–P–00012, March 29, 2007). The OIG found that the current EPA regulations and practices allowing States to use bonds, repaid from interest on the SRFs, to meet the State match requirement have resulted in an estimated $937 million reduction in funds available for loans since the inception of the SRFs. Given the Agency's own estimated need for capital water and wastewater infrastructure, the Committee questions a policy which results in almost a billion dollar reduction in funds available for loans. However, the Committee also

recognizes the constraints on States' abilities to quickly raise the 20 percent match required by law and the need for flexibility in obtaining that match. The Committee directs the Agency to survey the States on their use of bonds to raise the required match, assess the impacts of the policy on the current program, and report to the Committee by January 31, 2008, on its findings and recommendations for improvements or changes.

Decentralized water projects.—The Committee recognizes the water quality benefits from many types of decentralized water projects, including distributed stormwater controls, decentralized wastewater treatment, low-impact development practices, conservation easements, stream buffers and wetlands restoration. The Committee expects the Agency to encourage States to use their SRF funds for these types of projects and has included bill language, carried in prior years, to allow the States to use up to $75,000,000 of the Clean Water SRF for these types of projects.

Mexican Border.—The Committee recommends the President's funding request for the Mexican Border program; however, the Committee remains concerned about the high unliquidated balances in this account. Since 1995, Congress has provided over $800,000,000 for important water projects along the border. As of April, 2007, $255,500,000 of those funds remain unliquidated. That sum, combined with the funds provided in fiscal year 2007, leaves more than $300,000,000 in funds still available for projects along the border. Until these balances are reduced, the Committee can not agree to provide large additional increases. In order to expedite the reduction of these funds and complete these important projects, the Committee directs the Agency to report by December 31, 2007, on the steps it has taken to reduce the balances and the reforms it has put in place to prevent future high unliquidated balances. It also directs the Agency to report on a quarterly basis the unobligated and unliquidated balances in this program.

ADMINISTRATIVE PROVISIONS

The Committee recommendation continues language carried in prior years on Tribal Cooperative Authority, Environmental Justice and the collection and obligation of pesticides fees. The Committee recommends new bill language, as proposed by the President, on the following:

A limitation on reimbursements for consultants. This language is identical to a provision carried in fiscal year 2005 and earlier restricting EPA's use of consultants.

A rescission of $5,000,000 in unobligated balances from older, prior year accounts.

The Committee rejects bill language, as proposed by the President, on the following:

A limitation on diesel emission reduction grants to those areas not in attainment with air quality standards. Such a limitation is not included in the Authorizing Act.

An amendment to the Energy Policy Act to change the requirements for State inspection and enforcement of the underground storage tank program.

The Committee includes a new provision, not requested by the President, which restricts $2,000,000 of EPM funds to only that

work required to develop a regulation to reduce greenhouse gas emissions. The Committee directs the Agency to publish in the Federal Register by July 1, 2008, an Advanced Notice of Proposed Rulemaking (ANPRM) indicating options to reduce greenhouse gas emissions in the transportation, electricity generation and industrial/commercial sectors, soliciting comment on those options, and providing an opportunity for the public to suggest additional options. The Committee directs the Agency to report prior to the submission of the fiscal year 2009 budget justification its schedule and budget for issuing a final regulation. In addition, the Committee expects the Agency to provide quarterly updates on its progress towards developing a proposal and its plans for promulgating a greenhouse gas emissions reduction regulation.

TITLE III—RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

The U.S. Forest Service manages 193 million acres of public lands for multiple use, including lands in 44 States and Puerto Rico, and cooperates with States, other Federal agencies, Tribes and others to sustain the Nation's forests and grasslands. The Forest Service administers a wide variety of programs, including forest and rangeland research, State and private forestry assistance, wildfire suppression and fuels reduction, cooperative forest health programs, and human resource programs. The National Forest System (NFS) includes 155 National forests, 20 National grasslands, 20 National recreation areas, a National Tallgrass prairie, 6 National monuments, and 6 land utilization projects. The NFS is managed for multiple use, including timber production, recreation, wilderness, minerals, grazing, fish and wildlife habitat management, and soil and water conservation. The Forest Service celebrated its centennial in 2005.

Administration Request Inadequacies.—The Committee notes that the Administration request for the Forest Service in fiscal year 2008 is severely lacking in a number of ways, including inadequate financial support for fundamentally important land management, public service, and science, as well as unacceptable policy recommendations. Once again, despite wide-spread criticism last year, the Administration has proposed selling off national forest system lands to generate funds for rural schools, primarily in the west. The Committee strongly encourages the Administration to permanently abandon this notion, and to work with the Congress to come up with meaningful reform to aid counties.

Wildland Fire Funding Problems.—The Committee also notes that the Federal funding situation for wildland fire management and for emergency wildfire suppression activities is unacceptable. The Committee has partially remedied this situation by increasing funding for preparedness, hazardous fuels reduction, State assistance and forest health work, and rehabilitation of burned areas. Yet, the overriding situation still exists that the Forest Service budget has been constrained by the Administration in order to provide for emergency wildfire suppression. The Committee supports methods to reduce and manage emergency suppression costs. But by all accounts, this will continue to be a major Federal and State activity due to the widespread human occupation of the wildlands, the extensive drought and climate change, and hazardous fuels build-ups. The Committee has directed the Administration, working with the Congress, to establish a high level commission to develop and evaluate a number of policy and funding recommendations to help remedy the existing situation. This is discussed under the wildland fire management account.

The amounts recommended by the Committee for each Forest Service appropriation account, compared with the budget estimates by activity, are shown in the following table:

(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Recommended	Recommended versus Enacted	Recommended versus Request
FOREST SERVICE					
Forest and Rangeland Research					
Forest inventory and analysis	59,380	62,329	62,329	+2,949	---
Research and development programs	221,108	200,671	233,608	+12,500	+32,937
Total, Forest and rangeland research	280,488	263,000	295,937	+15,449	+32,937
State and Private Forestry					
Forest Health Management					
Federal lands forest health management	53,963	52,959	53,963	---	+1,004
Cooperative lands forest health management	47,104	38,130	47,104	---	+8,974
Subtotal, Forest Health Management	101,067	91,089	101,067	---	+9,978
Cooperative Fire Protection					
State fire assistance	32,895	33,122	33,122	+227	---
Volunteer fire assistance	5,912	9,000	9,000	+3,088	---
Subtotal, Cooperative Fire Protection	38,807	42,122	42,122	+3,315	---
Cooperative Forestry					
Forest stewardship	41,947	20,000	36,947	-5,000	+16,947

(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Forest Legacy	56,336	29,311	62,787	+6,451	+33,476
Use of prior year balances	---	---	-6,451	-6,451	-6,451
Subtotal, Forest Legacy	56,336	29,311	56,336	---	+27,025
Urban and Community Forestry	30,130	17,436	31,130	+1,000	+13,694
Forest resource information and analysis	4,588	---	5,000	+412	+5,000
Subtotal, Cooperative Forestry	133,001	66,747	129,413	-3,588	+62,666
International program	6,886	2,500	8,000	+1,114	+5,500
Total, State and Private Forestry	279,761	202,458	280,602	+841	+78,144
National Forest System					
Land management planning	57,675	52,607	52,607	-5,068	---
Inventory and monitoring	166,638	146,462	170,638	+4,000	+24,176
Recreation, heritage and wilderness	258,797	231,400	271,797	+13,000	+40,397
Wildlife and fish habitat management	131,734	117,633	136,734	+5,000	+19,101
Grazing management	47,826	47,025	48,826	+1,000	+1,801
Forest products	319,614	318,562	332,614	+13,000	+14,052
Vegetation and watershed management	176,849	154,322	179,349	+2,500	+25,027
Minerals and geology management	84,164	70,835	84,164	---	+13,329
Landownership management	90,932	80,840	92,932	+2,000	+12,092
Law enforcement operations	115,000	123,841	123,841	+8,841	---
Valles Caldera National Preserve	3,500	850	3,500	---	+2,650
Challenge cost share	---	---	9,500	+9,500	+9,500
Emergency appropriations (P.L. 110-28)	12,000	---	---	-12,000	---
Total, National Forest System	1,464,729	1,344,377	1,506,502	+41,773	+162,125

(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Capital Improvement and Maintenance					
Facilities					
Maintenance	69,466	63,608	72,466	+3,000	+8,858
Construction	60,674	56,039	58,039	-2,635	+2,000
Subtotal, Facilities	130,140	119,647	130,505	+365	+10,858
Roads					
Maintenance	133,238	114,503	144,832	+11,594	+30,329
Construction	90,560	112,928	90,560	---	-22,368
Subtotal, Roads	223,798	227,431	235,392	+11,594	+7,961
Trails					
Maintenance	49,800	39,067	49,800	---	+10,733
Construction	23,562	27,320	29,000	+5,438	+1,680
Subtotal, Trails	73,362	66,387	78,800	+5,438	+12,413

(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Deferred Maintenance					
Infrastructure improvement	9,100	9,100	10,500	+1,400	+1,400
Legacy road remediation	---	---	65,000	+65,000	+65,000
Subtotal, Deferred Maintenance	9,100	9,100	75,500	+66,400	+66,400
Total, Capital Improvement and Maintenance	436,400	422,565	520,197	+83,797	+97,632
Excess purchaser elect road funds	---	---	-40,000	-40,000	-40,000
Deferral of road and trail fund payment	---	---	-15,000	-15,000	-15,000
Land Acquisition					
Forest Service					
Acquisitions	29,000	8,000	31,549	+2,549	+23,549
Acquisition management	12,087	7,703	12,087	---	+4,384
Cash equalization	500	---	500	---	+500
Critical inholdings/wilderness protection	349	---	349	---	+349
Total, Land Acquisition	41,936	15,703	44,485	+2,549	+28,782

(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Acquisition of lands for national forests, special acts	1,053	1,053	1,053	---	---
Acquisition of lands to complete land exchanges	231	231	231	---	---
Range betterment fund	2,876	3,750	3,750	+874	---
Gifts, donations and bequests for forest and rangeland research	63	56	56	-7	---
Management of national forest lands for subsistence uses	5,009	5,053	5,053	+44	---
Wildland Fire Management					
Preparedness					
Preparedness	665,382	349,082	675,382	+10,000	+326,300
Wildland Firefighters*	---	219,710	---	---	-219,710
Subtotal, Preparedness	665,382	568,792	675,382	+10,000	+106,590
Fire suppression operations	741,477	911,032	859,021	+117,544	-52,011

*The Administration requested wildland firefighters as a separate, new appropriations account.

(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Other operations					
Hazardous fuels	301,258	291,533	310,258	+9,000	+18,725
Rehabilitation	6,189	---	18,000	+11,811	+18,000
Fire plan research and development	22,789	22,000	23,500	+711	+1,500
Joint fire sciences program	7,882	8,000	8,000	+118	---
Forest health management (federal lands)	14,779	14,252	14,252	-527	---
Forest health management (co-op lands)	9,853	10,014	10,014	+161	---
State fire assistance	46,221	35,004	46,221	---	+11,217
Volunteer fire assistance	7,773	8,000	10,000	+2,227	+2,000
Subtotal, Other operations	416,744	388,803	440,245	+23,501	+51,442
Emergency appropriations (P.L. 110-28)	370,000	---	---	-370,000	---
Total, Wildland Fire Management	2,193,603	1,868,627	1,974,648	-218,955	+106,021
Total, Forest Service without Wildland Fire Mgmt	2,512,546	2,258,246	2,602,866	+90,320	+344,620
TOTAL, FOREST SERVICE	4,706,149	4,126,873	4,577,514	-128,635	+450,641

FOREST AND RANGELAND RESEARCH

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

Appropriation enacted, 2007	$280,488,000
Budget estimate, 2008	263,000,000
Recommended, 2008	295,937,000
Comparison:	
Appropriation, 2007	+15,449,000
Budget estimate, 2008	+32,937,000

The Committee recommends $295,937,000 for forest and rangeland research, an increase of $32,937,000 above the budget request and $15,449,000 above the fiscal year 2007 funding level. The Committee was very concerned about the large cuts to basic and applied research sought by the Administration. Forest Service science is important, and therefore the Committee recommendation provides a $10,000,000 increase above the fiscal year 2007 enacted level to both cover fixed costs and to reestablish fundamental, core research efforts. Given this increase, the Committee anticipates that there is no need to close any existing Forest Service research facility. In addition, the Committee recommendation includes $2,500,000 as a non-specified increase for the Forest Service global climate change program. The Service should notify the House and Senate Committees on Appropriations within 60 days of enactment of its desired use of these climate research funds.

The Forest Service should treat the funding for the forest inventory and analysis (FIA) program as a budget line item. Funding for FIA under this heading is $62,329,000 as requested, $2,949,000 above the fiscal year 2007 enacted level. The Committee notes that an additional $5,000,000 for the FIA program is provided within the State and private forestry appropriation under the forest resource information and analysis budget line item. The two FIA program components thus receive a total of $67,329,000, an increase of $5,000,000 over the Administration request and $3,361,000 above the fiscal year 2007 enacted level.

STATE AND PRIVATE FORESTRY

Through cooperative programs with State and local governments, non-industrial private forest landowners, forest industry and conservation organizations, the Forest Service supports the protection and management of the nearly 500 million acres of non-Federal forests in the country. Technical and financial assistance is offered to improve wildland fire management and protect communities from wildfire; control insects and disease; improve management of private forests; conserve environmentally important forests; and enhance stewardship of urban and rural forests. The Forest Service

provides special expertise and disease suppression for all Federal and tribal lands, as well as cooperative assistance with the States for State and private lands.

Appropriation enacted, 2007	$279,761,000
Budget estimate, 2008	202,458,000
Recommended, 2008	280,602,000
Comparison:	
Appropriation, 2007	+841,000
Budget estimate, 2008	+78,144,000

The Committee recommends $280,602,000 for State and private forestry, $78,144,000 above the budget request and $841,000 above the 2007 funding level. The amounts recommended by the Committee compared with the budget estimates by activity are shown in the table at the beginning of the Forest Service entry. Aspects of the budget request are approved, unless otherwise stated below. Funding levels are presented as changes from the request.

Forest Health Management.—The Committee recommends $101,067,000 for forest health management, $9,978,000 above the request and equal to the fiscal year 2007 enacted level. The forest health program should continue to stress strategic funding allocations, and should continue the slow-the-spread, suppression and eradication efforts for gypsy moth at or near historic levels, depending on pest activity, and continue to emphasize bark beetle and mountain pine beetle work in the West.

Cooperative Fire Protection.—The Committee recommends $42,122,000 for cooperative fire protection as requested, $3,315,000 above the fiscal year 2007 funding level. Most of this increase is for the volunteer fire assistance program. The Committee expects the Forest Service volunteer fire program to work carefully with the Department of the Interior bureaus to see that all rural fire assistance needs are properly considered. The Committee expects the Forest Service to implement a funding allocation based primarily on need for States and territories. The allocations should relate to the amount of forest-land and population in the States; small territories with low population levels should not receive larger allocations than heavily forested and populated States. The Committee also notes that the cooperative fire portion of the national fire plan within the wildland fire management account includes an additional $46,221,000 for State fire assistance and $10,000,000 for volunteer fire assistance.

Forest Stewardship.—The Committee recommends $36,947,000 for forest stewardship, $16,947,000 above the budget request and $5,000,000 below the fiscal year 2007 enacted level. The Committee encourages the new strategic direction taken by this program, especially in the Southern region.

Forest Legacy Program.—The Committee recommends $62,787,000 for forest legacy, $33,476,000 above the request and $6,451,000 above the fiscal year 2007 enacted level. The recommendation provides $57,216,000 for projects and $5,571,000 for administration, and uses $6,451,000 in prior year funds from failed projects to offset the total.

Projects.—Congress has made significant reforms in the way it reviews funding for the Federal government; reforms which the Committee takes very seriously as it executes its constitutional au-

thority. Earmarking or directed spending of Federal dollars does not begin with Congress. It begins with the Executive Branch. For example, following is a list of some Forest Service forest legacy projects submitted by the Administration:

$1,500,000 for Turkey Creek, Texas, phase II
$3,500,000 for Paulding County land area, GA
$2,000,000 for Mobile Tensaw Delta, AL
$1,750,000 for the Koochiching property, MN

The Administration, in selecting these projects, goes through a process that is the functional equivalent of earmarking. When the Committee reviews the budget request, it goes through a process of rigorous review and may alter or modify this list to reflect additional priorities.

The Committee provides no recommendation at this time for specific projects contained in either the Administration's budget or proposed by Members of Congress. Individual project allocations will be considered comprehensively after the Committee has properly analyzed all relevant information.

Urban and Community Forestry.—The Committee recommends $31,130,000 for urban and community forestry, $13,694,000 above the budget request and $1,000,000 above the fiscal year 2007 level. The Committee expects the Forest Service to focus funding allocations on efforts in large urban areas and on various efforts to enhance green infrastructure, including strategic selection of several projects of national and regional significance.

Forest Resource Information and Analysis.—The Committee recommends $5,000,000 for forest resource information and analysis, which was excluded from the Administration request, and $412,000 above the 2007 enacted level.

International Program.—The Committee recommends $8,000,000 for the International Program, $5,500,000 above the request and $1,114,000 above the fiscal year 2007 level. The Committee supports the Program's various partnership and emergency response activities, as well as work on combating illegal logging and promoting sustainable forestry, thus helping mitigate climate change by conserving the world's forests. The Committee also clarifies that the International Program has authority to sign agreements directly with the U.S. Agency for International Development, Department of State, or Millennium Challenge Corporation.

Bill Language.—The Committee recommends continuing bill language deriving forest legacy funds from the Land and Water Conservation Fund (LWCF).

NATIONAL FOREST SYSTEM

Within the National Forest System (NFS), which covers 193 million acres, there are 51 Congressionally designated areas, including 20 National recreation areas, and 7 National scenic areas. The NFS hosted over 211 million visits in fiscal year 2002. The NFS includes over 133,000 miles of trails and 25,000 developed facilities, including 4,389 campgrounds, 58 major visitor centers, and about one-half of the Nation's ski-lift capacity. Wilderness areas cover 35 million acres, nearly two-thirds of the wilderness in the contiguous 48 States. The NFS includes a substantial amount of the Nation's softwood inventory. In fiscal year 2006 over 249,000 acres of na-

tional forest vegetation was managed through timber sale activities, which produced nearly 2.9 billion board feet of timber volume. The Forest Service also has major habitat management responsibilities for more than 3,000 species of wildlife and fish, and 10,000 plant species and provides important habitat and open space for over 422 threatened or endangered species. Half of the Nation's big game habitat and coldwater fish habitat, including salmon and steelhead, is located on NFS lands and waters. In addition, in the 16 western States, where the water supply is sometimes critically short, about 55 percent of the total annual yield of water is from National forest system lands.

Appropriation enacted, 2007	$1,452,729,000
Budget estimate, 2008	1,344,377,000
Recommended, 2008	1,506,502,000
Comparison:	
Appropriation, 2007	+53,773,000
Budget estimate, 2008	+162,125,000

The Committee recommends $1,506,502,000 for the National Forest System, an increase of $162,125,000 above the request and $53,773,000 above the fiscal year 2007 enacted level (a 2.8 percent increase). The amounts recommended by the Committee compared with the budget estimates by activity are shown in the table at the beginning of the Forest Service entry. Aspects of the budget request are approved, unless otherwise stated below. Funding levels are presented as changes from the request.

Land Management Planning.—The Committee recommends $52,607,000 for land management planning as requested, a decrease of $5,068,000 below the fiscal year 2007 enacted level. The Committee requests the Service to provide a report summarizing the extent to which existing and future forest plans take the prospects of global climate change into account. The Committee notes that general provisions in Title IV no longer contain a previous temporary legislative moratorium on completing the Resources Planning Act 5 year plan. The Committee looks forward to periodic reports on the Service's plans to implement the Forest and Rangeland Renewable Resources Planning Act's 5 year program.

Inventory and Monitoring.—The Committee recommends $170,638,000 for inventory and monitoring, $4,000,000 above the budget request and $24,176,000 above the fiscal year 2007 level.

Recreation, Heritage and Wilderness.—The Committee recommends $271,797,000 for recreation, heritage and wilderness, $40,397,000 above the President's budget request and $13,000,000 above the fiscal year 2007 level. A portion of the increase should be used to raise the base funding level for the operation of the various national scenic and historic trails.

The Committee directs the Service to guarantee full public participation and careful analyses of recreational facilities before extensive closures are implemented. The Committee expects that the increased funding will be directed to the highest priority locations benefiting the most visitors and aiding local economies. The Committee directs the Service not to use recreation or wildlife and fisheries program funding for various NEPA clearance activities in direct support of other commodity programs which receive separate funding.

The Committee recognizes that the growing disconnection of America's children from the natural world impacts the children's health as well as the future of natural resource conservation. The Forest Service should implement projects that help connect children and their families with nature using funds from the recreation, heritage and wilderness management, challenge cost share, and other Forest Service appropriations, as appropriate.

Wildlife and Fish Habitat Management.—The Committee recommends $136,734,000 for wildlife and fish habitat management, an increase of $19,101,000 above the budget request and $5,000,000 above the fiscal year 2007 level. The Committee encourages the Service to increase its efforts toward recovery of listed plant and animal species on Forest Service managed lands and waters and take actions which will protect sensitive plant and animal species from requiring listing.

Grazing Management.—The Committee recommends $48,826,000 for grazing management, $1,801,000 above the budget request and $1,000,000 above the fiscal year 2007 funding level. The increase above the request is to maintain existing programs.

Forest Products.—The Committee recommends $332,614,000 for forest products, an increase of $14,052,000 above the request and $13,000,000 above the fiscal year 2007 funding level. The recommendation supports the policy in the budget request to fund court-ordered forestry activities in support of the President's Pacific Northwest forest plan. In addition, the Committee directs the Forest Service to set aside $10,000,000 within the forest products activity to be allocated to those national forests which have the highest ratio of timber receipts produced compared to timber sales budget allocation. The Committee encourages the Service to direct timber sales funding to those areas where existing roads are available and where there are lower engineering costs for making roads suitable for harvest activities.

The Committee believes the existing budget allocation procedures and implementation do not serve the Nation. Therefore, the Committee directs the Service to devise and implement a new, clear and transparent budget allocation process. This procedure must include forest by forest budget displays, publicly available on the agency's website, throughout the annual budget allocation and distribution process. When changes are made during the process, they should be reasoned, justified, and publicly explained. Before allocating forest products funding, KV funds, timber pipeline funds, and hazardous fuels reduction funds to the field in fiscal year 2008, the Committee directs the Forest Service to provide the House and Senate Committees on Appropriations a fourteen-day review period to examine the methodology utilized.

Vegetation and Watershed Management.—The Committee recommends $179,349,000 for vegetation and watershed management, an increase of $25,027,000 above the request and an increase of $2,500,000 above the fiscal year 2007 funding level. The Committee is disturbed by the requested 63 percent reduction in reforestation activities. Given the importance of forests for our future, the Committee expects the Service to revisit the allocations within this budget activity. The Committee expects that some vegetation and watershed management funds will be used for timber stand im-

provement where the thinning will increase the future habitat, watershed and commercial value of the forests, and that vegetation management will focus on native plant restoration and removal of invasive species.

Minerals and Geology Management.—The Committee recommends $84,164,000 for minerals and geology management, an increase of $13,329,000 above the request and equal to the 2007 funding level. The Committee directs the Service to use increased minerals and geology program funds above the request for managing geologic hazards and resources as well as managing environmental restoration, and not use these funds for processing mineral applications.

Land Ownership Management.—The Committee recommends $92,932,000 for land ownership management, $12,092,000 above the budget request and $2,000,000 above the 2007 funding level. The Committee directs the Service not to use any funds to continue the ill-conceived proposal to sell off national forest system lands to support rural schools.

Law Enforcement Operations.—The Committee recommends $123,841,000 for law enforcement operations as requested, an increase of $8,841,000 above the 2007 funding level. The Committee expects that some of the increased funding for law enforcement be used to combat drug trafficking, marijuana plantations, and methamphetamine labs.

Valles Caldera National Preserve.—The Committee recommends $3,500,000 for the Valles Caldera National Preserve, equal to the 2007 funding level and $2,650,000 above the budget request.

Challenge Cost-share.—The Committee recommends $9,500,000 to re-establish the challenge cost program back to the fiscal year 2005 level, an increase of $5,066,000 over the fiscal year 2006 level. The Committee commends the Service for its implementation of this program during these years, and expects a similar program in fiscal year 2008. The Committee is also encouraged by the Service's recent efforts in cooperative conservation education and encourages use of some challenge cost-share funds to further those outdoor education programs in cooperation with Interior Department bureaus and the National Environmental Education Foundation.

CAPITAL IMPROVEMENT AND MAINTENANCE

(INCLUDING TRANSFER OF FUNDS)

Appropriation enacted, 2007	$436,400,000
Budget estimate, 2008	422,565,000
Recommended, 2008	480,197,000
Comparison:	
Appropriation, 2007	+43,797,000
Budget estimate, 2008	+57,632,000

The Committee recommends $480,197,000 for capital improvement and maintenance, $57,632,000 above the request and $43,797,000 above the fiscal year 2007 enacted level. This includes $15,000,000 obtained by virtue of legislative language which brings the roads and trails fund activities on budget. In addition to these sums, the Committee recommendation increases the infrastructure improvement program by an additional $40,000,000 by transferring $40,000,000 of Forest Service purchaser elect road funds which are

excess to their previous needs. This is discussed below. The amounts recommended by the Committee compared with the budget estimates by activity are shown in the table at the beginning of the Forest Service entry.

Facilities Maintenance.—The Committee recommends $72,466,000 for facilities maintenance, $8,858,000 above the request and $3,000,000 above the fiscal year 2007 level. The Committee notes that it has maintained the Administration requested bill language in the Administrative provisions allowing assessment of programs for maintenance of facilities. The Committee notes that the Forest Service expects to generate an additional $49,200,000 for maintenance and construction of facilities through the use of the funds generated by selling administrative sites no longer needed. The Committee expects to get regular updates on this program and continued detailed tables in the annual budget justification.

Facilities Capital Improvement.—The Committee recommends $58,039,000 for facilities capital improvement, $2,000,000 above the request and $2,635,000 below the fiscal year 2007 level.

Projects.—Congress has made significant reforms in the way it reviews funding for the Federal government; reforms which the Committee takes very seriously as it executes its constitutional authority. Earmarking or directed spending of Federal dollars does not begin with Congress. It begins with the Executive Branch. For example, following is a list of some Forest Service facility construction projects submitted by the Administration:

$2,500,000 for the Texas National Forest Supervisor's office, phase I

$15,000,000 for the Forest Products Lab, Madison WI, modernization, Phase II

$1,651,000 for the Verde Valley, AZ, administrative site

$1,177,000 for the False Island, AK, remote facility

The Administration, in selecting these projects, goes through a process that is the functional equivalent of earmarking. When the Committee reviews the budget request, it goes through a process of rigorous review and may alter or modify this list to reflect additional priorities.

The Committee provides no recommendation at this time for specific projects contained either in the Administration's budget or proposed by Members of Congress. Individual project allocations will be considered comprehensively after the Committee has properly analyzed all relevant information.

Road Maintenance.—The Committee recommends $144,832,000 for road maintenance, $30,329,000 above the request and $11,594,000 above the fiscal year 2007 level. The recommended funding level is equal to the fiscal year 2006 level. The Committee finds the drastic cut in road maintenance proposed by this Administration to be totally unacceptable. In response, the Committee has included a major new road remediation program which is discussed below. Forest Service roads in disrepair make it difficult for visitors and others to get around, but more importantly, these extensive, decayed roads fail and degrade streams, destroying habitat and community water supplies. The Committee has increased the road decommissioning authority to $65,000,000.

The Committee is concerned that the creation of unauthorized roads on National Forests poses serious threats to public safety, water quality and natural resources, increases road maintenance expenses, and causes recreational conflicts. Because most unauthorized roads were created illegally without public review or any National Environmental Policy Act compliance, their removal from the landscape should be encouraged and expedited under current travel management planning processes. The Committee encourages the use of categorical exclusions, as appropriate, under the National Environmental Policy Act, to expedite the decommissioning of the burgeoning network of unauthorized roads. If certain unauthorized roads are deemed appropriate for addition to the transportation system at a later date, they may be added in compliance with travel management regulations at that time.

Road Capital Improvement.—The Committee recommends $90,560,000 for road capital improvement, $22,368,000 below the request and equal to the fiscal year 2007 level. The Committee expects the Forest Service to focus its timber road program on those areas that do not need expensive construction or engineering support. The Service has not justified the high costs of road engineering nor the need for the large requested increase. The Service is directed to carefully evaluate road engineering costs, especially for timber roads, and be able to justify specific road costs.

Trail Maintenance.—The Committee recommends $49,800,000 for trail maintenance, $10,733,000 above the budget request and equal to the fiscal year 2007 level. The Committee recommendation includes base funding for maintenance, construction, and operation of the network of national scenic and historic trails at least $2,000,000 above the fiscal year 2006 levels. Future budget justifications should continue to provide specific trail operation, maintenance and construction funding and accomplishment data for the national scenic and historic trails.

Trail Capital Improvement.—The Committee recommends $29,000,000 for trail capital improvement, $1,680,000 above the budget request and $5,438,000 above the fiscal year 2007 level.

Infrastructure Improvement.—The Committee recommends $10,500,000 for infrastructure improvement, an increase of $1,400,000 over both the Administration request and the fiscal year 2007 enacted level.

Legacy Road and Trail Remediation.—The Committee recommendation includes a major, new $65,000,000 strategic effort to fix roads and trails in environmentally sensitive areas, roads and trails damaged by recent storms, and roads which may harm community water systems. These funds should be used for urgently needed road decommissioning, road and trail repair and maintenance and associated activities, and the removal of fish passage barriers, especially in areas where Forest Service roads may be contributing to water quality problems in streams and water bodies which support threatened, endangered or sensitive species or community water sources. The initiative funding includes a transfer of $40,000,000 that is not needed for its original purpose from the purchaser elect road fund, and bill language which directs that the road and trails fund receipts go into the Treasury, allowing the use of the $15,000,000 in this acount. The Service should utilize public

input to help select projects, and report back to the Committee on the selected projects.

Bill Language.—The recommendation includes bill language: (1) transferring $40,000,000 from the timber purchaser election fund into the capital improvement and maintenance account; (2) allowing up to $65,000,000 to be used for road decommissioning; (3) encouraging expedited decommissioning of unauthorized roads in response to threats to public safety, water quality, or natural resources; and (4) transferring funds from the road and trail fund into the Treasury, netting a $15,000,000 addition to this account.

LAND ACQUISITION

Appropriation enacted, 2007	$41,936,000
Budget estimate, 2008	15,703,000
Recommended, 2008	44,485,000
Comparison:	
Appropriation, 2007	+2,549,000
Budget estimate, 2008	+28,782,000

The Committee recommends $44,485,000 for land acquisition, $2,549,000 above the fiscal year 2007 level and an increase of $28,782,000 above the budget request.

The Committee recommends funding levels of $31,549,000 for land acquisition projects, $12,087,000 for acquisition management, $500,000 for cash equalization, and $349,000 for critical inholdings/wilderness protection.

Projects.—Congress has made significant reforms in the way it reviews funding for the Federal government; reforms which the Committee takes very seriously as it executes its constitutional authority. Earmarking or directed spending of Federal dollars does not begin with Congress. It begins with the Executive Branch. The following is a list of examples of land acquisition projects submitted by the Administration: $4,500,000 for the Sun Ranch in Montana; $500,000 for the Thunder Mountain parcel in Idaho; and $650,000 for the Garner Ranch in California. The Administration, in selecting these projects, goes through a process that is the functional equivalent of earmarking. When the Committee reviews the budget request, it goes through a process of rigorous review and may alter or modify this list to reflect additional priorities.

The Committee provides no recommendation at this time for specific projects contained either in the Administration's budget or proposed by Members of Congress. Individual project allocations will be considered comprehensively after the Committee has properly analyzed all relevant information.

ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL ACTS

Appropriation enacted, 2007	$1,053,000
Budget estimate, 2008	1,053,000
Recommended, 2008	1,053,000
Comparison:	
Appropriation, 2007	0
Budget estimate, 2008	0

The Committee recommends $1,053,000 for acquisition of lands for National forests, special acts, as requested.

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

Appropriation enacted, 2007	$231,000
Budget estimate, 2008	231,000
Recommended, 2008	231,000
Comparison:	
Appropriation, 2007	0
Budget estimate, 2008	0

The Committee recommends $231,000, as requested, for acquisition of lands to complete land exchanges under the Act of December 4, 1967 (16 U.S.C. 484a). Under the Act, deposits made by public school districts or public school authorities to provide for cash equalization of certain land exchanges can be appropriated to acquire similar lands suitable for National forest system purposes in the same State as the National forest lands conveyed in the exchanges.

RANGE BETTERMENT FUND

Appropriation enacted, 2007	$2,876,000
Budget estimate, 2008	3,750,000
Recommended, 2008	3,750,000
Comparison:	
Appropriation, 2007	+874,000
Budget estimate, 2008	0

The Committee recommends $3,750,000, as requested, for the range betterment fund, to be derived from grazing receipts from the National Forests (Public Law 94–579, as amended) and to be used for range rehabilitation, protection, and improvements including seeding, reseeding, fence construction, weed control, water development, and fish and wildlife habitat enhancement in 16 western States.

GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND RANGELAND RESEARCH

Appropriation enacted, 2007	$63,000
Budget estimate, 2008	56,000
Recommended, 2008	56,000
Comparison:	
Appropriation, 2007	−7,000
Budget estimate, 2008	0

The Committee recommends $56,000, the budget estimate, for gifts, donations and bequests for forest and rangeland research. Authority for the program is contained in Public Law 95–307 (16 U.S.C. 1643, section 4(b)). Amounts appropriated and not needed for current operations may be invested in public debt securities. Both the principal and earnings from the receipts are available to the Forest Service.

MANAGEMENT OF NATIONAL FOREST LANDS FOR SUBSISTENCE USES

Appropriation enacted, 2007	$5,009,000
Budget estimate, 2008	5,053,000
Recommended, 2008	5,053,000
Comparison:	
Appropriation, 2007	+44,000
Budget estimate, 2008	0

The Committee recommends $5,053,000, the same as the budget request and $44,000 above the enacted level, for the management of national forest lands for subsistence uses in Alaska.

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFER OF FUNDS)

Appropriation enacted, 2007	$1,823,603,000
Budget estimate, 2008	1,868,627,000
Recommended, 2008	1,974,648,000
Comparison:	
Appropriation, 2007	+151,045,000
Budget estimate, 2008	+106,021,000

The Committee recommends $1,974,648,000 for wildland fire management, an increase of $106,021,000 above the budget request and $151,045,000 above the enacted level. The amounts recommended by the Committee compared with the budget estimate by activity are shown in the table at the beginning of the Forest Service entry.

The Committee recommendation supports the direction provided by the national fire plan and therefore rejects the budget request to establish a new appropriation account for the salaries of wildland firefighters. The concept of a new wildland firefighter appropriation account was not supported by a single outside expert witness and was poorly justified in the budget request and by departmental witnesses. Therefore, the Committee recommendation retains preparedness funding as it has been structured in the past and the same as it is structured for the Interior Department.

The Committee recommendation also rejects the Administration request cutting funding for essential fire preparedness activities by $96,590,000. That proposal is clearly irresponsible and would impair the ability of the Forest Service and its partners to launch successful initial attacks, thereby making more destructive and expensive fires not just possible, but inevitable. Although the Committee shares the concern of the Administration and others about the large costs of wildfires, the Committee feels the Administration approach is misguided and would result in more large, expensive fires and greater harm to the environment. The Committee recommendation also invests in maintaining key aspects of the national fire plan, including increased funding for hazardous fuels reduction, increased State fire assistance and forest health management, increased fire suppression funding, increased burned area rehabilitation funding, and an investment in fire science.

The Committee recognizes the existing, highly undesirable situation for Federal funding of natural resource and emergency wildfire suppression. The Committee directs the Administration, working with the Congress and the States, to establish a high-level commission to propose alternative methods to fund and manage fire suppression and firefighting capacity in the Federal and State sectors. The Service may use up to $500,000 from the preparedness activity to support this commission. The inter-departmental Wildland Fire Leadership Council should begin this process during the summer of 2007 and be ready to report back to the House and Senate Appropriations and authorizing committees within 60 days of enact-

ment of this Act with proposals for final commission composition and schedules.

Wildfire Preparedness.—The Committee recommends $675,382,000 for wildfire preparedness, an increase of $106,590,000 above the request for both preparedness plus wildland firefighters, and an increase of $10,000,000 above the fiscal year 2007 level.

The Committee directs the Forest Service to maintain the levels of readiness needed for public safety that were established in fiscal years 2005 and 2006. Accordingly, the Committee directs the Forest Service to analyze current readiness levels to determine whether maintaining preparedness resources in the field at a level not less than that established in fiscal year 2005 will, based on the best information available, result in lower overall firefighting costs. If the Forest Service makes such a determination, the Committee directs the Forest Service to adjust the levels for preparedness and suppression funding accordingly and report on these adjustments to the House and Senate Committees on Appropriations. The Secretary of Agriculture should advise the House and Senate Committees on Appropriations in writing prior to the decision.

The Committee is concerned about recent reports that firefighters may be subject to personal liability for on-the-job activities during emergencies. The Service should report to the Committees on this situation and suggest appropriate remedies.

The Committee also notes the importance of the seemingly endless development of the Fire Program Analysis System that is being jointly developed with the Department of the Interior. The Department and the Forest Service should continue this effort, but should provide public benchmarks, project costs, and progress reports, as well as summaries of expected model outputs, on the government wildfire management website with quarterly updates. The full cost and scope of this effort should be included in subsequent budget justifications.

Wildfire Suppression Operations.—The Committee recommends $859,021,000 for wildfire suppression operations, an increase of $117,544,000 above the fiscal year 2007 level and $52,011,000 below the budget request. The Committee recommendation for wildfire suppression operations fully funds the average of the actual obligations for the preceding 10 years, inflation adjusted to 2006 dollars. This is an honesty-in-budgeting provision, so that the Congress allocates a reasonable sum for anticipated emergencies. This year, however, for the Forest Service, the Office of Management and Budget (OMB) changed this procedure. The Administration request miscalculated this average because the OMB added 9 years of estimated administrative costs which were never actually charged to the wildfire suppression account. The 10-year obligation values are:

Fiscal year	Wildfire suppression obligations	GDP deflater 2006 = 1.0	Inflated suppression obligations	10-year average of inflated suppression obligations
1997	$179,100,000	0.82020	218,361,000	473,111,000
1998	306,800,000	0.82786	370,596,000	442,219,000
1999	361,100,000	0.83956	430,108,000	434,767,000
2000	1,076,000,000	0.86029	1,250,742,000	522,521,000
2001	683,122,000	0.87999	776,284,000	581,477,000
2002	1,279,000,000	0.89410	1,430,491,000	684,971,000

Fiscal year	Wildfire suppression obligations	GDP deflater 2006 = 1.0	Inflated suppression obligations	10-year average of inflated suppression obligations
2003	1,023,500,000	0.91251	1,121,633,000	772,747,000
2004	726,000,000	0.93462	776,788,000	752,039,000
2005	690,000,000	0.96610	714,208,000	776,943,000
2006	1,501,000,000	1.00000	1,501,000,000	859,021,000

The OMB included estimates of what the administrative cost pools would have been if they had been charged to wildfire suppression for the years prior to 2006. Before 2006, these administrative costs were not obligated from the wildfire suppression account. Hence, the OMB budget request is $52,011,000 higher than the actual 10-year average, inflation adjusted.

The Committee remains concerned about the high costs of large fire incidents. The Department of the Interior, along with the Forest Service, should ensure that cost containment is an important priority when suppressing wildland fires. Therefore, the Committee directs the Department of the Interior and the Forest Service to continue reports directed previously and to examine, using independent panels, any individual wildfire incident which results in expenses greater than $10,000,000. The Forest Service should work carefully with the Department of the Interior, States, tribes and others to evaluate and implement various cost efficiencies, and jointly report back with the Forest Service to the Committee by March 30, 2008 on specific actions taken to potentially reduce the increased wildfire suppression costs.

The Committee supports increased use of the appropriate management response concept, the use of wildland fire use, and implementation of management efficiencies and program leadership and training methods discussed in recent hearings. The Committee supports an increase in the number of strike teams qualified and experienced in managing wildland fire use, adding wildland fire use acres to fuel reduction accomplishment targets, and taking administrative steps to reduce barriers to increased, responsible wildland fire use.

The Committee recommendation continues previous bill language requiring the Forest Service to treat wildfire suppression like other non-emergency appropriations with regard to indirect cost pools to support agency overhead.

Hazardous Fuels.—The Committee recommends $310,258,000 for hazardous fuels reduction work, $18,725,000 above the budget request and $9,000,000 above the fiscal year 2007 level. The recommendation includes $7,000,000 for biomass grants, $2,000,000 above the request. The Committee recognizes the Federal role in helping develop and implement new technologies to bring value to otherwise unwanted woody materials.

The Committee has provided a substantial increase for hazardous fuels activities. Yet, the Committee is concerned that the Service does not have a fully open and coherent way of allocating hazardous fuels funds among regions. The GAO is continuing to evaluate this situation, but so far it is clear that Federal funding does not always go to the highest priority fuels projects. It is essential that scarce program dollars are used for projects which have the greatest benefit to the Nation. This will require much greater

collaboration with the Department of the Interior and others. The Committee directs the Forest Service and the Department of the Interior to deliver a joint report to the Committee by March 30, 2008, to be publicly posted on the wildfire management website, which clearly indicates how funds are allocated among bureaus and agencies, and regions and States. The report should include clear metrics to evaluate program performance, and these metrics must rely on measures that indicate project impacts to protect communities, lives, property, and ecosystems, and which reward successful field units that design projects in accordance with community wildfire protection plans or their equivalent. Funding allocations need to go to projects that reduce risk to communities and to firefighters, and should emphasize areas near large population centers. Both Departments need to implement additional program metrics beyond merely acres treated; these metrics must account for important tactical goals including protection of communities and populations.

The Committee realizes that the existing designation of wildland/urban interface (WUI) on maps includes areas that have extremely sparse human habitation, as well as areas of large cities and communities. The existing situation makes the WUI concept less useful in practice than it should be. Therefore, the Committee directs the partners to reevaluate the existing definitions and criteria for WUI and adjust the Forest Service, the Department of the Interior, and State maps and policies accordingly.

The Committee supports the goals of the Southwest Forest Health and Wildfire Prevention Act of 2004 as well as the continued participation of all the stakeholders.

Rehabilitation.—The Committee has restored $18,000,000 for the burned area rehabilitation and restoration program which was excluded from the request, an increase of $11,811,000 above the fiscal year 2007 enacted level. Rehabilitation is a key aspect of the national fire plan. The Committee notes that record wildfire years have occurred recently, and the National forest lands have not had adequate restoration activities. The Service and the Interior Department should include updates on rehabilitation needs in future budget justifications. As outlined in the budget request, the Committee expects the Forest Service, in close partnership with the Department of the Interior, to continue the native plant materials program funding at no less than the fiscal year 2007 level.

Fire Plan Research and Development.—The Committee recommends $23,500,000 for research and development, $1,500,000 above the budget request and $711,000 above the fiscal year 2007 enacted level.

Joint Fire Sciences Program.—The Committee recommends $8,000,000 for the joint fire science program as requested, an increase of $118,000 above the fiscal year 2007 enacted level. The Committee stresses that it is vital that both the Interior Department and the Forest Service work on these research efforts jointly, and that the program continue to stress practical solutions and collaboration with the Nation's forestry schools and other partners. The Committee commends the managers of this program and the many partners for the advances made possible by this program.

Forest Health Management, Federal Lands and Co-op Lands.—The Committee recommends $24,266,000 for the forest health portion of the national fire plan as requested, including $14,252,000 for Federal lands and $10,014,000 for cooperative efforts with the States and others.

State Fire Assistance.—The Committee recommends $46,221,000 for State fire assistance, $11,217,000 above the request and equal to the fiscal year 2007 enacted level. The program is essential to maintain and enhance the partnership between State foresters, State fire agencies and the Federal wildfire management enterprise. The Committee believes that safe and effective responses to wildland fire requires coordination and leadership among all those with suppression/protection responsibility, including local, State and Federal entities. More and more wildfires occur in the wildland urban interface (WUI), where initial attack on wildfires increasingly falls to local and State response. The effectiveness of these non-Federal forces directly impacts the need for allocation of Federal resources to protect lives, property and community infrastructure, as well as to prevent damage to critical natural resources across ownerships. It is in the Federal interest to facilitate the effectiveness of State and local efforts in wildland fire planning, prevention and mitigation, as well as suppression. In recognition of this interest, the Forest Service should direct funds towards increasing the effectiveness and responsibilities of non-Federal partners to address WUI capability. The Committee directs the Service to allocate at least 10 percent of the State fire assistance funding to address suppression response in the WUI. The Committee encourages the Forest Service to select approximately 12 national forests for cross boundary protection responsibility which can be provided by State and local forces.

Volunteer Fire Assistance.—The recommendation includes $10,000,000 for volunteer fire assistance, $2,000,000 above the request and $2,227,000 above the enacted level.

ADMINISTRATIVE PROVISIONS, FOREST SERVICE

The Committee has continued most administrative provisions included in previous years. The Committee has continued the wildland fire transfer authority, allowing use of funds from other accounts available to the Forest Service during wildfire emergencies when other wildfire emergency funds are not available, but unlike last year, there is no requirement that the first transfer of funds into the wildland fire management account must include unobligated funds from the land acquisition and the forest legacy accounts.

The Committee limits funding for the working capital fund of the Department of Agriculture to the $73,285,000 requested in the budget and limits the transfers to the USDA reimbursable programs (Greenbook charges) to the request of $24,021,000. The Committee is concerned that the Department of Agriculture over-assesses the Forest Service for the Greenbook charges. The Department should report to the Committees on Appropriations within 120 days of enactment of this Act on specifically what each charge is for and how it is calculated; charging solely on an FTE basis is insufficient.

The Committee is concerned about the huge costs of agency business process centralization and therefore directs that detailed reports remain a part of the budget justification and that all expenses be carefully evaluated and explained, and transparent to the public at large.

The Committee has amended previous language concerning interactions with foreign countries to clarify that the Forest Service International Program has the authority to sign agreements directly with the U.S. Agency for International Development, the Department of State, the Millennium Challenge Corporation and natural resource institutions around the world to address natural resource issues.

The Committee continues the authority for transfers to the National Forest Foundation and the National Fish and Wildlife Foundation; the former $500,000 above the requested level for a total of $3,000,000 and the latter recommendation at the request of $2,650,000. The Committee notes that it is acceptable for these foundations to make grants to Federal recipients, including Forest Service offices. The Committee allows $100,000 in administrative funds to be used by the National Forest Foundation but this will be the final year of Federal administrative support. The Foundation should be independent of this Federal administrative funding support like the National Park and National Fish and Wildlife Foundations.

The recommendation provides that $5,000,000 is available for Youth Conservation Corps and Public Lands Corps projects, in accordance with P.L. 109–154.

The Committee notes that the Forest Service has done a poor job of implementing its competitive sourcing program. Section 414 in Title IV general provisions includes bill language providing a one-year moratorium for the Forest Service on this matter. The Committee notes that its investigations staff previously found widespread management lapses which required legislative action. P.L. 109–54 Sec. 422(d) requires the Forest Service to report, "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." This has not been implemented. The Committee understands that alleged savings are not substantiated. The Forest Service has inadequately considered the potential impact on its ability to provide emergency wildfire staffing when engaging in competitive sourcing which could dramatically alter the Federal workforce.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

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

vided by the Federal Government to American Indians and Alaska Natives. The Indian Health Service (IHS) provides direct health care services in 33 hospitals, 52 health centers, 2 school health centers, and 38 health stations. Tribes and tribal groups, through contracts and compacts with the IHS, operate 15 hospitals, 220 health centers, 9 school health centers, and 282 health stations (including 166 Alaska Native village clinics). The IHS, tribes, and tribal groups also operate 11 regional youth substance abuse treatment centers and 2,241 units of staff quarters.

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

(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	FY 2008 Recommended	Recommended versus Enacted	Recommended versus Request
DEPARTMENT OF HEALTH AND HUMAN SERVICES					
INDIAN HEALTH SERVICE					
Indian Health Services					
Clinical Services					
IHS and tribal health delivery					
Hospital and health clinic programs	1,442,455	1,493,534	1,493,534	+51,079	---
Dental health program	126,882	135,755	135,755	+8,873	---
Mental health program	61,656	64,538	64,538	+2,882	---
Alcohol and substance abuse program	150,511	161,988	161,988	+11,477	---
Contract care	499,562	551,515	561,515	+61,953	+10,000
Catastrophic health emergency fund	17,735	18,000	18,000	+265	---
Methamphetamine treatment and prevention	---	---	15,000	+15,000	+15,000
Indian Health Care Improvement Fund	---	---	25,000	+25,000	+25,000
Subtotal, Clinical Services	2,298,801	2,425,330	2,475,330	+176,529	+50,000
Preventive Health					
Public health nursing	53,015	56,825	56,825	+3,810	---
Health education	14,479	15,229	15,229	+750	---
Community health representatives program	55,744	55,795	55,795	+51	---
Immunization (Alaska)	1,706	1,760	1,760	+54	---
Subtotal, Preventive Health	124,944	129,609	129,609	+4,665	---
Urban health projects	33,951	---	34,000	+49	+34,000
Indian health professions	31,676	31,866	36,866	+5,190	+5,000
Tribal management	2,485	2,529	2,529	+44	---
Direct operations	63,793	64,632	64,632	+839	---

(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Self-governance	5,842	5,928	5,928	+86	---
Contract support costs	264,730	271,636	274,638	+9,908	+3,002
Medicare/Medicaid Reimbursements					
Hospital and clinic accreditation (Est. collecting)	(648,208)	(700,294)	(700,294)	(+52,086)	---
Transfer to Indian health facilities (P.L. 110-28)	(-7,300)	---	---	(+7,300)	---
Total, Indian Health Services	2,826,222	2,931,530	3,023,532	+197,310	+92,002
(Non-contract services)	(2,308,925)	(2,362,015)	(2,444,017)	(+135,092)	(+82,002)
(Contract care)	(499,562)	(551,515)	(561,515)	(+61,953)	(+10,000)
(Catastrophic health emergency fund)	(17,735)	(18,000)	(18,000)	(+265)	---
Indian Health Facilities					
Maintenance and improvement	52,668	51,936	52,668	---	+732
Sanitation facilities	94,003	88,500	94,003	---	+5,503
Construction facilities	24,303	12,664	20,279	-4,024	+7,615
Facilities and environmental health support	161,333	164,826	172,326	+10,993	+7,500
Equipment	21,619	21,270	21,619	---	+349
Transfer from Indian health services (P.L. 110-28)	(7,300)	---	---	(-7,300)	---
Total, Indian Health Facilities	353,926	339,196	360,895	+6,969	+21,699
TOTAL, INDIAN HEALTH SERVICE	3,180,148	3,270,726	3,384,427	+204,279	+113,701

INDIAN HEALTH SERVICES

Appropriation enacted, 2007	$2,826,222,000
Budget estimate, 2008	2,931,530,000
Recommended, 2008	3,023,532,000
Comparison:	
Appropriation, 2007	+197,310,000
Budget estimate, 2008	+92,002,000

The Committee recommends $3,023,532,000 for Indian Health Services, an increase of $197,310,000 above the fiscal year 2007 enacted level and $92,002,000 above the budget request. Changes to the budget request are detailed below.

Clinical Services.—The Committee recommends increases of $25,000,000 for the Indian Health Care Improvement Fund, $10,000,000 for Contract Care and $15,000,000 for prevention and treatment of methamphetamine use in Indian Country.

The Committee directs the Service to allocate the increased funding for the Indian Health Care Improvement fund to bring those units with the highest level of need up to at least 40 percent of need before allocating any additional funds to units with needs above 40 percent.

Within the increase provided for the prevention and treatment of methamphetamine use, at least $5,000,000 should be used for the mental health and behavioral issues associated with methamphetamine use, including programs that combat youth suicide. The Committee has included language at the front of this report delineating its position on methamphetamine use and the use of the increased funding.

The Committee remains interested in encouraging more volunteer health care providers to serve Indian country. Last year the Committee requested that the Service report on the feasibility of establishing a central credentialing system to facilitate increased use of volunteers. The Committee understands that the Service completed the report but it has not been released by the Department of Health and Human Services. The Committee expects to receive the report no later than October 31, 2007.

The Committee commends the Service for its electronic health records initiative, but is concerned that this effort does not include dental records. The Committee encourages the Service to include dental records in future efforts.

Urban Indian Health Clinics.—The Committee does not agree with the elimination of the urban Indian clinics and provides an increase of $34,000,000 above the request.

The Committee believes that the Urban Health program in the Indian Health Service provides vital, culturally sensitive health care in Indian Country and should not be eliminated in future requests. The Administration's proposal to terminate this program was a clear attempt to eliminate a program based entirely on the premise of reducing overall funding with no merit-based justification. The stated justification that other Health and Human Services programs would be available to take the place of the Urban Indian Clinics was not fully supported. Further, no plan was provided for transitional benefits for users who would need to shift to other health care resources.

Indian Health Professions.—The Committee recommends an increase of $5,000,000 above the request for Indian Health Professions for the loan repayment program.

The Committee continues to be concerned about the high vacancy rates of health care providers at IHS and tribal facilities. The Service should determine whether loan repayment is the most effective means of retaining health care professionals and evaluate what funding level for loan repayment would maximize the number of professionals retained by IHS. The Service should report on the results of this effort by January 30, 2008.

Contract Support Costs.—The Committee recommends $274,638,000 for contract support costs, an increase of $9,908,000 above the fiscal year 2007 level and $3,002,000 above the request.

Bill language.—Bill language is included extending the availability of Indian Health Services funding to two years and specifying the minimum level of expenditures for contract health care.

INDIAN HEALTH FACILITIES

Appropriation enacted, 2007	$353,926,000
Budget estimate, 2008	339,196,000
Recommended, 2008	360,895,000
Comparison:	
Appropriation, 2007	+6,969,000
Budget estimate, 2008	+21,699,000

The Committee recommends $360,895,000 for Indian health facilities, an increase of $6,969,000 above the fiscal year 2007 enacted level and $21,699,000 above the budget request. Changes to the budget request are detailed below.

The increases from the request include $732,000 for maintenance and improvement, $5,503,000 for sanitation facilities, $7,615,000 for facilities construction, $7,500,000 for facilities and environmental health support, and $349,000 for equipment.

Within the facilities construction total, $2,000,000 is for joint venture projects, $5,000,000 is for small ambulatory facilities, $3,000,000 is for dental units, and $10,279,000 is for outpatient facilities construction.

The Committee encourages the Service to provide additional credit to tribes that are willing to provide full funding for facility equipment in addition to providing full funding for facility construction when determining priorities for project funding under the joint ventures program.

The Committee has reluctantly agreed with budget requests by this Administration in recent years that reduced funding for the construction of health care facilities. Short term reductions in funding in order to fulfill other compelling needs in health care are acceptable, but the Committee believes that in the future, a renewed effort must be made to focus on facilities construction. The Committee stipulates that the Administration should provide adequate funding requests for facilities construction in future budget requests to address the growing needs in Indian Country.

The Committee provides no recommendation at this time for specific projects contained either in the Administration's budget or proposed by Members of Congress. Individual project allocations

will be considered comprehsensively after the Committee has properly analyzed all relevant information.

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

The National Institute of Environmental Health Sciences (NIEHS), an agency within the National Institutes of Health, was authorized in section 311(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 and in section 126(g) of the Superfund amendments and Reauthorization Act of 1986 to conduct certain research and worker training activities associated with the Nation's Hazardous Substance Superfund program.

Appropriation enacted, 2007	$79,117,000
Budget estimate, 2008	78,434,000
Recommended, 2008	79,117,000
Comparison:	
Appropriation, 2007	0
Budget estimate, 2008	+683,000

The Committee recommends $79,117,000, an increase of $683,000 above the request and equal to fiscal year 2007. The additional funds are intended to allow NIEHS to maintain a comparable effort for grants in the Superfund Basic Research Program and the Worker Education and Training Program.

AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY

TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC HEALTH

The Agency for Toxic Substances and Disease Registry (ATSDR), an agency of the Public Health Service, was created in section 104(i) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980. The ATSDR's primary mission is to conduct surveys and screening programs to determine relationships between exposure to toxic substances and illness. Other activities include the maintenance and annual update of a list of hazardous substances most commonly found at Superfund sites, the preparation of toxicological profiles on each such hazardous substance, consultations on health issues relating to exposure to hazardous or toxic substances, and the development and implementation of certain research activities related to ATSDR's mission.

Appropriation enacted, 2007	$75,212,000
Budget estimate, 2008	75,004,000
Recommended, 2008	75,212,000
Comparison:	
Appropriation, 2007	0
Budget estimate, 2008	+208,000

The Committee recommends $75,212,000 for toxic substances and environmental public health programs, an increase of $208,000 above the budget request and equal to fiscal year 2007.

Bill Language.—The Committee has not limited, as it had in prior years, the administrative costs paid to the Centers for Disease Control (CDC) through this account. However, the Committee

will carefully review those costs in fiscal year 2008 and may decide to institute the cap in later years should it find the costs excessive.

The Committee has included the following additional guidance with respect to funding provided under this account.

Minority Health Professions.—The Committee encourages the Agency to provide adequate funding for its cooperative agreement with the minority health professions community.

Congressional Budget Justification.—The Committee directs the Agency to prepare future Budget Justifications using the following four functional areas, which the Committee believes captures the work of the Agency very well: protecting the public from hazardous exposure; increasing knowledge about toxic substances; educating health care providers and the public about toxic chemicals; and maintaining registries to track the effects of exposures to hazardous substances. To the extent possible, the Agency should display prior year budgets by these four functional areas, to facilitate comparisons.

OTHER RELATED AGENCIES

EXECUTIVE OFFICE OF THE PRESIDENT

COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF ENVIRONMENTAL QUALITY

The Council on Environmental Quality (CEQ) was established by Congress under the National Environmental Policy Act of 1969 (NEPA). The Office of Environmental Quality (OEQ), which provides professional and administrative staff for the Council, was established in the Environmental Quality Improvement Act of 1970. The Council on Environmental Policy has statutory responsibility under NEPA for environmental oversight of all Federal agencies and is to coordinate interagency decision-making of all environmental matters.

Appropriation enacted, 2007	$2,698,000
Budget estimate, 2008	2,703,000
Recommended, 2008	2,703,000
Comparison:	
Appropriation, 2007	+5,000
Budget estimate, 2008	0

The Committee recommends $2,703,000 for the Council on Environmental Quality and the Office of Environmental Quality, the same as the budget request and $5,000 more than fiscal year 2007.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

SALARIES AND EXPENSES

The Chemical Safety and Hazard Investigation Board was authorized by the Clean Air Act Amendments of 1990 to investigate accidental releases of certain chemical substances resulting in, or that may cause, serious injury, death, substantial property damage, or serious adverse effects on human health. The Board became operational in fiscal year 1998.

Appropriation enacted, 2007	$9,113,000
Budget estimate, 2008	9,049,000
Recommended, 2008	9,549,000
Comparison:	
Appropriation, 2007	+436,000
Budget estimate, 2008	+500,000

The Committee recommends $9,549,000 for salaries and expenses of the Chemical Safety and Hazard Investigation Board, an increase of $500,000 above the budget request and $436,000 above fiscal year 2007.

The Committee directs the $500,000 increase, as follows:

Investigative Positions.—The Committee has provided $361,000 for salaries and related costs of three new investigative positions, not requested by the President. According to testimony received by the Committee, the Board is unable to investigate more than half of the accidents scoring high enough to warrant the Board's attention. The Committee believes that it is a wise use of funds to provide these additional investigators.

Video Production.—The Committee has provided $139,000 to support video production, not requested by the President. The Committee agrees that the availability of videos will facilitate improvements in training, engineering and process design and help to prevent multiple tragic and costly workplace accidents around the country.

Bill Language.—The Committee continues to carry language, as in prior years, authorizing the Inspector General (IG) of the Environmental Protection Agency to act as the IG for the Board. The Committee is aware that this situation frustrates both parties, but also believes that the role of Inspector Generals is a very important management component for all agencies regardless of their size. In light of the issues surrounding this arrangement, the Committee directs the GAO to update its 2000 report on the Board, review the Board's management and make recommendations on the best way to provide IG oversight function for the Board. The Committee expects the GAO to provide its recommendations in time for consideration of the fiscal year 2009 budget process.

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

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

the district court in Arizona partitioned the Joint Use Area equally between the Navajo and Hopi tribes under a decree that has required the relocation of members of both tribes. Most of those to be relocated are Navajo living on the Hopi partitioned land.

Appropriation enacted, 2007	$8,509,000
Budget estimate, 2008	9,000,000
Recommended, 2008	9,000,000
Comparison:	
Appropriation, 2007	+491,000
Budget estimate, 2008	0

The Committee recommends $9,000,000 for salaries and expenses of the Office of Navajo and Hopi Indian Relocation, an increase of $491,000 above the fiscal year 2007 enacted level and the same as the budget request.

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

Appropriation enacted, 2007	$6,207,000
Budget estimate, 2008	7,297,000
Recommended, 2008	7,297,000
Comparison:	
Appropriation, 2007	+1,090,000
Budget estimate, 2008	0

The Committee recommends $7,297,000 for the Institute of American Indian and Alaska Native Culture and Arts Development, an increase of $1,090,000 above the fiscal year 2007 enacted level and the same as the budget request.

SMITHSONIAN INSTITUTION

The Smithsonian Institution is the world's largest museum and research complex, with 18 museums and galleries, the National Zoo, and nine research centers around the world. Funded by both private and Federal sources, the Smithsonian is unique in the Federal establishment. Created by an act of Congress in 1846 to carry out the trust included in James Smithson's will, it has been engaged for more than 150 years in the "increase and diffusion of knowledge." In 2006, the Smithsonian attracted more than 24 million visitors to its museums, galleries, and zoological park. Additional millions also view Smithsonian traveling exhibitions and participate in the annual Folklife Festival on the National Mall. As custodian of the National Collections, the Smithsonian is responsible for more than 140 million art objects, natural history specimens, and artifacts. These scientific and cultural collections are a vital resource for global research and conservation efforts. The collections are displayed for the enjoyment and education of visitors and are available for research by the staff of the Institution and by hundreds of visiting students, scientists, and historians each year.

Crisis at the Smithsonian.—The long simmering crisis of leadership, governance and principle at the Smithsonian reached critical mass earlier this year with new revelations of excessive compensation and inappropriate expenditures at the Institution. The Inspec-

tor General described these in detail in her review of these matters issued on February 23, 2007, and her findings have been widely published in the press. These new scandals followed years of complaints by this Committee about such behavior and about policies that commercialized Smithsonian assets for short term financial gains. Attempts by this Committee over the last several years to convince, cajole or direct that the Smithsonian conduct its business more in keeping with a dominantly taxpayer financed institution were, unfortunately, largely unsuccessful because of a recalcitrant Secretary and a largely passive and co-opted Board of Regents.

While the Committee remains dismayed that it took the Board of Regents far too long to respond to public concerns, the Committee is pleased that these new revelations appear to have finally convinced the Regents to take the initial actions necessary to restore integrity and public confidence. These first steps include acceptance of the resignation and immediate departure of the Secretary and appointment of two credible outside review committees. These committees will focus on reforms of governance and on how the Smithsonian spends both its appropriated and its trust fund resources. Reports of these two review committees are due by early summer, and each is expected to make specific and far reaching recommendations for change. The Committee believes that these steps are serious attempts by the Regents to begin a process of systemic reform. The Committee wishes to make clear, however, that conduct of serious reviews and the removal of one official is only a beginning of a difficult process. Adoption and implementation of reforms are necessary before Congress and the public can be convinced that public funding is being invested wisely.

Given the remaining concerns about the scope of changes at the Smithsonian which will be adopted by the Regents, the Committee has taken the unfortunate step of rejecting the $35 million increase proposed for the Institution's "Salaries and Expenses" account in the President's budget. The Committee is hopeful that the concerns it has expressed will have been addressed prior to our review of the 2009 budget, and that we will then have the confidence to provide increased public funds to address the very real and longstanding needs of the Institution, especially its aging infrastructure. The amounts recommended by the Committee compared with the budget estimates by activity are shown in the following table:

(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Recommended	Recommended versus Enacted	Recommended versus Request
SMITHSONIAN INSTITUTION					
Salaries and Expenses					
Museum and Research Institutes	215,195	231,541	231,541	+16,346	---
Program Support and Outreach	37,567	38,205	38,205	+638	---
Administration	64,110	66,740	66,740	+2,630	---
Facilities Services	217,589	232,884	232,884	+15,295	---
Inspector General	1,834	1,977	1,977	+143	---
General reduction	---	---	-35,052	-35,052	-35,052
Total, Salaries and Expenses	536,295	571,347	536,295	---	-35,052
Facilities Capital					
Revitalization	82,700	91,400	100,400	+17,700	+9,000
Construction	5,400	---	---	-5,400	---
Facilities planning and design	10,500	15,700	15,700	+5,200	---
Total, Facilities capital	98,600	107,100	116,100	+17,500	+9,000
TOTAL, SMITHSONIAN INSTITUTION	634,895	678,447	652,395	+17,500	-26,052

SALARIES AND EXPENSES

Appropriation enacted, 2007	$536,295,000
Budget estimate, 2008	571,347,000
Recommended, 2008	536,295,000
Comparison:	
Appropriation, 2007	0
Budget estimate, 2008	−35,052,000

The "Salaries and Expenses" account funds the day-to-day operational costs of the museums and research centers as well as the overall administrative functions of the Institution.

As noted above the Committee has recommended an appropriation for "Salaries and Expenses" which is $35,052,000 below the requested amount. The Committee has provided maximum flexibility to the Institution in deciding how the Smithsonian should implement necessary retrenchments except that funding for the Office of the Inspector General may not be reduced below the $1,977,000 in the request.

The Committee is concerned that the increasing use of exclusive licensing agreements and the awarding of contracts through noncompetitive processes conflicts with the Smithsonian Institution's public trust obligations and its mission to increase and diffuse knowledge. The recent awarding of a contract with respect to the Smithsonian Institution's student travel program is an example of an agreement which causes the Committee concern. The Committee expects the Smithsonian Institution to address the issues of sole-sourcing and competitive bidding processes with respect to its business ventures, particularly when it grants licenses or contracts to companies to operate under the Smithsonian logo through noncompetitive processes. Within 60 days of enactment of this legislation, the Smithsonian Institution is directed to submit a report to the Committee describing under what circumstances it considers it appropriate to license the use of its logo to businesses and nonprofit organizations, and under what circumstances, it considers it appropriate for such licenses to be exclusive. The report should also include a detailed analysis of the Smithsonian Institution's due diligence practices with respect to potential business activities, risk analysis with respect to such arrangements, and monitoring of business activities to ensure compliance with its contractual obligations and consistency with its mission.

FACILITIES CAPITAL

Appropriation enacted, 2007	$98,600,000
Budget estimate, 2008	107,100,000
Recommended, 2008	116,100,000
Comparison:	
Appropriation, 2007	+17,500,000
Budget estimate, 2008	+9,000,000

The Committee recommends $116,100,000 for facilities capital, an increase of $9,000,000 above the budget request and an increase of $17,500,000 above the enacted level. This account provides for major facility revitalization projects including replacement of failed or failing systems, and upgrades to facilities, as well as for security improvements and other critical infrastructure investments. The additional amount added by the Committee is to address urgent fire safety issues at the National Zoo.

NATIONAL GALLERY OF ART

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

The amounts recommended by the Committee compared with the budget request and 2007 enacted levels are shown by account, program area and selected activity in the following table:

(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	FY 2008 Recommended	Recommended versus Enacted	Recommended versus Request
NATIONAL GALLERY OF ART					
Salaries and Expenses					
Care and utilization of art collections	33,392	31,765	34,332	+940	+2,567
Operation and maintenance of buildings and grounds	22,964	26,211	26,711	+3,747	+500
Protection of buildings, grounds and contents	20,175	20,807	21,607	+1,432	+800
General administration	19,236	19,200	19,200	-36	---
Total, Salaries and Expenses	95,767	97,983	101,850	+6,083	+3,867
Repair, Restoration and Renovation of Buildings					
Base program	15,962	18,017	18,017	+2,055	---
TOTAL, NATIONAL GALLERY OF ART	111,729	116,000	119,867	+8,138	+3,867

SALARIES AND EXPENSES

Appropriation enacted, 2007	$95,767,000
Budget estimate, 2008	97,983,000
Recommended, 2008	101,850,000
Comparison:	
Appropriation, 2007	+6,083,000
Budget estimate, 2008	+3,867,000

The Committee recommends $101,850,000 for salaries and expenses of the National Gallery of Art, increases of $3,867,000 above the request and $6,083,000 above fiscal year 2007. The changes to the request, as recommended by the Committee, are discussed by functional area below.

Care and Utilization of the Art Collection.—The Committee recommends an increase of $2,567,000 above the request and $940,000 over fiscal year 2007. With the increase, the Committee directs $928,000 to restore funds for the repair and maintenance of fixed equipment and $1,639,000 to increase the Federal share of the Special Exhibitions Program to the fiscal year 2007 level.

Operations and Maintenance.—The Committee recommends an increase of $500,000 for expected increases in the Gallery's utility usage.

Protection of Buildings, Grounds and Contents.—The Committee recommends an increase of $800,000 for hiring security personnel. The Committee understands that at least 20 security positions have remained unfilled, as the Gallery has had to shift funds to pay for fixed costs, such as increased utilities.

The Committee has included the following additional guidance with respect to funding provided under this account.

Congressional Budget Justification.—The Committee finds useful the budgetary detail provided in the Gallery's Budget Justification. However, the organization of the document makes it difficult to follow the budgetary changes by functional area. In future Budget Justifications, the Committee directs the Gallery to provide budget detail and narrative summaries for the Salaries and Expenses Account by the four functional areas listed in the Committee's detailed table. This information will provide a clearer picture of proposed program initiatives and/or budget stressors on the Gallery.

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

Appropriation enacted, 2007	$15,962,000
Budget estimate, 2008	18,017,000
Recommended, 2008	18,017,000
Comparison:	
Appropriation, 2007	+2,055,000
Budget estimate, 2008	0

The Committee recommends $18,017,000, the budget request, for repair, restoration and renovation of buildings at the National Gallery of Art, an increase of $2,055,000 above fiscal year 2007.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

The John F. Kennedy Center for the Performing Arts is a living memorial to the late President Kennedy and is the National Center for the Performing Arts. The Center houses nine stages, six of which have a total of more than 7,300 seats. The Center consists

of over 1.5 million square feet of usable floor space with visitation averaging 10,000 on a daily basis. The support systems in the building, the operation and maintenance of which are funded through this account, often operate at capacity 18 hours a day, seven days a week, 365 days a year.

OPERATIONS AND MAINTENANCE

Appropriation enacted, 2007	$17,575,000
Budget estimate, 2008	20,000,000
Recommended, 2008	20,200,000
Comparison:	
Appropriation, 2007	+2,625,000
Budget estimate, 2008	+200,000

The Committee recommends $20,200,000 for operations and maintenance, an increase of $200,000 above the budget request and an increase of $2,625,000 above fiscal year 2007. The Committee directs the increase above the request for minor repairs.

CAPITAL REPAIR AND RESTORATION

Appropriation enacted, 2007	$12,814,000
Budget estimate, 2008	19,350,000
Recommended, 2008	23,150,000
Comparison:	
Appropriation, 2007	+10,336,000
Budget estimate, 2008	+3,800,000

The Committee recommends $23,150,000 for capital repair and restoration, an increase of $3,800,000 above the budget request and $10,336,000 above the enacted level. The Committee notes that the reduced levels provided in this account under the Fiscal Year 2007 Continuing Resolution required the Kennedy Center to shift projects in its Comprehensive Building Plan in order to keep the Eisenhower Theater renovation on schedule. Due to this shift, funding for replacement of the windows in the Grand Foyer would be delayed until fiscal year 2009. The Committee has provided this increase to allow the Center to begin that project in fiscal year 2008.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

SALARIES AND EXPENSES

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

Appropriation enacted, 2007	$9,100,000
Budget estimate, 2008	8,857,000
Recommended, 2008	10,000,000
Comparison:	
Appropriation, 2007	+900,000
Budget estimate, 2008	+1,143,000

The Committee recommends $10,000,000 for salaries and expenses of the Woodrow Wilson International Center for Scholars,

an increase of $900,000 above the fiscal year 2007 enacted level and $1,143,000 above the request. The Committee continues to support the work of the Center and has provided increased resources to encourage further research and expanded outreach efforts.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

Appropriation enacted, 2007	$124,562,000
Budget estimate, 2008	128,412,000
Recommended, 2008	160,000,000
Comparison:	
Appropriation, 2007	+35,438,000
Budget estimate, 2008	+31,588,000

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

(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Recommended	Recommended versus Enacted	Recommended versus Request
National Endowment for the Arts					
Grants and Administration					
Grants					
Direct grants	43,784	40,996	50,000	+6,216	+9,004
Challenge America grants	10,496	8,458	15,000	+4,504	+6,542
National Initiative: American Masterpieces	5,911	12,311	13,500	+7,589	+1,189
State partnerships					
State and regional*	33,911	32,406	45,000	+11,089	+12,594
Underserved set-aside	6,217	8,771	10,000	+3,783	+1,229
Subtotal, State partnerships	40,128	41,177	55,000	+14,872	+13,823
Subtotal, Grants	100,319	102,942	133,500	+33,181	+30,558
Program support	1,672	1,636	2,000	+328	+364
Administration	22,571	23,834	24,500	+1,929	+666
Total, Arts	124,562	128,412	160,000	+35,438	+31,588

The Committee recommends $160,000,000 for the National Endowment for the Arts (NEA), $31,588,000 above the budget request and $35,438,000 above the 2007 enacted level. The Committee has recommended this large increase in recognition of the high quality of new programs initiated by the agency over the last several years and the broad and bipartisan support it garners. The Committee has been especially pleased with the *American Masterpieces, Big Read* and *Operation Homecoming* initiatives. Funding for the Endowment was reduced by over 40 percent in the mid-1990s, and the $35 million increase recommended for 2008 will begin the process of restoring funding to historic levels. All programs of the NEA will benefit from this increase.

NATIONAL ENDOWMENT FOR THE HUMANITIES

The Committee bill provides $160,000,000 for the National Endowment for the Humanities, an increase of $18,895,000 over the 2007 enacted level and an increase of $18,645,000 above the President's requests. These amounts are appropriated in two separate accounts as shown in the table which follows:

(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Recommended	Recommended versus Enacted	Recommended versus Request
National Endowment for the Humanities					
Grants and Administration					
Grants					
Federal/State partnership	30,926	31,215	36,000	+5,074	+4,785
Preservation and access	18,368	17,671	19,000	+632	+1,329
Public programs	12,381	11,910	12,500	+119	+590
Research programs	12,692	12,209	13,000	+308	+791
Education programs	12,266	11,801	13,000	+734	+1,199
Program development	375	362	400	+25	+38
We The People Initiative grants	15,239	15,239	23,000	+7,761	+7,761
Digital Humanities Initiatives	---	1,400	3,000	+3,000	+1,600
Administration	23,637	25,038	25,600	+1,963	+562
Total, Grants and Administration	125,884	126,845	145,500	+19,616	+18,655
*2007 amount includes $6,997,000 for Challenge America and $3,941,000 for American Masterpieces.					
Matching Grants					
Treasury funds	5,369	5,031	5,000	-369	-31
Challenge grants	9,852	9,479	9,500	-352	+21
Total, Matching Grants	15,221	14,510	14,500	-721	-10
Total, Humanities	141,105	141,355	160,000	+18,895	+18,645

GRANTS AND ADMINISTRATION

Appropriation enacted, 2007	$125,884,000
Budget estimate, 2008	126,845,000
Recommended, 2008	145,500,000
Comparison:	
Appropriation, 2007	+19,616,000
Budget estimate, 2008	+18,655,000

The Committee recommends $145,500,000 for grants and administration, $18,655,000 above the budget request and $19,616,000 above the fiscal year 2007 enacted level. The Committee is fully supportive of the *We the People* and *Digital Humanities* initiatives and has added substantial funding for these programs. Within the $7,761,000 million increase for *We the People*, the Committee believes that expansion of the new *Picturing America* program into a nationwide effort should be given the highest priority. The remainder has been used to restore cuts in longstanding NEH program areas and to expand efforts of the Federal-State partnerships program.

The Committee believes that the Endowment can play an expanded role in helping Americans develop a broader understanding of other cultures and encourages a broadening of its global society programs. This can be critical in making Americans more knowledgeable and sensitive to other cultures. The Committee requests that the Endowment submit a report to the Committee by February 1, 2008 on its existing global outreach efforts and any plan to expand this program in 2008.

MATCHING GRANTS

Appropriation enacted, 2007	$15,221,000
Budget estimate, 2008	14,510,000
Recommended, 2008	14,500,000
Comparison:	
Appropriation, 2007	−721,000
Budget estimate, 2008	−10,000

The Committee recommends $14,500,000 for the Challenge Grants and Treasury Funds programs as matching grants to nonprofit organizations to support a wide variety of humanities initiatives, $10,000 below the budget request and $721,000 below the fiscal year 2007 level. This program supports projects which are able to generate private matching funds for various humanities projects as a way to develop a broader private sector donor base for these organizations.

COMMISSION OF FINE ARTS

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

SALARIES AND EXPENSES

Appropriation enacted, 2007	$1,873,000
Budget estimate, 2008	2,092,000
Recommended, 2008	2,092,000
Comparison:	
Appropriation, 2007	+219,000
Budget estimate, 2008	0

The Committee recommends $2,092,000 for salaries and expenses of the Commission of Fine Arts as requested, an increase of $219,000 over the fiscal year 2007 enacted level.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

Appropriation enacted, 2007	$7,143,000
Budget estimate, 2008	0
Recommended, 2008	10,000,000
Comparison:	
Appropriation, 2007	+2,857,000
Budget estimate, 2008	+10,000,000

The National Capital Arts and Cultural Affairs program was established in Public Law 99–190 to support artistic and cultural programs in the Nation's Capital. The Committee recommends $10,000,000, an increase of $2,857,000 above the fiscal year 2007 enacted level and $10,000,000 above the budget request. Significantly more funding has been provided than in previous years to reflect increased costs and an expanded program. The Committee believes that these grants provide valuable support for cultural institutions in the District of Columbia and foster a greater appreciation for the arts throughout the region. The bill provides that no recipient shall receive a grant in excess of $650,000.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

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

Appropriation enacted, 2007	$4,828,000
Budget estimate, 2008	5,348,000
Recommended, 2008	5,348,000
Comparison:	
Appropriation, 2007	+520,000
Budget estimate, 2008	0

The Committee recommends $5,348,000 for salaries and expenses of the Advisory Council on Historic Preservation as requested, an increase of $520,000 above the fiscal year 2007 enacted level.

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

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

Appropriation enacted, 2007	$8,168,000
Budget estimate, 2008	8,265,000
Recommended, 2008	8,265,000
Comparison:	
Appropriation, 2007	+97,000
Budget estimate, 2008	0

The Committee recommends $8,265,000 for salaries and expenses of the National Capital Planning Commission, an increase of $97,000 above the fiscal year 2007 enacted level and the same as the budget request.

UNITED STATES HOLOCAUST MEMORIAL MUSEUM

HOLOCAUST MEMORIAL MUSEUM

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

Appropriation enacted, 2007	$42,349,000
Budget estimate, 2008	44,996,000
Recommended, 2008	44,996,000
Comparison:	
Appropriation, 2007	+2,647,000
Budget estimate, 2008	0

The Committee recommends $44,996,000 for the Holocaust Memorial Museum as requested, an increase of $2,647,000 above the fiscal year 2007 enacted level.

PRESIDIO TRUST

PRESIDIO TRUST FUND

Appropriation enacted, 2007	$19,706,000
Budget estimate, 2008	18,450,000
Recommended, 2008	22,400,000
Comparison:	
Appropriation, 2007	+2,694,000
Budget estimate, 2008	+3,950,000

The Committee recommends $22,400,000 for the Presidio Trust Fund, an increase of $3,950,000 above the budget request and $2,694,000 above the enacted level. These funds are used to support the transition of the Presidio army base in San Francisco to a mixed use, financially independent facility by the year 2013, as authorized by P.L 104–333. Federal appropriations have been provided to the Presidio Trust since 1999 based on the self-sufficiency plan required by the basic legislation. Unfortunately, the accumulated effect of multiple years of across-the-board reductions in annual Interior Appropriations Acts has left the Federal government $12 million in arrears on its total commitment under the self-sufficiency plan. The increase recommended by the Committee is intended to begin to address this shortfall. The additional funds should allow the Presidio to escalate projects including efforts for development around the Parade Grounds and the officers club.

WHITE HOUSE COMMISSION ON THE NATIONAL MOMENT OF REMEMBRANCE

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

Appropriation enacted, 2007	$247,000
Budget estimate, 2008	200,000
Recommended, 2008	200,000
Comparison:	
Appropriation, 2007	−47,000
Budget estimate, 2008	0

The White House Commission on the National Moment of Remembrance, established by Public Law 106–579, was created to (1) sustain the American spirit through acts of remembrance, not only on Memorial Day, but throughout the year; (2) institutionalize the National Moment of Remembrance; and (3) to enhance the commemoration and understanding of Memorial Day. The Committee recommends an appropriation of $200,000, a decrease of $47,000 below the fiscal year 2007 enacted level and the same as the budget request. The Committee recognizes the importance of the sacrifices made by the men and women of the armed forces who serve this country. Because of this, the Committee directs the Department of Veterans Affairs to administer all future funds and activities of the Commission. The Committee believes this program can more efficiently continue to honor the memory of our service men and women if it is administered through the Department of Veterans Affairs.

TITLE IV—GENERAL PROVISIONS

Section 401 continues a provision providing for public availability of information on consulting services contracts.

Section 402 continues a provision prohibiting activities to promote public support or opposition to legislative proposals.

Section 403 continues a provision providing for annual appropriations unless expressly provided otherwise in this Act.

Section 404 continues a provision limiting the use of personal cooks, chauffeurs or servants.

Section 405 provides for restrictions on departmental assessments unless approved by the Committees on Appropriations.

Section 406 prohibits the transfer of funds unless provided in this or other Acts.

Section 407 continues a provision prohibiting the sale of giant sequoia trees.

Section 408 continues a limitation on accepting and processing applications for patents and on the patenting of Federal lands; permits processing of grandfathered applications; and permits third-party contractors to process grandfathered applications.

Section 409 continues a provision limiting payments for contract support costs in past years to the funds available in law and accompanying report language in those years for the Bureau of Indian Affairs and the Indian Health Service.

Section 410 continues a provision allowing Forest Service land management plans to be more than 15 years old if the Secretary is acting in good faith to update such plans.

Section 411 continues a provision limiting preleasing, leasing, and related activities within the boundaries of National monuments.

Section 412 continues a provision providing the Secretary of the Interior and the Secretary of Agriculture the authority to enter into reciprocal agreements with foreign nations concerning the personal liability of firefighters.

Section 413 continues a provision authorizing the Secretary of the Interior and the Secretary of Agriculture to give consideration to rural communities, local and non-profit groups, and disadvantaged workers in entering into contracts for hazardous fuels and watershed projects.

Section 414 continues a provision which provides guidance on competitive sourcing activities and clarifies annual reporting requirements to specify the reporting of the full costs associated with sourcing studies and related activities. The provision continues the funding cap of $3,450,000 for the Department of the Interior and also establishes a moratorium for one-year regarding Forest Service competitive sourcing activities. Forest Service competitive sourcing is discussed in more detail under the Forest Service, Administrative Provisions heading.

Section 415 extends through 2012 a previous Forest Service pilot program to enhance administration of rights-of-way by allowing certain cost-recovery.

Section 416 extends through 2010 a previous provision concerning Forest Service cooperative agreements with third parties that are of mutually significant benefit.

TITLE V—GLOBAL CLIMATE CHANGE SENSE OF CONGRESS

This title continues a provision from the fiscal year 2007 House passed bill which states that it is the sense of Congress that greenhouse gases are accumulating and causing climate change, that human activity is a substantial cause, and that mandatory steps will be required to slow or stop the growth of greenhouse gas emissions. Therefore, the sense of Congress is that a comprehensive and effective national program of mandatory, market-based limits and incentives on greenhouse emissions should be enacted.

BILL-WIDE REPORTING REQUIREMENTS

CONSTITUTIONAL AUTHORITY

The Committee on Appropriations bases its authority to report this legislation from Clause 7 of Section 9 of Article I of the Constitution of the United States of America which states:

> "No money shall be drawn from the Treasury but in consequence of Appropriations made by law. . . ."

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

COMPARISON WITH BUDGET RESOLUTION

Pursuant to clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a)(1)(A) of the Congressional Budget Act of 1974 the following table compares the levels of new budget authority provided in the bill with the appropriate allocation under section 302(b) of the Budget Act.

[In millions of dollars]

	Sec. 302(b)		This bill—	
	Discretionary	Mandatory	Discretionary	Mandatory
Budget authority	27,598	54	27,598	54
Outlays	28,513	55	28,493	55

FIVE-YEAR OUTLAY PROJECTIONS

Pursuant to section 308(a)(1)(B) of the Congressional Budget Act of 1974 the following table contains five-year projections prepared by the Congressional Budget Office of outlays associated with the budget authority provided in the accompanying bill:

[In millions of dollars]

Budget authority (discretionary)	
Outlays:	
Fiscal year 2008	17,343
Fiscal year 2008	5,622
Fiscal year 2009	2,527
Fiscal year 2010	1,346
Fiscal year 2011	612

ASSISTANCE TO STATE AND LOCAL GOVERNMENTS

Pursuant to section 308(a)(1)(C) of the Congressional Budget Act of 1974 the amount of financial assistance to State and local governments is as follows:

[In millions of dollars]

New budget authority	6,028
Fiscal year 2008 outlays resulting therefrom	2,370

RESCISSIONS

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

RESCISSIONS IN THE BILL

Department or Activity	Amounts rescinded
Department of the Interior: Land and Water Conservation Fund (contract authority)	$30,000,000
Environmental Protection Agency: Activities under section 206(a) of the Federal Waster Pollution Control Act	$5,000,000

TRANSFER OF FUNDS

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

APPROPRIATION TRANSFERS RECOMMENDED IN THE BILL

Account from which transfer is made	Amount	Account to which transfer is made	Amount
Department of the Interior (DOI), Bureau of Land Management, (BLM), Wildland Fire Management.	9,000,000	Department of Agriculture (USDA), Forest Service, Wildland Fire Management.	9,000,000
Environmental Protection Agency (EPA), Hazardous Substance Superfund.	10,000,000	EPA, Office of Inspector General	10,000,000
EPA, Hazardous Substance Superfund	26,126,000	EPA, Science and Technology	26,126,000
EPA, Commission on Climate Change Adaptation and Mitigation.	45,000,000	Various Federal Science agencies to be determined by the Commission.	45,000,000
USDA, Forest Service, Timber Purchaser Election Fund.	40,000,000	USDA, Forest Service, Capital Improvement and Maintenance.	40,000,000
USDA, Forest Service, Wildland Fire Management.	9,000,000	DOI, BLM, Wildland Fire Management	9,000,000
USDA, Forest Service, Wildland Fire Management.	31,500,000	USDA, Forest Service, Forest and Rangeland Research.	31,500,000
USDA, Forest Service, Wildland Fire Management.	80,487,000	USDA, Forest Service, State and Private Forestry.	80,487,000
USDA, Forest Service, Wildland Fire Management.	18,000,000	USDA, Forest Service, National Forest System.	18,000,000
White House Commission on the National Moment of Remembrance.	200,000	Department of Veterans Affairs, Departmental Administration, General Operating Expenses.	200,000

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the following is a statement of general performance goals and objectives for which this measure authorizes funding:

> The Committee on Appropriations considers program performance, including a program's success in developing and attaining outcome-related goals and objectives, in developing funding recommendations.

CHANGES IN THE APPLICATION OF EXISTING LAW

Pursuant to clause 3(f)(1)(A) of rule XIII of the Rules of the House of Representatives, the following statements are submitted

describing the effect of provisions in the accompanying bill that directly or indirectly change the application of existing law. In most instances these provisions have been included in prior appropriations Acts.

The Bill includes the following changes in application of existing law:

OVERALL BILL

1. Providing that certain appropriations remain available until expended or extends the availability of funds beyond the fiscal year where programs or projects are continuing but for which legislation does not specifically authorize such extended availability. This authority tends to result in savings by preventing the practice of committing funds on low priority projects at the end of the fiscal year to avoid losing the funds.

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

3. Limiting official entertainment or reception and representation expenses for selected agencies in the bill.

4. Continuing ongoing activities of those Federal agencies, which require annual authorization or additional legislation, which has not been enacted.

TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

5. Providing funds to the Bureau for the management of lands and resources.

6. Providing funds to the Youth Conservation Corp for high priority projects.

7. Providing funds to the National Fish and Wildlife Foundation under certain conditions.

8. Permitting use of fees for application processing for permits to drill.

9. Permitting the use of fees from communication site rentals.

10. Permitting the use of mining fee collections for program operations.

OREGON AND CALIFORNIA GRANT LANDS

11. Providing that certain receipts are made as a charge against the Oregon and California Land Grants Fund.

FOREST ECOSYSTEMS HEALTH AND RECOVERY FUND

12. Permitting the use of salvage timber receipts in the forest ecosystems health and recovery fund.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

13. Allowing the use of service charges, deposits and forfeitures funds on any damaged public lands.
14. Authorizing the Secretary to use monies from forfeitures, compromises or settlements for improvement, protection and rehabilitation of public lands under certain conditions.

WILDLAND FIRE MANAGEMENT

15. Permitting the repayments of funds transferred from other accounts for firefighting.
16. Permitting the use of funds for lodging and subsistence of firefighters.
17. Permitting the use of grants, contracts and cooperative agreements for hazardous fuels reduction, including cost-sharing and local assistance.
18. Permitting reimbursement to the Fish and Wildlife Service and the National Marine Fisheries Service for consultation activities under the Endangered Species Act.
19. Providing for the transfer of funds between the Department of the Interior and the Department of Agriculture for wildland fire management.
20. Providing funds for support of Federal emergency response actions.

ADMINISTRATIVE PROVISIONS

21. Permitting the payment of rewards for information on violations of law on Bureau lands.
22. Providing for cost sharing arrangements for printing services.
23. Amending 30 U.S.C. 28.
24. Permitting the use of refunds and rebates from an information technology vendor.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

25. Allowing for the maintenance of the herd of long-horned cattle on the Wichita Mountains Wildlife Refuge.
26. Providing funding for the Youth Conservation Corps.
27. Limiting funding for certain Endangered Species Act listing programs.
28. Permitting payment for information or rewards in the law enforcement program.
29. Designating funds for contaminant analyses.

LAND ACQUISITION

30. Limiting the use of funds for administrative overhead, planning, and other management costs.

STATE TRIBAL WILDLIFE GRANTS

31. Specifying the State and Tribal Wildlife grants distribution formula, the planning and cost-sharing requirements, requiring that funds unobligated after two years be reapportioned, and limiting administrative costs.

32. Providing that no State, Territory, or other jurisdiction shall receive a grant if its conservation plan is disapproved.

ADMINISTRATIVE PROVISIONS

33. Providing for repair of damage to public roads.
34. Providing options for the purchase of land not to exceed $1.
35. Permitting cost-shared arrangements for printing services.
36. Permitting the use of funds for employment related legal services.
37. Permitting the acceptance of donated aircraft.
38. Limiting the use of funds for establishing new refuges.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

39. Designating funds for everglades restoration.
40. Providing for repair, rehabilitation and maintenance of National Park Service Assets.
41. Providing for a Youth Conservation Corps and Public Lands Corps program.

CENTENNIAL CHALLENGE

42. Providing that cost share agreements for signature centennial challenge projects receive a 50 percent non-Federal match.

NATIONAL RECREATION AND PRESERVATION

43. Providing for expenses not otherwise provided for.

HISTORIC PRESERVATION FUND

44. Providing grants for Save America's Treasures and Preserve America to be matched by non-Federal funds, that individual projects are only eligible for one grant and are subject to consultation, and that funds for Federal projects are available by transfer to individual agencies.

CONSTRUCTION AND MAJOR MAINTENANCE

45. Providing funds for modified water deliveries to Everglades National Park with certain restrictions.

LAND AND WATER CONSERVATION FUND

46. Rescinding $30,000,000 in land and water conservation fund contract authority.

LAND ACQUISITION AND STATE ASSISTANCE

47. Requiring that funding for the program is derived from the Land and Water Conservation Fund.

ADMINISTRATIVE PROVISIONS

48. Allowing the Secretary of the Interior to appeal value determinations.

49. Allowing certain franchise fees to be available for expenditure without further appropriation to extinguish or reduce liability for certain possessory interests.

50. Extending National Park System Advisory Board authorization through 2009.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

51. Providing for 2-year availability of funds, and designating certain funds to remain available until expended for satellite operations.

52. Prohibiting the conduct of new surveys on private property without permission.

53. Requiring cost sharing for cooperative topographic mapping and water resource data collection activities.

ADMINISTRATIVE PROVISIONS

54. Permitting the use of certain contracts, grants, and cooperative agreements.

55. Recognizing students and recent graduates as Federal employees for the purposes of travel and work injury compensation.

MINERALS MANAGEMENT SERVICE

ROYALTY AND OFFSHORE MINERALS MANAGEMENT

56. Permitting the use of excess receipts from Outer Continental Shelf leasing activities.

57. Providing for reasonable expenses related to volunteer beach and marine cleanup activities.

58. Providing for refunds for overpayments on Indian allottee leases.

59. Permitting the use of receipts for administration of the Coastal Impact Assistance Program.

ADMINISTRATIVE PROVISIONS

60. Prohibits any funds from being used to transfer funds into the Ultra-Deepwater and Unconventional Natural Gas and Other Petroleum Research Fund.

61. Requires the Secretary of Interior to deduct 2 percent from the amount payable to States from certain payments under section 35(b) of the Mineral Leasing Act.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

62. Permitting the use of monies collected pursuant to assessment of civil penalties to reclaim lands affected by coal mining after August 3, 1977.

63. Permitting payment to State and tribal personnel for travel and per diem expenses for training.

ABANDONED MINE RECLAMATION FUND

64. Allowing the use of debt recovery to pay for debt collection.
65. Allowing funds to be used for travel expenses while attending training.

ADMINISTRATIVE PROVISION

66. Permits the Secretary to transfer title for computer equipment to States and tribes.

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

67. Limiting funds for welfare assistance payments, except for disaster relief.
68. Limiting funds for contract support costs and for administrative cost grants for schools.
69. Permitting the use of tribal priority allocations for general assistance payments to individuals, for contract support costs, and school operations costs.
70. Providing for an Indian self-determination fund.
71. Allowing the transfer of certain forestry funds.

CONSTRUCTION

72. Providing for the transfer of Navajo irrigation project funds to the Bureau of Reclamation.
73. Providing that six percent of Federal Highway Trust Fund contract authority may be used for construction management costs.
74. Providing Safety of Dams funds on a nonreimbursable basis.
75. Requiring the use of administrative and cost accounting principles for certain school construction projects and exempting such projects from certain requirements.
76. Requiring conformance with building codes and health and safety standards and allowing the Secretary to assume control of a construction project under certain conditions.
77. Specifying the procedure for dispute resolution.
78. Allowing reimbursement of construction costs from the Office of Special Trustee.

ADMINISTRATIVE PROVISIONS

79. Allowing contracting for the San Carlos Irrigation Project.
80. Limiting the use of funds for contracts, grants and cooperative agreements.
81. Allowing tribes to return appropriated funding to the Bureau without future impact on appropriations.
82. Prohibiting funding of Alaska schools.
83. Limiting the number of schools and the expansion of grade levels in individual schools.
84. Permitting the use of Indian Student Equalization Program funds to offset costs associated with significant enrollment increases.
85. Specifying distribution of indirect and administrative costs for certain tribes.

DEPARTMENTAL OFFICES

OFFICE OF THE SECRETARY, SALARIES AND EXPENSES

86. Permitting payments to former Bureau of Mines workers.
87. Designating funds for the Financial and Business Management System.

INSULAR AFFAIRS, ASSISTANCE TO TERRITORIES

88. Designating funds for various programs and for salaries and expenses of the Office Insular Affairs and providing until expended for the latter.
89. Requiring audits of the financial transactions of the Territorial governments by the GAO.
90. Providing grant funding under certain terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands.
91. Allowing grants for the Pacific Basin Development Council.
92. Providing a grant to the Close Up foundation.
93. Providing for capital infrastructure in various Territories.
94. Allowing appropriations for disaster assistance to be used as non-Federal matching funds for hazard mitigation grants.

COMPACT OF FREE ASSOCIATION

95. Providing grants to Palau, the Marshall Islands, and Micronesia.

OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS

FEDERAL TRUST PROGRAMS

96. Limiting the amount of funding available for the historical accounting of Indian trust fund accounts.
97. Allowing transfers to other Department of the Interior accounts.
98. Specifying that the statute of limitations shall not commence on any claim resulting from trust funds losses.
99. Exempting quarterly statements for Indian trust accounts $15 or less.
100. Requiring annual statements and records maintenance for Indian trust accounts.
101. Limiting use of funds to correct administrative errors in Indian trust accounts.
102. Permitting the use of recoveries from erroneous payments pursuant to Indian trust accounts.

INDIAN LAND CONSOLIDATION

103. Permitting transfers of funds to the Bureau of Indian Affairs and Departmental Management accounts from Indian land consolidation for administrative expenses.

DEPARTMENT-WIDE PROGRAMS

PAYMENTS IN LIEU OF TAXES

104. Excluding any payment pursuant to the Payments in Lieu of Taxes that is less than $100.

ADMINISTRATIVE PROVISIONS

105. Allowing the sale of existing aircraft with proceeds used to offset the purchase price of replacement aircraft.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

106. Allowing transfer of funds in certain emergency situations and requiring replacement with a supplemental appropriation request.

107. Permitting the Department to use limited funding for certain services.

108. Restricting various oil and gas preleasing, leasing, exploration and drilling activities within the Outer Continental Shelf in the Georges Bank North Atlantic planning area, Mid Atlantic and South Atlantic planning areas, Eastern Gulf of Mexico planning area, North Aleutian Basin planning area, Northern, Southern and Central California planning areas, and Washington/Oregon planning area.

109. Permitting the transfer of funds between the Bureau of Indian Affairs and the Office of Special Trustee for American Indians.

110. Permitting the redistribution of certain Indian funds with limitations.

111. Permitting the conveyance of the Twin Cities Research Center.

112. Allowing the use of helicopters and motor vehicles on Sheldon and Hart National Wildlife Refuges.

113. Limiting compensation for the Special Master and Court Monitor for the Cobell v. Kempthorne litigation.

114. Allowing payment of attorney fees for Federal employees related to the Cobell v. Kempthorne litigation.

115. Requiring the Fish and Wildlife Service to mark hatchery salmon.

116. Providing for a tribal trust demonstration program.

117. Authorizing for the acquisition of lands and leases for Ellis Island.

118. Prohibiting use of funds to issue new Outer Continental Shelf oil or natural gas leases any lessee where such existing lease is not subject to limitations on royalty relief based on market price.

TITLE II—ENVIRONMENTAL PROTECTION AGENCY

SCIENCE AND TECHNOLOGY

119. Limiting certain per diem rates.

COMMISSION ON CLIMATE CHANGE ADAPTATION AND MITIGATION

120. Provides for the creation of a new commission and limits existence to two years.

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

121. Limiting certain per diem rates, official representation and reception expenses and providing two year funding availability for administrative costs of Brownfields program.

HAZARDOUS SUBSTANCE SUPERFUND

122. Providing for the transfer of funds within certain agency accounts.

LEAKING UNDERGROUND STORAGE TANK TRUST FUND PROGRAM

123. Providing for certain activities authorized by the Solid Waste Disposal Act.
124. Providing for grants to Federally-recognized Indian tribes.

STATE AND TRIBAL ASSISTANCE GRANTS

125. Permitting the use of limited State Revolving Funds for decentralized projects.
126. Limiting use of funds provided for Alaska Native Villages.
127. Designating a minimum 45 percent cost-share for water and wastewater infrastructure improvement projects.
128. Designating grants for water quality monitoring and competitive targeted watershed grants.
129. Providing for State grants for leaking underground storage tank prevention.
130. Providing waivers for certain uses of clean water State revolving funds for State administrative cost and for grants to Federally-recognized Indian Tribes.
131. Prohibiting the use of funds for jurisdictions that permit development or construction of additional colonia areas.
132. Allowing for grants for air monitors under the Clean Air Act.

ADMINISTRATIVE PROVISIONS

133. Allowing awards of grants to Federally-recognized Indian tribes.
134. Authorizing the collection of pesticide registration service fees.
135. Limiting the use of funds for consultants.
136. Prohibiting the use of funds in contravention of executive order 12898. Regarding environmental justice in minority populations.
137. Directing use of funds for clean air regulations.

TITLE III—RELATED AGENCIES

FOREST SERVICE

FOREST AND RANGELAND RESEARCH

138. Designating funds for the forest inventory and analysis program.

STATE AND PRIVATE FORESTRY

139. Deriving forest legacy funding from the Land and Water Conservation Fund.
140. Designating funds for the International program.

NATIONAL FOREST SYSTEM

141. Allowing 50 percent of the fees collected under the Land and Water Conservation Fund Act to remain available until expended.
142. Requiring the budget justification to display unobligated balances available at the start of fiscal year.

CAPITAL IMPROVEMENT AND MAINTENANCE

143. Allowing capital improvement and maintenance funds to be used for road decommissioning.
144. Designating funds for special road and trail maintenance and repair activities.
145. Requiring that funds becoming available in fiscal year 2008 for the road and trails fund (16 U.S.C. 501) shall be transferred to the treasury.

RANGE BETTERMENT FUND

146. Providing that six percent of range betterment funds may be used for administrative expenses.

WILDLAND FIRE MANAGEMENT

147. Allowing the use of wildland fire funds to repay advances from other accounts.
148. Allowing reimbursement of States for certain wildfire emergency activities.
149. Requiring 50 percent of any unobligated balances remaining at the end of the fiscal year, except hazardous fuels funding, to be transferred to the Knutson-Vandenberg Fund as repayment for past advances.
150. Permitting the use of funds for the joint fire science program.
151. Permitting the use of forest and rangeland research funds for fire science research.
152. Permitting the use of funds for emergency rehabilitation and restoration and hazardous fuels reduction to support emergency response and wildfire suppression.
153. Designating funds for hazards fuels reduction, rehabilitation, restoration, and research and permitting competitive research grants.
154. Designating funds for State fire assistance, volunteer fire assistance and forest health on Federal, State and private lands.
155. Permitting funding transfers with Committee approval in certain cases.
156. Providing for cost-shared cooperative agreements.
157. Providing for the use of funds on adjacent, non-Federal lands for hazard reduction.
158. Providing for the use of hazardous fuels reduction funds to create incentives for increased use of biomass on National Forest lands.

159. Providing that funds for wildfire suppression shall be assessed for indirect costs.
160. Providing for the transfer of wildland fire funds between the Department of the Interior and the Department of Agriculture.

ADMINISTRATIVE PROVISIONS

161. Permitting the purchase of passenger motor vehicles.
162 Providing that proceeds from the sale of aircraft may be used to purchase replacement aircraft.
163. Allowing funds for certain employment contracts.
164. Allowing funds to be used for purchase and alteration of buildings.
165. Allowing for acquisition of certain lands and interests.
166. Allowing expenses for certain volunteer activities.
167. Providing for the cost of uniforms.
168. Providing for debt collections on certain contracts.
169. Permitting the transfer of funds for emergency firefighting from other forest service accounts under certain circumstances.
170. Allowing funds to be used through the Agency for International Development for work in foreign countries and to support other forestry activities outside of the United States.
171. Prohibiting the transfer of funds under the Department of Agriculture transfer authority under certain conditions.
172. Prohibiting reprogramming of funds without approval.
173. Limiting funds to be transferred to the USDA Working Capital Fund and reimbursable expenses account.
174. Designating funds for the Youth Conservation Corps and Public Lands Corps.
175. Limiting the use of funds for official reception and representation expenses.
176. Providing for matching funds and administrative expenses for the National Forest Foundation and matching funds for the National Fish and Wildlife Foundation.
177. Permitting the use of funds for payments to counties in the Columbia River Gorge National Scenic Area.
178. Providing Federal employee status for certain individuals employed under the Older Americans Act of 1965.
179. Permitting funding assessments for facilities maintenance, rent, utilities, and other support services.

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

180. Providing that tribal contract and grant funding is deemed obligated at the time of grant or contract award and remains available until expended.
181. Limiting funds for catastrophic care and loan repayment and providing no year availability for loan repayment funds.
182. Designating a minimum funding level for Contract health care.
183. Providing for loan repayment under section 108 of the Indian Health Care Improvement Act.
184. Providing for use of collections and reporting of collections under Title IV of the Indian Health Care Improvement Act.

185. Providing that certain contracts and grants may be performed in two fiscal years.

186. Permitting the use of Indian Health Care Improvement Fund monies for facilities improvement and providing no year funding availability.

187. Providing no year funding availability for scholarship funds.

188. Exempting certain tribal funding from fiscal year constraints.

189. Limiting contract support cost spending.

190. Providing for the collection of individually identifiable health information relating to the Americans with Disabilities Act by the Bureau of Indian Affairs.

INDIAN HEALTH FACILITIES

191. Providing that facilities funds may be used to purchase land, modular buildings and trailers.

192. Providing for TRANSAM equipment to be purchased from the Department of Defense.

193. Prohibiting the use of funds for sanitation facilities for new homes funded by the Department of Housing and Urban Development.

194. Allowing for the purchase of ambulances.

195. Providing for a demolition fund.

ADMINISTRATIVE PROVISIONS

196. Allowing per diem for senior level positions.

197. Providing for payments for telephone service in private residences in the field, purchase of motor vehicles, aircraft and reprints.

198. Providing for purchase and erection of modular buildings.

199. Providing funds for uniforms.

200. Allowing funding for attendance at professional meetings.

201. Providing that health care may be extended to non-Indians at Indian Health Service facilities, subject to charges, and for the use of those funds.

202. Allowing the transfer of funds from HUD to IHS.

203. Permitting the use of funds transferred from the Department of Health and Human Services.

204. Prohibiting limitations on certain Federal travel and transportation.

205. Allowing deobligation and reobligation of funds applied to self-governance funding agreements.

206. Prohibiting personnel ceilings assessments by the Department of Health and Human Services.

207. Prohibiting the expenditure of funds to implement new eligibility regulations.

208. Permitting certain reimbursements and the use of those funds.

209. Providing that reimbursements for training provide total costs.

210. Prohibiting changing the appropriations structure without approval of the Appropriations Committees.

AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY

TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC HEALTH

211. Designating funds for Individual Learning Accounts and providing no year funding availability.
212. Providing for the conduct of health studies, testing, and monitoring.
213. Providing deadlines for health assessments and studies.

EXECUTIVE OFFICE OF THE PRESIDENT

COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF ENVIRONMENTAL QUALITY

214. Designating the appointment and duties of the chairman.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

215. Limiting the use of funds for per diem expenses and the number of senior level positions.
216. Providing that in fiscal year 2008 and thereafter the EPA, Inspector General shall not serve as Inspector General for the Board.

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

217. Defining eligible relocatees.
218. Prohibiting movement of any single Navajo or Navajo family unless a new or replacement home is available.
219. Limiting relocatees to one new or replacement home.
220. Establishing a priority for relocation of Navajos to those certified eligible who have selected and received homesites on the Navajo reservation or selected a replacement residence off the Navajo reservation.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

221. Limiting lease terms.
222. Providing for purchase of passenger vehicles and certain rental, repair and cleaning of uniforms.
223. Designating funds for facilities maintenance at the Zoo and for certain programs at the National Museum of African American History and Culture and repatriation of skeletal remains and providing no year funding availability.
224. Designating funds for fellowships and scholarly awards and providing two year funding availability.
225. Providing that funds may be used to support American overseas research centers.
226. Allowing for advance payments to independent contractors performing research services or participating in official Smithsonian presentations.

FACILITIES CAPITAL

227. Designating funds for maintenance, repair, rehabilitation, and construction and for consultant services.

NATIONAL GALLERY OF ART

SALARIES AND EXPENSES

228. Allowing payment in advance for membership in library, museum, and art associations or societies.
229. Providing for restoration and repair of works of art by contract without advertising.
230. Providing no-year availability of funds for special exhibitions.

REPAIR, RESTORATION, AND RENOVATION OF BUILDINGS

231. Permitting the Gallery to perform work by contract or otherwise and to select contractors for certain purposes on the basis of contractor qualifications as well as price.

NATIONAL ENDOWMENT FOR THE ARTS AND THE HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS, GRANTS AND ADMINISTRATION

232. Permitting transfer of funds within certain accounts and requiring funds to be expensed in accordance with Public Law 108–447.

NATIONAL ENDOWMENT FOR THE HUMANITIES, MATCHING GRANTS

233. Allowing obligation of National Endowment for the Humanities current and prior year funds from gifts, bequests, and devises of money for which equal amounts have not previously been appropriated.

ADMINISTRATIVE PROVISIONS

234. Prohibiting the use of funds for grants and contracts which do not include the text of 18 U.S.C. 1913.
235. Prohibiting the use of appropriated funds and permitting the use of nonappropriated funds for reception expenses.
236. Allowing the chairperson of the National Endowment for the Arts to approve small grants under certain circumstances.
237. Specifying that grants and contracts supported entirely with nonappropriated funds are not subject to matching requirements.
238. Amending PL 108–447 to include opera.

COMMISSION OF FINE ARTS

SALARIES AND EXPENSES

239. Permitting the charging and use of fees for its publications.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

240. Limiting each annual grant to a maximum of $650,000.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

241. Restricting hiring at Executive Level V or higher.

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

242. Permitting limited use of funds for official reception and representation expenses.

UNITED STATES HOLOCAUST MEMORIAL MUSEUM

243. Designating funds for equipment replacement and for repair, rehabilitation and for exhibition design and production and providing no year availability for these funds.

WHITE HOUSE COMMISSION ON THE NATIONAL MOMENT OF REMEMBRANCE

244. Transferring administration of the Commission to the Department of Veterans Affairs.

TITLE IV—GENERAL PROVISIONS

245. Providing for public availability of information on consulting services contracts.
246. Prohibiting the use of funds to distribute literature either to promote or oppose legislative proposals on which Congressional action is incomplete.
247. Specifying that funds are for one year unless provided otherwise.
248. Prohibiting the use of funds to provide personal cooks, chauffeurs or other personal servants to any office or employee.
249. Limiting assessments against programs funded in this bill.
250. Limiting transfer of funds.
251. Prohibiting the sale of giant sequoia trees in a manner different from 2005.
252. Continuing a limitation on accepting and processing applications for patents and on the patenting of Federal lands; permitting processing of grandfathered applications; and permitting third-party contractors to process grandfathered applications.
253. Limiting the use of funds for contract support costs on Indian contracts.
254. Providing that certain Forest plans are not in violation of the Forest and Rangeland Renewable Resources Planning Act.
255. Limiting leasing and preleasing activities within National Monuments.
256. 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.
257. Permitting consideration, when awarding contracts, to local contractors who provide employment and training for dislocated and displaced workers in economically disadvantaged rural communities.
258. Limiting the use of funds for competitive sourcing studies.

259. Extending Forest Service pilot program to enhance administration of rights-of-ways.
260. Extending Forest Service cooperative agreement program.

APPROPRIATIONS NOT AUTHORIZED BY LAW

Pursuant to clause 3(f)(1)(B) of rule XIII of the Rules of the House of Representatives, the following table lists the appropriations in the accompanying bill which are not authorized by law for the period concerned:

[Dollars in thousands]

Agency/program	Last year of authorization	Authorization level	Appropriations in last year of authorization	Appropriations in this bill
Bureau of Land Management:				
All discretionary programs	2002	Such sums	$1,681,437	$1,853,029
U.S. Fish & Wildlife Service:				
Resource Management:				
Endangered Species Act Amendments of 1988	1992	$41,500	35,721	152,543
Great Lakes Fish & Wildlife Restoration Grants	2004	4,000	498	560
Marine Mammal Protection Act Amendments of 1994	1999	10,296	2,008	2,523
Klamath River Basin Fishery Resources Restoration Act	2006	21,000	3,399	3,398
General Administration:				
Great Ape Conservation	2005	5,000	1,381	2,000
Fisheries Restoration Irrigation Mitigation Act	2005	25,000	2,000	4,000
Neotropical Migratory Birds	2005	5,000	3,944	5,000
National Fish and Wildlife Foundation Establishment Act	2005	25,000	7,761	7,656
U.S. Geological Survey				
National Geologic Mapping Reauthorization Act of 1999	2005	64,000	25,162	27,048
Bureau of Indian Affairs				
The Tribal Colleges or Universities Assistance Act of 1978	1999	Such sums	32,400	54,721
The Indian Tribal Justice Act	2007	Such sums	12,013	12,065
Indian Child Protection and Family Violence Prevention Act	2007	30,000	10,063	10,167
The No Child Left Behind Act	2007	Such sums	549,293	562,020
Environmental Protection Agency:				
Hazardous Substance Superfund	1994	5,100,000	1,480,853	1,272,008
State and Tribal Assistance Grants:				
Alaska Native Villages	1979	2,000	Not available	10,500
Clean Water SRF	1992	1,800,000	2,400,000	1,125,000,000
Drinking Water SRF	2003	1,000,000		842,167
Clean Air Act	1997	Such sums	167,230	231,220
Radon Abatement Act	1991	10,000	9,000	8,074
Clean Water Act (FWPCA)	1991			468,534
BEACH Act	2005	30,000	9,920	9,900
Safe Drinking Water Act	2003	115,000		112,491
Solid Waste Disposal Act (RCRA)	1988	70,000	71,391	103,346
Toxic Substances Control Act	1983	1,500	5,100	18,663
Pollution Prevention Act	1993	8,000	6,800	4,940

[Dollars in thousands]

Agency/program	Last year of authorization	Authorization level	Appropriations in last year of authorization	Appropriations in this bill
Indian Environmental General Assistance Program Act	1998	Such sums	38,585	56,925
Underground Storage Tanks	1988	10,000	14,400	2,500
Forest Service, International Forestry Program	2007	Such sums	6,886	8,000
National Endowment for the Arts	1993	Such sums	174,460	160,000
National Endowment for the Humanities	1993	Such sums	177,403	160,000

The Committee notes that authorizing legislation for many of these programs is in various stages of the legislative process and expects these authorizations to be enacted into law later this year.

COMPLIANCE WITH CLAUSE 3 OF RULE XIII (RAMSEYER RULE)

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

SECTION 2324 OF THE REVISED STATUTES OF THE UNITED STATES

(30 U.S.C. 28)

SEC. 2324. The miners of each mining district may make regulations not in conflict with the laws of the United States, or with the laws of the State or Territory in which the district is situated, governing the location, manner of recording, amount of work necessary to hold possession of a mining claim, subject to the following requirements: The location must be distinctly marked on the ground so that its boundaries can be readily traced. All records of mining claims made after May 10, 1872, shall contain the name or names of the locators, the date of the location, and such a description of the claim or claims located by reference to some natural object or permanent monument as will identify the claim. On each claim located after the tenth day of May, eighteen hundred and seventy-two, that is granted a waiver under section 10101 of the Omnibus Budget Reconciliation Act of 1993, and until a patent has been issued therefor, not less than $100 worth of labor shall be performed or improvements made during each year. On all claims located prior to the 10th day of May 1872, $10 worth of labor shall be performed or improvements made each year, for each one hundred feet in length along the vein until a patent has been issued therefor; but where such claims are held in common, such expenditure may be made upon any one claim; and upon a failure to comply with these conditions, the claim or mine upon which such failure occurred shall be open to relocation in the same manner as if no location of the same had ever been made, provided that the original locators, their heirs, assigns, or legal representatives, have not resumed work upon the claim after failure and before such location. Upon the failure of any one of several coowners to contribute his proportion of the expenditures required hereby, the co-

owners who have performed the labor or made the improvements may, at the expiration of the year, give such delinquent co-owner personal notice in writing or notice by publication in the newspaper published nearest the claim, for at least once a week for ninety days, and if at the expiration of ninety days after such notice in writing or by publication such delinquent should fail or refuse to contribute his proportion of the expenditure required by this section, his interest in the claim shall become the property of his co-owners who have made the required expenditures. The period within which the work required to be done annually on all unpatented mineral claims located since May 10, 1872, including such claims in the Territory of Alaska, [shall commence at 12 o'clock meridian on the 1st day of September] *shall commence at 12:01 ante meridian on the 1st day of September* succeeding the date of location of such claim.

Where a person or company has or may run a tunnel for the purposes of developing a lode or lodes, owned by said person or company, the money so expended in said tunnel shall be taken and considered as expended on said lode or lodes, whether located prior to or since May 10, 1872; and such person or company shall not be required to perform work on the surface of said lode or lodes in order to hold the same as required by this section. On all such valid claims the annual period ending December 31, 1921, shall continue to 12 o'clock meridian July 1, 1922.

OMNIBUS BUDGET RECONCILIATION ACT OF 1993

(30 U.S.C. 28f and 28g)

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TITLE X—NATURAL RESOURCE PROVISIONS

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Subtitle B—Hardrock Mining Claim Maintenance Fee

SEC. 10101. FEE.

(a) CLAIM MAINTENANCE FEE.—The holder of each unpatented mining claim, mill, or tunnel site, located pursuant to the mining laws of the United States, whether located before, on or after the enactment of this Act, shall pay to the Secretary of the Interior, on or before September 1 of each year [for years 2004 through 2008], a claim maintenance fee of $100 per claim or site Such claim maintenance fee shall be in lieu of the assessment work requirement contained in the Mining Law of 1872 (30 U.S.C. 28–28e) and the related filing requirements contained in section 314 (a) and (c) of

the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1744 (a) and (c)).

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SEC. 10102. LOCATION FEE.

Notwithstanding any other provision of law, for every unpatented mining claim, mill or tunnel site located after the date of enactment of this subtitle [and before September 30, 2008,] pursuant to the Mining Laws of the United States, the locator shall, at the time the location notice is recorded with the Bureau of Land Management, pay to the Secretary of the Interior a location fee, in addition to the claim maintenance fee required by section 10101, of $25.00 per claim.

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SECTION 3 OF THE ACT OF AUGUST 21, 1935

SEC. 3. (a) * * *

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(f) The National Park System Advisory Board shall continue to exist until January 1, [2007] *2009*. The provisions of section 14(b) of the Federal Advisory Committee Act (the Act of October 6, 1972; 86 Stat. 776) are hereby waived with respect to the Board, but in all other respects, it shall be subject to the provisions of the Federal Advisory Committee Act.

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CONSOLIDATED APPROPRIATIONS ACT, 2005

(Division E of Public Law 108–447)

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DIVISION E—DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2005

TITLE I—DEPARTMENT OF THE INTERIOR

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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, $169,175,000, of which $76,106,000 shall be available for royalty management activities; and an amount not to exceed $103,730,000, to be credited to this appropriation and to remain available until expended, from addi-

tions 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 $103,730,000 in additions to receipts are not realized from the sources of receipts stated above, the amount needed to reach $103,730,000 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, 2006: *Provided further*, That funds appropriated under this Act shall be available for the payment of interest in accordance with 30 U.S.C. 1721(b) and (d): *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 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 pilot program is equal to or greater than royalty income recognized under a comparable royalty-in-value program: *Provided further,* That in fiscal year 2005 and thereafter, notwithstanding 30 U.S.C. 191(a) and 43 U.S.C. 1338, the Secretary shall pay amounts owed to States *and Indian accounts* under the [provision] *provisions* of 30 U.S.C. 1721(b) *and (d)* from amounts received as current receipts from bonuses, royalties, interest collected from lessees and designees, and rentals of the public lands and the outer continental shelf under provisions of the Mineral Leasing Act (30 U.S.C. 181 et seq.), and the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.), which are not payable to a State or the Reclamation Fund.

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SECTION 331 OF THE DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2000

SEC. 331. ENHANCING FOREST SERVICE ADMINISTRATION OF RIGHTS-OF-WAY AND LAND USES. (a) The Secretary of Agriculture shall develop and implement a pilot program for the purpose of en-

hancing forest service administration of rights-of-way and other land uses. The authority for this program shall be for fiscal years 2000 through [2006] *2012*. Prior to the expiration of the authority for this pilot program, the Secretary shall submit a report to the House and Senate Committees on Appropriations, and the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives that evaluates whether the use of funds under this section resulted in more expeditious approval of rights-of-way and special use authorizations. This report shall include the Secretary's recommendation for statutory or regulatory changes to reduce the average processing time for rights-of-way and special use permit applications.

(b) DEPOSIT OF FEES.—Subject to subsections (a) and (f), during fiscal years 2000 through [2006] *2012*, the Secretary of Agriculture shall deposit into a special account established in the Treasury all fees collected by the Secretary to recover the costs of processing applications for, and monitoring compliance with, authorizations to use and occupy National Forest System lands pursuant to section 28(l) of the Mineral Leasing Act (30 U.S.C. 185(l)), section 504(g) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1764(g)), section 9701 of title 31, United States Code, and section 110(g) of the National Historic Preservation Act (16 U.S.C. 470h–2(g)).

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SECTION 321 OF THE DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2003

(Division F of Public Law 108–7)

SEC. 321. Until September 30, [2007] *2010*, the authority of the Secretary of Agriculture to enter into an agreement under the first section of Public Law 94–148 (16 U.S.C. 565a–1) for a purpose described in such section includes the authority to use that legal instrument when the principal purpose of the resulting relationship is to the mutually significant benefit of the Forest Service and the other party or parties to the agreement, including nonprofit entities. An agreement entered into under this section shall not be subject to Public Law 95–224, Federal Grant and Cooperative Agreement Act (1977).

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DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2005

(Division E of Public Law 108–447)

SEC. 309. Of the funds provided to the National Endowment for the Arts:

(1) The Chairperson shall only award a grant to an individual if such grant is awarded to such individual for a literature fellowship, National Heritage Fellowship, *National Opera Fellowship,* or American Jazz Masters Fellowship.

REPROGRAMMING GUIDELINES

The Committee has revised the reprogramming guidelines to modify the threshold and approval requirements for agencies funded within the Interior, Environment and Related Agencies Appropriations bill. This added flexibility is provided with the understanding that the remaining guidelines will be strictly adhered to by the agencies. The following guidelines replace all other instructions previously issued by the Committee.

1. *Definitions.*—(a) The term "reprogramming," as defined in these procedures, is the administrative process for reallocating funds from one budget activity to another after an appropriations bill has been enacted into law. For purpose of these guidelines the term "budget activity", sometimes referred to by the agencies as "budget line-item" or "program area," means any program for which a specific appropriation level is specified in Committee reports including reports of a Committee of Conference. For construction and land acquisition accounts, a reprogramming constitutes the reallocation of funds from one construction or land acquisition project, which is individually identified in the justification or Committee report, to another such project. Beyond these specific requirements, a reprogramming also is defined as a budget change which represents any significant departure from the program described in the agency's budget justifications.

2. *General 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.

(b) Reprogramming should not be employed to initiate new programs or to change allocations specifically denied, limited or increased by the Congress.

(c) Reprogramming proposals submitted to the House and Senate Committees on Appropriations 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.

3. *Criteria and Exceptions.*—A reprogramming must be submitted to the Committees in writing prior to implementation if it exceeds $1,000,000 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, there is no restriction on reprogrammings among the programs within this activity. However, the Bureau shall report on all reprogrammings made during a given fiscal year no later than November 1 of that 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.

(c) With regard to Department of Interior or U.S. Forest Service construction projects, the threshold is $2,000,000 or 25 percent per project, except that reallocations that will result in a project cancellation or deferral must be submitted.

4. *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 for purposes of these reprogramming guidelines.

5. *Assessments.*—Increased assessments for centralized services or other purposes or new transfers of funds to contingency or reserve accounts which have not been described in the budget should be treated as reprogrammings if the amounts assessed or transferred exceed the thresholds.

6. *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 tracts with an appraised value of $1,000,000 or less.

7. *Land Exchanges.*—Land exchanges, wherein the estimated value of the Federal lands to be exchanged is greater than $2,000,000, shall not be consummated until the Committees have had a 30–day period in which to examine the proposed exchange, and the Committee shall be provided advance notification of exchanges valued between $500,000 and $2,000,000.

8. *Sequestrations or Across-the-Board Reductions.*—The definition of the term "budget activity" established by paragraph 1(a) of these instructions shall also be the definition of the level at which any general, across-the-board or sequestration related reductions mandated by law are to be applied to activities funded in any Interior, Environment and Related Agencies Appropriations bill.

EARMARKS

Pursuant to clause 9 of rule XXI of the Rules of the House of Representatives, this bill, as reported, contains no congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI.

FULL COMMITTEE VOTES

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLL CALL NO. 1

Date: June 7, 2007
Measure: Interior, Environment, and Related Agencies Appropriations Bill, FY 2008
Motion by: Mr. Peterson
Description of Motion: To alter sections 104 and 105 (which prevent any funds from being used to conduct leasing or pre-leasing of Federal outer continental shelf waters for oil and natural gas on the U.S. west coast and Atlantic coast) to allow any activities related to natural gas leasing and pre-leasing more than 25 miles from the coastline.
Results: Rejected 25 yeas to 39 nays.

Members Voting Yea	*Members Voting Nay*
Mr. Aderholt	Mr. Berry
Mr. Alexander	Mr. Bishop
Mr. Calvert	Mr. Boyd
Mr. Carter	Mr. Chandler
Mr. Culberson	Mr. Cramer
Mr. Edwards	Mr. Crenshaw
Mrs. Emerson	Ms. DeLauro
Mr. Goode	Mr. Dicks
Ms. Granger	Mr. Farr
Mr. Kingston	Mr. Fattah
Mr. Knollenberg	Mr. Frelinghuysen
Mr. Latham	Mr. Hinchey
Mr. Lewis	Mr. Hobson
Mr. Mollohan	Mr. Honda
Mr. Peterson	Mr. Israel
Mr. Regula	Mr. Jackson
Mr. Rehberg	Ms. Kaptur
Mr. Rogers	Mr. Kennedy
Mr. Simpson	Ms. Kilpatrick
Mr. Tiahrt	Mr. Kirk
Mr. Walsh	Mr. LaHood
Mr. Wamp	Ms. Lee
Dr. Weldon	Mrs. Lowey
Mr. Wicker	Ms. McCollum
Mr. Wolf	Mr. Moran
	Mr. Murtha
	Mr. Obey
	Mr. Olver
	Mr. Pastor
	Mr. Price
	Mr. Rodriguez
	Mr. Rothman
	Mr. Ruppersberger
	Mr. Schiff
	Mr. Serrano
	Mr. Udall
	Mr. Visclosky
	Ms. Wasserman Schultz
	Mr. Young

ROLL CALL NO. 2

Date: June 7, 2007
Measure: Interior, Environment, and Related Agencies Appropriations Bill, FY 2008
Motion by: Mr. Hinchey
Description of Motion: To add report language to the Minerals Management Service section regarding the North Aleutian Basin, Alaska, oil and gas outer continental shelf planning area, requiring scientific studies, enhanced inter-agency coordination, and a Government Accountability Office economic study on potential impacts of drilling in this area.
Results: Adopted 33 yeas to 30 nays.

Members Voting Yea	*Members Voting Nay*
Mr. Berry	Mr. Aderholt
Mr. Bishop	Mr. Alexander
Mr. Chandler	Mr. Boyd
Ms. DeLauro	Mr. Calvert
Mr. Dicks	Mr. Carter
Mr. Farr	Mr. Cramer
Mr. Fattah	Mr. Crenshaw
Mr. Frelinghuysen	Mr. Culberson
Mr. Hinchey	Mr. Edwards
Mr. Honda	Mrs. Emerson
Mr. Israel	Mr. Goode
Mr. Jackson	Ms. Granger
Mr. Kennedy	Mr. Hobson
Ms. Kilpatrick	Mr. Kingston
Mr. Kirk	Mr. Knollenberg
Mr. LaHood	Mr. Latham
Ms. Lee	Mr. Lewis
Mrs. Lowey	Mr. Peterson
Ms. McCollum	Mr. Regula
Mr. Mollohan	Mr. Rehberg
Mr. Moran	Mr. Rodriguez
Mr. Murtha	Mr. Rogers
Mr. Obey	Mr. Simpson
Mr. Olver	Mr. Tiahrt
Mr. Price	Mr. Walsh
Mr. Rothman	Mr. Wamp
Ms. Roybal-Allard	Dr. Weldon
Mr. Ruppersberger	Mr. Wicker
Mr. Schiff	Mr. Wolf
Mr. Serrano	Mr. Young
Mr. Udall	
Mr. Visclosky	
Ms. Wasserman Schultz	

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2007
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2008
(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF THE INTERIOR					
Bureau of Land Management					
Management of lands and resources	866,911	879,438	888,628	+21,717	+9,190
(Energy cost recovery)	---	(21,000)	(20,000)	(+20,000)	(-1,000)
Construction	11,751	6,476	6,476	-5,275	---
Land acquisition	8,634	1,619	18,634	+10,000	+17,015
Oregon and California grant lands	108,991	110,242	110,242	+1,251	---
Range improvements (indefinite)	10,000	10,000	10,000	---	---
Service charges, deposits, & forfeitures (indefinite)	24,905	26,905	25,905	+1,000	-1,000
Offsetting fee collections	-24,905	-26,905	-25,905	-1,000	+1,000
Miscellaneous trust funds (indefinite)	12,405	12,405	12,405	---	---
Wildland fire management:					
Preparedness	274,863	268,334	274,863	---	+6,529
Fire suppression operations	249,185	294,398	294,398	+45,213	---
Other operations	234,307	239,117	237,383	+3,076	-1,734
Emergency appropriations (P.L. 110-28)	95,000	---	---	-95,000	---
Subtotal	853,355	801,849	806,644	-46,711	+4,795
Total, Bureau of Land Management	1,872,047	1,822,029	1,853,029	-19,018	+31,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2007
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2008
(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Bill	Bill vs. Enacted	Bill vs. Request
United States Fish and Wildlife Service					
Resource management	1,013,969	1,034,520	1,104,572	+90,603	+70,052
Emergency appropriations (P.L. 110-28)	7,398	---	---	-7,398	---
Construction	45,300	23,071	31,653	-13,647	+8,582
Land acquisition	28,046	18,011	43,046	+15,000	+25,035
Landowner incentive program	23,667	---	---	-23,667	---
Private stewardship grants	7,277	---	---	-7,277	---
Cooperative endangered species conservation fund	81,001	80,001	81,001	---	+1,000
National wildlife refuge fund	14,202	10,811	14,202	---	+3,391
North American wetlands conservation fund	39,412	42,646	42,646	+3,234	---
Neotropical migratory birds conservation fund	3,941	3,960	5,000	+1,059	+1,040
Multinational species conservation fund	6,404	4,257	10,000	+3,596	+5,743
State and tribal wildlife grants	67,492	69,492	85,000	+17,508	+15,508
Total, United States Fish and Wildlife Service	1,338,109	1,286,769	1,417,120	+79,011	+130,351
National Park Service					
Operation of the national park system	1,847,897	2,057,132	2,046,809	+198,912	-10,323
Emergency appropriations (P.L. 110-28)	525	---	---	-525	---
United States Park Police	---	---	---	---	---
Centennial Challenge	---	---	50,000	+50,000	+50,000
National recreation and preservation	54,369	48,885	62,881	+8,512	+13,996
Emergency appropriations (by transfer)(P.L.110-28)	(500)	---	---	(-500)	---
Historic preservation fund	55,663	63,658	81,500	+25,837	+17,842
Emergency appropriations (P.L.110-28)	10,000	---	---	-10,000	---
Emergency appropriations(transfer out)(P.L.110-28)	(-500)	---	---	(+500)	---
Construction and major maintenance	297,482	201,580	201,580	-95,902	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2007
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2008
(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Bill	Bill vs. Enacted	Bill vs. Request
Land and water conservation fund (rescission of contract authority)	-30,000	-30,000	-30,000	---	---
Land acquisition and state assistance	64,024	22,529	99,402	+35,378	+76,873
Use of prior year balances	---	---	---	---	---
Total, National Park Service (net)	2,299,960	2,363,784	2,512,172	+212,212	+148,388
United States Geological Survey					
Surveys, investigations, and research	982,780	974,952	1,032,764	+49,984	+57,812
Emergency appropriations (P.L. 110-28)	5,270	---	---	-5,270	---
Minerals Management Service					
Royalty and offshore minerals management	281,342	290,778	289,282	+7,940	-1,496
Use of receipts	-128,730	-135,730	-135,730	-7,000	---
Oil spill research	6,903	6,403	6,403	-500	---
Ultra deepwater research deferral	---	---	-50,000	-50,000	-50,000
State royalty administrative cost deduction	---	---	-43,000	-43,000	-43,000
Total, Minerals Management Service	159,515	161,451	66,955	-92,560	-94,496
Office of Surface Mining Reclamation and Enforcement					
Regulation and technology	109,100	115,360	117,237	+8,137	+1,877

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2007
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2008
(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Bill	Bill vs. Enacted	Bill vs. Request
Receipts from performance bond forfeitures (indefinite)	98	100	100	+2	---
Subtotal	109,198	115,460	117,337	+8,139	+1,877
Abandoned mine reclamation fund (definite, trust fund)	185,393	52,835	52,774	-132,619	-61
Total, Office of Surface Mining Reclamation and Enforcement	294,591	168,295	170,111	-124,480	+1,816
Bureau of Indian Affairs					
Operation of Indian programs	1,988,223	1,990,918	2,093,545	+105,322	+102,627
Construction	271,823	197,627	207,983	-63,840	+10,356
Indian land and water claim settlements and miscellaneous payments to Indians	42,000	34,069	39,136	-2,864	+5,067
Indian guaranteed loan program account	6,258	6,276	6,276	+18	---
Total, Bureau of Indian Affairs	2,308,304	2,228,890	2,346,940	+38,636	+118,050
Departmental Offices					
Office of the Secretary	116,265	101,445	136,413	+20,148	+34,968
Insular Affairs:					
Assistance to Territories	48,477	47,201	50,572	+2,095	+3,371
Northern Marianas	27,720	27,720	27,720	---	---
Subtotal	76,197	74,921	78,292	+2,095	+3,371

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2007
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2008
(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Bill	Bill vs. Enacted	Bill vs. Request
Compact of Free Association	3,313	2,862	3,362	+49	+500
Mandatory payments	2,000	2,000	2,000	---	---
Subtotal	5,313	4,862	5,362	+49	+500
Total, Insular Affairs	81,510	79,783	83,654	+2,144	+3,871
Office of the Solicitor	55,018	58,949	59,250	+4,232	+301
Office of Inspector General	38,823	42,322	43,822	+4,999	+1,500
Office of Special Trustee for American Indians					
Federal trust programs	189,251	186,158	182,542	-6,709	-3,616
Indian land consolidation	34,006	10,000	10,000	-24,006	---
Total, Office of Special Trustee for American Indians	223,257	196,158	192,542	-30,715	-3,616
Total, Departmental Offices	514,873	478,657	515,681	+808	+37,024
Department-wide Programs					
Payments in lieu of taxes	232,528	190,000	232,528	---	+42,528
Central hazardous materials fund	9,715	9,954	9,954	+239	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2007
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2008
(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Bill	Bill vs. Enacted	Bill vs. Request
Natural resource damage assessment fund	6,043	6,224	6,224	+181	---
Working capital fund	---	22,240	---	---	-22,240
Total, Department-wide programs	248,286	228,418	248,706	+420	+20,288
Total, title I, Department of the Interior	10,023,735	9,713,245	10,163,478	+139,743	+450,233
Appropriations	(9,935,542)	(9,743,245)	(10,193,478)	(+257,936)	(+450,233)
Emergency appropriations	(118,193)	---	---	(-118,193)	---
Rescission	(-30,000)	(-30,000)	(-30,000)	---	---
TITLE II - ENVIRONMENTAL PROTECTION AGENCY					
Science and Technology	733,387	754,506	788,269	+54,882	+33,763
(By transfer from Hazardous substance superfund)	(30,156)	(26,126)	(26,126)	(-4,030)	---
Commission on Climate Change Science	---	---	50,000	+50,000	+50,000
Environmental programs and management	2,358,370	2,298,188	2,375,582	+17,212	+77,394
Office of Inspector General	37,172	38,008	43,500	+6,328	+5,492
(By transfer from Hazardous substance superfund)	(13,337)	(7,149)	(10,000)	(-3,337)	(+2,851)
Buildings and facilities	39,626	34,801	34,801	-4,825	---
Hazardous substance superfund	1,255,097	1,244,706	1,272,008	+16,911	+27,302
Transfer to Office of Inspector General	(-13,337)	(-7,149)	(-10,000)	(+3,337)	(-2,851)
Transfer to Science and Technology	(-30,156)	(-26,126)	(-26,126)	(+4,030)	---
Leaking underground storage tank program	72,035	92,235	117,961	+45,926	+25,726
Oil spill response	15,734	17,280	17,280	+1,546	---
Pesticide registration fund	10,000	10,000	10,000	---	---
Pesticide registration fees	-10,000	-10,000	-10,000	---	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2007
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2008
(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Bill	Bill vs. Enacted	Bill vs. Request
State and tribal assistance grants	2,100,634	1,679,479	2,277,667	+177,033	+598,188
Categorical grants	1,113,075	1,045,197	1,113,847	+772	+68,650
Subtotal, State and tribal assistance grants	3,213,709	2,724,676	3,391,514	+177,805	+666,838
Rescission	---	-5,000	-5,000	-5,000	---
Total, title II, Environmental Protection Agency	7,725,130	7,199,400	8,085,915	+360,785	+886,515
Appropriations	(7,725,130)	(7,204,400)	(8,090,915)	(+365,785)	(+886,515)
Rescissions	---	(-5,000)	(-5,000)	(-5,000)	---
(By transfer)	(43,493)	(33,275)	(36,126)	(-7,367)	(+2,851)
(Transfer out)	(-43,493)	(-33,275)	(-36,126)	(+7,367)	(-2,851)
TITLE III - RELATED AGENCIES					
DEPARTMENT OF AGRICULTURE					
Forest Service					
Forest and rangeland research	280,488	263,000	295,937	+15,449	+32,937
State and private forestry	279,761	202,458	280,602	+841	+78,144
National forest system	1,452,729	1,344,377	1,506,502	+53,773	+162,125
Emergency appropriations (P.L. 110-28)	12,000	---	---	-12,000	---
Capital improvement and maintenance	436,400	422,565	520,197	+83,797	+97,632
Excess purchaser elect road funds	---	---	-40,000	-40,000	-40,000
Deferral of road and trail fund payment	---	---	-15,000	-15,000	-15,000
Subtotal	436,400	422,565	465,197	+28,797	+42,632

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2007
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2008
(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Bill	Bill vs. Enacted	Bill vs. Request
Land acquisition	41,936	15,703	44,485	+2,549	+28,782
Acquisition of lands for national forests, special acts	1,053	1,053	1,053	---	---
Acquisition of lands to complete land exchanges (indefinite)	231	231	231	---	---
Range betterment fund (indefinite)	2,876	3,750	3,750	+874	---
Gifts, donations and bequests for forest and rangeland research	63	56	56	-7	---
Management of national forest lands for subsistence uses	5,009	5,053	5,053	+44	---
Wildland fire management:					
Preparedness	665,382	349,082	675,382	+10,000	+326,300
Wildland firefighters	---	219,710	---	---	-219,710
Subtotal	665,382	568,792	675,382	+10,000	+106,590
Fire suppression operations	741,477	911,032	859,021	+117,544	-52,011
Other operations	416,744	388,803	440,245	+23,501	+51,442
Emergency appropriations (P.L. 110-28)	370,000	---	---	-370,000	---
Subtotal, Wildland fire management	2,193,603	1,868,627	1,974,648	-218,955	+106,021
Total, Forest Service	4,706,149	4,126,873	4,577,514	-128,635	+450,641

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2007
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2008
(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Bill	Bill vs. Enacted	Bill vs. Request
DEPARTMENT OF HEALTH AND HUMAN SERVICES					
Indian Health Service					
Indian health services:					
Non-contract services	2,308,925	2,362,015	2,444,017	+135,092	+82,002
Contract care	499,562	551,515	561,515	+61,953	+10,000
Catastrophic health emergency fund	17,735	18,000	18,000	+265	---
Total, Indian health services	2,826,222	2,931,530	3,023,532	+197,310	+92,002
Indian health facilities	353,926	339,196	360,895	+6,969	+21,699
Total, Indian Health Service	3,180,148	3,270,726	3,384,427	+204,279	+113,701
National Institute of Health					
National Institute of Environmental Health Sciences	79,117	78,434	79,117	---	+683
Agency for Toxic Substances and Disease Registry					
Toxic substances and environmental public health	75,212	75,004	75,212	---	+208
Total, Department of Health and Human Services	3,334,477	3,424,164	3,538,756	+204,279	+114,592

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2007
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(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Bill	Bill vs. Enacted	Bill vs. Request
OTHER RELATED AGENCIES					
Executive Office of the President					
Council on Environmental Quality and Office of Environmental Quality	2,698	2,703	2,703	+5	---
Chemical Safety and Hazard Investigation Board					
Salaries and expenses	9,113	9,049	9,549	+436	+500
Office of Navajo and Hopi Indian Relocation					
Salaries and expenses	8,509	9,000	9,000	+491	---
Institute of American Indian and Alaska Native Culture and Arts Development					
Payment to the Institute	6,207	7,297	7,297	+1,090	---
Smithsonian Institution					
Salaries and expenses	536,295	571,347	536,295	---	-35,052
Facilities capital	98,600	107,100	116,100	+17,500	+9,000
Total, Smithsonian Institution	634,895	678,447	652,395	+17,500	-26,052

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2007
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2008
(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Bill	Bill vs. Enacted	Bill vs. Request
National Gallery of Art					
Salaries and expenses	95,767	97,983	101,850	+6,083	+3,867
Repair, restoration and renovation of buildings	15,962	18,017	18,017	+2,055	---
Total, National Gallery of Art	111,729	116,000	119,867	+8,138	+3,867
John F. Kennedy Center for the Performing Arts					
Operations and maintenance	17,575	20,000	20,200	+2,625	+200
Capital repair and restoration	12,814	19,350	23,150	+10,336	+3,800
Total, John F. Kennedy Center for the Performing Arts	30,389	39,350	43,350	+12,961	+4,000
Woodrow Wilson International Center for Scholars					
Salaries and expenses	9,100	8,857	10,000	+900	+1,143
National Foundation on the Arts and the Humanities					
National Endowment for the Arts					
Grants and administration	124,562	128,412	160,000	+35,438	+31,588

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2007
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2008
(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Bill	Bill vs. Enacted	Bill vs. Request
National Endowment for the Humanities					
Grants and administration	125,884	126,845	145,500	+19,616	+18,655
Matching grants	15,221	14,510	14,500	-721	-10
Total, National Endowment for the Humanities	141,105	141,355	160,000	+18,895	+18,645
Total, National Foundation on the Arts and the Humanities	265,667	269,767	320,000	+54,333	+50,233
Commission of Fine Arts					
Salaries and expenses	1,873	2,092	2,092	+219	---
National Capital Arts and Cultural Affairs					
Grants	7,143	---	10,000	+2,857	+10,000
Advisory Council on Historic Preservation					
Salaries and expenses	4,828	5,348	5,348	+520	---
National Capital Planning Commission					
Salaries and expenses	8,168	8,265	8,265	+97	---
United States Holocaust Memorial Museum					
Holocaust Memorial Museum	42,349	44,996	44,996	+2,647	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2007
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2008
(Amounts in thousands)

	FY 2007 Enacted	FY 2008 Request	Bill	Bill vs. Enacted	Bill vs. Request
Presidio Trust					
Presidio trust fund	19,706	18,450	22,400	+2,694	+3,950
White House Commission on the National Moment of Remembrance					
Operations	247	200	200	-47	---
Total, title III, related agencies	9,203,247	8,770,858	9,383,732	+180,485	+612,874
Appropriations	(8,821,247)	(8,770,858)	(9,438,732)	(+617,485)	(+667,874)
Emergency appropriations	(382,000)	---	(-55,000)	(-437,000)	(-55,000)
TITLE IV - GENERAL PROVISIONS					
Secure rural schools (emergency)(P.L. 110-28)	425,000	---	---	-425,000	---
Grand total	27,377,112	25,683,503	27,633,125	+256,013	+1,949,622
Appropriations	(26,481,919)	(25,718,503)	(27,723,125)	(+1,241,206)	(+2,004,622)
Emergency appropriations	(925,193)	---	(-55,000)	(-980,193)	(-55,000)
Rescissions	(-30,000)	(-35,000)	(-35,000)	(-5,000)	---
(By transfer)	(43,493)	(33,275)	(36,126)	(-7,367)	(+2,851)
(Transfer out)	(-43,493)	(-33,275)	(-36,126)	(+7,367)	(-2,851)

ADDITIONAL VIEWS OF JERRY LEWIS AND TODD TIAHRT

Chairman Dicks is to be commended for the reasonable and evenhanded manner in which he has conducted the business of the subcommittee. The subcommittee's work this year has been a bipartisan, collaborative effort. In spite of the comity reflected in much of the subcommittee's work, however, we have genuine policy differences with the Democrat majority and a divergence in views over the level of funding necessary to address the critical needs of this bill.

Our 38 subcommittee hearings revealed many unmet needs and urgent priorities. Still, while we have an obligation to be good stewards of our environment and public lands for future generations, we also have an obligation to be good stewards of our tax dollars. In that respect, this legislation falls short.

The 302(b) allocation for this bill is $27.6 billion, a $1.9 billion increase over the President's budget request and a $1.2 billion increase over the enacted fiscal year 2007 Interior bill. The enacted FY07 Interior bill, itself, was $400 million above the House passed level. This FY08 subcommittee allocation represents a seven percent increase above the budget request, and a 4.3 percent increase over the FY07 enacted level.

The initial subcommittee allocation—which was $858 million above the FY07 enacted level—though very generous, would have resulted in a better, more balanced bill. The additional $335 million, added at the last minute to the subcommittee's already charitable allocation, is simply unnecessary and, more importantly, unsustainable.

We would submit that this subcommittee allocation represents exactly the kind of unfettered spending that so closely identifies the differences of philosophies between Republicans and Democrats. And, who is going to pay for this increased spending?

In 2004, 50 percent of the total Federal tax burden was shouldered by the 65 million households earning between $24,000 and $65,000 per year. The vast majority of those taxes are being paid by individuals between the ages of 45 and 54 with incomes between $55,000 and $77,000 a year. These are middle-income families, many of them from "the sandwich generation," shouldering the financial burden of supporting both young children and aging parents. Middle-income families end up paying the bill for expanded government, and this 302(b) allocation by the Democrat majority guarantees years of payments middle-income families do not want and cannot afford.

Repeating the mistakes of the past

No matter how well-intentioned the Democrat majority, this allocation will cause many of the same problems down the road that

this subcommittee has been trying to resolve in recent years—namely, huge backlogs in operations and maintenance.

This circumstance is, in many respects, similar to a homeowner who receives a big bonus and uses these extra funds to buy a bigger house for his family. The bonus is welcome and unexpected. Buying a bigger house seems like a great idea at the time. But down the road, he realizes that he can't depend on getting a bonus every year and he finds himself unable to afford living in his new house. He, like this subcommittee, risks becoming overextended and unable to pay the bills. The difference is the homeowner goes bankrupt; the government just keeps on spending.

It is human nature that we desire to create new programs, build new structures, and buy new land. Yet, no one worries about the future costs to maintain them.

Over the years, this subcommittee has learned through good oversight that too little money can do real harm. The same is true for too much money. We believe the subcommittee should strive for balance. And that is precisely what the original subcommittee allocation achieved.

We ought to provide enough money to allow the agencies to carry out their primary mission. We should focus on taking good care of what we presently have in the public trust. We have to give careful, thoughtful consideration before purchasing something new. Again, we must strive for balance. As this bill continues through the legislative process, we are hopeful that Chairman Dicks will be sensitive and responsive to this challenge.

Many areas within this legislation have achieved balance. We applaud Chairman Dicks' focus on the operating accounts within this bill. There has clearly been erosion in this area due in part to the absorption of pay and fixed costs over the years.

However, we believe the subcommittee should move more cautiously in providing funds for new land acquisition and construction. While there are high priority needs in these areas, it is important that we focus on the core missions of these agencies and not become over-extended. The subcommittee risks creating a larger problem down the road by hastily expanding current areas that we cannot oversee or creating new ones we cannot maintain.

Many will recall that when Congress provided these agencies too much funding, too quickly, in the early to mid-1990's, they lost focus. The result was huge backlogs, redundant programs, large unobligated balances (many of which still remain), and numerous operational shortfalls. Our job is to provide for core needs, be vigilant about oversight, and avoid the mistakes of the past.

Needed attention to Park Service, Indian Country

We recognize that Chairman Obey has a special place in his heart for the great open spaces in our country. And, we know that he appreciates the grandeur of our National Parks. We join the Chairman in supporting the $198 million increase in the Operations budget for the National Park Service.

We are also pleased with the needed attention this bill provides to Native Americans. There are many unmet needs within Indian Country—in education, health care, law enforcement, methamphetamine treatment, and other areas—and this bill does a great deal

to address these priorities. We also believe it critically important to restore full funding for the Urban Indian Health Clinics—and this bill does that.

Items of concern

While Chairman Dicks' Committee mark is positive in many respects, we would be remiss if we didn't outline several specific areas where we would have written this bill differently.

The fire season is upon us once again and it is appropriate that this bill provides additional funding for wildfire preparedness at the Bureau of Land Management and U.S. Forest Service. Subcommittee hearings this year demonstrated that there is great interest—and great concern—over this ongoing wildfire challenge which is presently consuming almost 45 percent of the Forest Service budget. In light of the large subcommittee allocation, and the tremendous anticipated need during this fire season, we think the subcommittee could have done even more to address fire preparedness, particularly within the state fire assistance account.

While reasonable people may disagree over the cause, there is clearly a need for more focused science on Climate Change. We believe Chairman Dicks would agree that our response to climate change must look at long-term solutions rather than simply trying to provide a quick fix. The USGS is the science agency for the Department of the Interior, and we believe they should manage any additional funds directed to address this issue for the Department.

While we have the greatest respect for Chairman Dicks, we are concerned about including the Global Climate Change Sense of the Congress resolution in this bill. Our concern is based on the simple fact that it does not reflect the consensus opinion of the many climate change experts who testified before the subcommittee this year. It proposes conclusions and solutions to a problem that is not yet fully understood. Historically, mandatory market-based limits have not worked.

We believe we need to make wise, science-based decisions rather than merely respond to the heated rhetoric of the day. As one agency scientist testified this year, our greatest need is to focus on the gaps in credible scientific information. Without understanding the complete scientific data, we will be unable to solve the problems created by climate change. And, it will create false hope, presenting bad solutions to the wrong problems.

Securing our energy future

America needs to secure its own sources of energy—be it from oil, natural gas, coal, nuclear, renewable, or other sources. A strong and vibrant economy, and the well-paying jobs that go along with it, is inextricably linked with reliable—and preferably inexpensive—energy sources. If we want to help businesses and the workers they employ to continue to build and strengthen our economy, we must provide them with the tools they need to pursue reliable sources of energy. We believe responsible use of our resources is precisely the right course to ensure that American workers and their employers in manufacturing and other industries have the energy sources necessary for future generations.

The approximately 43 million Outer-Continental Shelf (OCS) acres under lease generally account for about 20 percent of America's domestic natural gas. To address the growing demand for domestic sources of natural gas, Mr. Peterson last year offered a common-sense amendment in full committee which was supported on a bipartisan basis. Republicans and Democrats alike agreed that the United States needed to lessen its dependence on foreign sources of natural gas. Unfortunately, that same amendment offered by Mr. Peterson in full committee this year was defeated on a largely party-line vote.

In a 33–30 vote, the Committee also narrowly adopted an amendment offered by Mr. Hinchey that would delay or even prevent potential oil and gas leasing in Alaska's North Aleutian OCS Planning Area. In spite of more than two years of scheduled environmental analysis by the Mineral Management Service, including an environmental impact statement based on the most current science, Committee Democrats chose to forego yet another opportunity to explore a potential domestic source of energy. At a time when most Americans are spending more than three dollars for a gallon of gas, this amendment strikes us as exceedingly shortsighted. Recent actions by Venezuelan President Hugo Chavez, who is using his country's oil resources as a weapon against the United States, underscore our concern.

In closing, while we have real policy differences and spending concerns relating to this legislation, it is our hope that between now and conference negotiations with the Senate later this year, we can address the most disconcerting issues and seek bipartisan consensus on a reasonable, sustainable subcommittee allocation. Our sincere desire is to work with Chairman Dicks to fashion a responsible, balanced conference report worthy of broad, bipartisan support.

JERRY LEWIS.
TODD TIAHRT.

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