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108TH CONGRESS, 2d Session } HOUSE OF REPRESENTATIVES { REPORT 108–542

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATION BILL, 2005

JUNE 15, 2004.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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

R E P O R T

together with

MINORITY VIEWS

[To accompany H.R. 4568]

The Committee on Appropriations submits the following report in explanation of the accompanying bill making appropriations for the Department of the Interior and Related Agencies for the fiscal year ending September 30, 2005. The bill provides regular annual appropriations for the Department of the Interior (except the Bureau of Reclamation) and for other related agencies, including the Forest Service, the Department of Energy, the Indian Health Service, the Smithsonian Institution, and the National Foundation on the Arts and the Humanities.

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Comparison With Budget Resolution

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

[In millions of dollars]

	Sec. 302(b)		This bill—	
	Discretionary	Mandatory	Discretionary	Mandatory
Budget authority	19,499	52	19,999	52
Outlays	19,788	59	20,205	59

Note.—The amounts in this bill are technically in excess of the subcommittee section 302(b) suballocation. However, pursuant to section 312 of S.Con.Res. 95 (108th Congress), increases to the Committee's section 302(a) allocation are authorized for funding in the reported bill for wildland fire suppression. After the bill is reported to the House, the Chairman of the Committee on the Budget will provide an increased section 302(a) allocation consistent with the funding provided in the bill. That new allocation will be suballocated to the Interior subcommittee and will eliminate the technical difference prior to floor consideration.

Summary of the Bill

The Committee has conducted hearings on the programs and projects provided for in the Interior and Related Agencies Appropriations bill for 2005. The hearings are contained in 8 published volumes totaling nearly 9,200 pages.

During the course of the hearings, testimony was taken at 11 hearings on 10 days, not only from agencies which come under the jurisdiction of the Interior Subcommittee, but also from Members of Congress, and, in written form, from State and local government officials, and private citizens.

The bill that is recommended for fiscal year 2005 has been developed after careful consideration of all the facts and details available to the Committee.

BUDGET AUTHORITY RECOMMENDED IN BILL BY TITLE

Activity	Budget estimates, fiscal year 2005	Committee bill, fiscal year 2005	Committee bill compared with budget estimates
Title I, Department of the Interior: New Budget (obligational) authority	$9,971,229,000	$9,757,951,000	−$213,348,000
Title II, related agencies: New Budget (obligational) authority	10,006,186,000	9,772,174,000	+57,188,000
Grand total, New Budget (obligational) authority	19,977,485,000	19,530,125,000	−156,160,000

Total Appropriations for the Department of the Interior and Related Agencies

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

Details of these activities are listed in tables at the end of this report. In fiscal year 2004, these activities are estimated to total $3,979,525,000. The estimate for fiscal year 2005 is $4,721,101,000.

The following table reflects the total budget (obligational) authority contained both in this bill and in permanent appropriations for fiscal years 2004 and 2005.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES TOTAL BUDGET AUTHORITY FOR FISCAL YEARS 2004–2005

Item	Fiscal year 2004	Fiscal year 2005	Change
Interior and related agencies appropriations bill	*$19,787,021	*$19,530,125,000	*−$256,896,000
Permanent appropriations, Federal funds	2,921,714,000	2,967,272,000	+45,558,000
Permanent appropriations, trust funds	1,057,811,000	1,104,829,000	+47,018,000
Total budget authority	23,993,712,000	23,602,226,000	−164,320,000

*After adjusting for the transfer of jurisdiction for the weatherization program (see discussion under Department of Energy, Energy Conservation).

Revenue Generated by Agencies in Bill

The following tabulation indicates total new obligational authority to date for fiscal years 2003 and 2004, and the amount recommended in the bill for fiscal year 2005. It compares receipts generated by activities in this bill on an actual basis for fiscal year 2003 and on an estimated basis for fiscal years 2004 and 2005. The programs in this bill are estimated to generate $10.2 billion in revenues for the Federal Government in fiscal year 2005. Therefore, the expenditures in this bill will contribute to economic stability rather than inflation.

Item	Fiscal year—		
	2003	2004	2005
New obligational authority	$20,111,480,000	$20,014,187,000	$19,530,125,000
Receipts:			
Department of the Interior	8,938,149,000	8,882,670,000	9,797,219,000
Forest Service	343,338,000	406,615,000	428,143,000

Item	Fiscal year—		
	2003	2004	2005
Naval Petroleum Reserves	7,403,000	6,927,000	7,173,000
Total receipts	9,288,890,000	9,296,212,000	10,232,535,000

APPLICATION OF GENERAL REDUCTIONS

The level at which sequestration reductions shall be taken pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, if such reductions are required in fiscal year 2005, is defined by the Committee as follows:

As provided for by section 256(l)(2) of Public Law 99–177, as amended, and for the purpose of a Presidential Order issued pursuant to section 254 of said Act, the term "program, project, and activity" for items under the jurisdiction of the Appropriations Subcommittees on the Department of the Interior and Related Agencies of the House of Representatives and the Senate is defined as (1) any item specifically identified in tables or written material set forth in the Interior and Related Agencies Appropriations Act, or accompanying committee reports or the conference report and accompanying joint explanatory statement of the managers of the committee of conference; (2) any Government-owned or Government-operated facility; and (3) management units, such as National parks, National forests, fish hatcheries, wildlife refuges, research units, regional, State and other administrative units and the like, for which funds are provided in fiscal year 2005.

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

FEDERAL FUNDING OF INDIAN PROGRAMS

The Committee recommends appropriations of new budget authority aggregating $5.6 billion for Indian programs in fiscal year 2005. This is an increase of $62 million above the budget request and an increase of $166 million above the amount appropriated for fiscal year 2004. Spending for Indian services by the Federal Government in total is included in the following table.

[In thousands of dollars]

	Approps bills	FY 2003 actual	FY 2004 enacted	FY 2005 budget request
Department of Agriculture	(Agriculture)	740,299	802,084	796,874
Army Corps of Engineers	(Energy/Water)	28,837	34,490	34,490
Department of Commerce	(C/J/S)	12,534	11,874	12,100
Department of Defense	(Defense)	18,000	18,000	.....
Department of Education	(Labor/HHS/ED)	2,195,514	2,387,557	2,494,007
Department of Health & Human Services	(L/HHS/Interior)	4,053,406	4,200,904	4,301,607
Department of Housing & Urban Development	(VA/HUD)	726,250	733,545	672,036
Department of the Interior	(Interior)	2,749,917	2,891,122	2,964,881
Department of Justice	(C/J/S)	251,194	220,079	227,158
Department of Labor	(Labor/HHS/ED)	70,553	69,602	70,015
Department of Transportation	(Transportation)	239,438	274,547	329,548
Department of Veterans Affairs	(VA/HUD)	544	558	571

[In thousands of dollars]

	Approps bills	FY 2003 actual	FY 2004 enacted	FY 2005 budget request
Environmental Protection Agency	(VA/HUD)	229,800	231,956	231,152
Small Business Administration	(C/J/S)	2,000	2,000	
Smithsonian Institution	(Interior)	59,413	51,630	46,572
Department of the Treasury	(VA/HUD)	5,000	4,000	3,000
Other Agencies & Independent Agencies		97,724	96,758	43,039
Grand Total		11,480,423	12,030,706	12,227,050

CONSTITUTIONAL AUTHORITY

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

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

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

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

ALLOCATING CONGRESSIONAL FUNDING PRIORITIES

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

FOCUSING ON CORE PROGRAMS

The Committee's fiscal year 2005 budget recommendations reflect the necessity to stay within a constrained allocation in this time of conflict in Iraq and homeland security concerns. The recommendations are also sensitive to the need to address the deficit. The Committee's recommendations reflect the belief that: (1) proposed cuts to many core programs are unacceptable; (2) large increases for grant programs are unrealistic; (3) critical forest health programs and energy research must be continued; (4) untested and unproven grant programs and new land acquisition are a low priority; and (5) large, expensive partnership projects that have not been approved in advance by the Committee are unacceptable because they result in additional operational costs and displace critical backlog maintenance requirements.

Wildfire management efforts and forest health programs are some of the most critically important core programs on which the Committee has focused scarce resources. The Committee recommendation increases funding for wildland fire management by $175 million above the fiscal year 2004 enacted level, including an increase of $58 million for hazardous fuels reduction. In addition, the Committee has maintained funding for critical and essential forest health management programs and for national fire plan support. Without these funds, we will not be able to protect communities and natural resources and we will have ever-increasing wildfire suppression costs in the future and the number and severity of large fire events will grow.

Indian school and hospital and clinic construction funding is restored in the Committee's recommendations for fiscal year 2005. We must maintain our commitments to American Indian and Alaska Natives and the construction of critically needed school and health facilities is central to our ability to meet those commitments.

Absorption of costs associated with Federal pay increases, unreimbursed emergencies (including firefighting costs and costs associated with natural disasters), homeland security, rising energy prices and other unfunded fixed costs cannot continue indefinitely without further eroding core program capabilities. Over the past three years, the land management agencies in the Interior bill have absorbed nearly $800 million in unfunded costs and more than $400 million in unreimbursed firefighting costs. Over the same time period, Indian programs have absorbed over $500 million in unfunded costs. The Committee's fiscal year 2005 budget recommendations focus on adequately funding proven, successful, mission-essential Federal programs and reducing funding for large grant programs and new land acquisition.

The Committee believes strongly that the agencies funded in the Interior and Related Agencies bill need to manage better the funds they have. Travel costs need to be closely monitored and controlled. The number, size, and cost of government-sponsored conferences also should be reduced.

The Committee expects the Departments and agencies funded in this bill to make maximum use of low cost airfares, consistent with General Services Administration guidelines. The GSA permits the use of lower fares, available to the general public, offered by noncontract carriers, if such use will result in a lower total trip cost. Consistent with GSA guidelines, the Committee expects each Department and agency to determine if such lower fares are available and, if so, those lower fares should be used unless the contract carrier that would have otherwise been used will provide a comparable fare. This direction applies to all official travel funded in this bill.

Major new construction projects should not be initiated at the expense of critical operations and maintenance requirements. Likewise, no new construction project should be initiated without a thorough analysis of the future staffing, operations, and maintenance costs that will result, and the Committee should be consulted at the earliest possible stage when a major construction project is under consideration. This has been a particular problem in the National Park Service.

The Committee appreciates the need for information technology improvements, enterprise services networks, and implementing portions of the President's management agenda. However, to date, a lot of funding has been dedicated to these initiatives without a well thought-out and reasonable approach to addressing requirements. Commercially available systems, through the private sector, should be used to the maximum extent possible rather than building customized new systems. Likewise, the Committee does not endorse the practice of assessing costs against programs to build bigger administrative bureaucracies in response to new administrative and technology requirements or the practice of reducing program budgets on the basis of presumed future savings. These costs should be clearly justified and requested under administrative accounts and any future savings associated with administrative improvements should be demonstrated before budget reductions are proposed. While portions of the Administration's management agenda may indeed be useful, funds should not be taken from all agencies to provide centralized funding for the various lead agencies. If funding is needed for government wide initiatives, it should be requested and managed by each lead agency.

The Committee has made difficult choices in formulating its fiscal year 2005 budget recommendations. Each agency funded in the Interior and Related Agencies bill needs to examine carefully its way of doing business in these constrained fiscal times and focus on its core, proven programs and on better management of resources.

ENERGY RESEARCH—ENSURING A BALANCED NATIONAL ENERGY STRATEGY

The Committee again was disappointed by the emphasis in the budget request to fund major new long-term energy research efforts, such as FreedomCAR and FutureGen (the power plant of the future), at the expense of ongoing programs that will yield energy savings and emission reductions over the next ten years. While the Committee agrees that the Department of Energy needs to do a better job measuring program success and discontinuing programs that do not yield expected results, the elimination of promising, ongoing research efforts results in wasting the funds that have been invested in those efforts to date.

The Committee believes that new programs should be considered, but promising research should also be continued and expanded if we are to achieve the goals of energy independence, dramatically lower energy consumption, and significantly reduced emissions of harmful pollutants from energy production and use. The Committee's recommendations present a balanced approach to handling the supply and demand sides of the energy issue and funding long-term research while continuing promising, ongoing shorter-term research.

Incremental improvements to existing technology are critical to achieve short-term and mid-term energy efficiency improvements and emissions reductions. We cannot afford to abandon ongoing research in the hope that potential, cutting-edge improvements can be achieved in the next 15 or 20 years. Indeed, the government's track record for picking "winning" technologies of the future has not been good. Too often new technologies have been pursued based

on economic assumptions of their affordability that fail to materialize. Most major energy savings are achieved over time through improvements to existing technologies. This country and the world will rely on traditional sources of energy supply and current technology for at least the next 20 years. We cannot afford to back away from research on coal, oil, and natural gas while we look for alternative technologies.

The Committee's recommendations acknowledge that we need both traditional fuels and alternative fuels and that we need to find ways to use all fuels and technologies more efficiently and more cleanly. To meet the ever-growing need for energy, domestically and worldwide, we are going to need to burn traditional fossil fuels more efficiently and with lower emissions. We need to expand our use of nuclear energy for electric power generation. We also should expand the use of alternative energy resources such as solar, wind, geothermal, and hydrogen. We will need all of these sources to meet demand.

The Committee continues to support the President's clean coal power initiative, FutureGen initiative, and FreedomCAR initiative, albeit at lower funding levels for the latter two programs than in the budget request. The weatherization assistance program and State energy programs are funded at the fiscal year 2004 level even though energy programs as a whole in the bill are reduced by 7 percent.

The Committee has recommended restoring many of the reductions proposed in the budget request for energy conservation research and for research to improve fossil energy technologies. It would be fiscally irresponsible to discontinue research in which we have made major investments without bringing that research to a logical conclusion.

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

TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

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

Under the multiple-use and ecosystem management concept the Bureau administers more than 18,000 grazing permits and leases nearly 13 million livestock animal unit months on some 214 million acres of public rangeland, and manages rangelands and facilities for 56,000 wild horses and burros, some 261 million acres of wildlife habitat, and over 117,000 miles of fisheries habitat. Grazing receipts are estimated to be about $13.2 million in fiscal year 2005,

the same as the estimate for fiscal year 2004 and actual receipts of $11.8 million in fiscal year 2003. The Bureau also administers about 55 million acres of commercial forests and woodlands through the "Management of Lands and Resources" and "Oregon and California grant lands" appropriations. Timber receipts (including salvage) are estimated to be $36.6 million in fiscal year 2005 compared to estimated receipts of $28.9 million in fiscal year 2004 and actual receipts of $13.5 million in fiscal year 2003. The Bureau has an active program of soil and watershed management on 175 million acres in the lower 48 States and 86 million acres in Alaska. Practices such as revegetation, protective fencing, and water development are designed to conserve, enhance, and develop public land, soil, and watershed resources. The Bureau is also responsible for fire protection on the public lands and on all Department of the Interior managed lands in Alaska, and for the suppression of wildfires on the public lands in Alaska and the western States.

MANAGEMENT OF LANDS AND RESOURCES

Appropriation enacted, 2004	$839,848,000
Budget estimate, 2005	837,462,000
Recommended, 2005	840,401,000
Comparison:	
Appropriation, 2004	+553,000
Budget estimate, 2005	+2,939,000

The Committee recommends $840,401,000 for management of lands and resources, an increase of $2,939,000 above the budget request and $553,000 above the fiscal year 2004 enacted level.

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

(dollars on thousands)

	FY 2004 Enacted	FY 2005 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Management of Lands and Resources					
Land Resources					
Soil, water and air management	36,038	34,238	36,186	+148	+1,948
Range management	72,459	68,204	71,111	-1,348	+2,907
Forestry management	8,093	9,025	9,131	+1,038	+106
Riparian management	22,015	21,540	22,119	+104	+579
Cultural resources management	15,479	15,142	15,549	+70	+407
Wild horse and burro management	29,051	39,612	39,612	+10,561	---
Subtotal, Land Resources	183,135	187,761	193,708	+10,573	+5,947
Wildlife and Fisheries					
Wildlife management	22,387	25,428	25,723	+3,336	+295
Fisheries management	11,711	12,456	12,364	+653	-92
Subtotal, Wildlife and Fisheries	34,098	37,884	38,087	+3,989	+203
Threatened and endangered species	21,940	21,452	22,028	+88	+576
Recreation Management					
Wilderness management	17,673	16,677	17,142	-531	+465
Recreation resources management	44,603	43,209	45,383	+780	+2,174
Subtotal, Recreation Management	62,276	59,886	62,525	+249	+2,639

(dollars on thousands)

	FY 2004 Enacted	FY 2005 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Energy and Minerals					
Oil and gas	88,195	85,625	87,625	-570	+2,000
Coal management	9,390	8,944	9,194	-196	+250
Other mineral resources	10,294	9,854	10,104	-190	+250
Subtotal, Energy and Minerals	107,879	104,423	106,923	-956	+2,500
Alaska minerals	2,453	2,232	2,232	-221	---
Realty and Ownership Management					
Alaska conveyance	41,920	33,068	33,068	-8,852	---
Cadastral survey	16,691	13,768	13,807	-2,884	+39
Land and realty management	34,635	35,563	35,668	+1,033	+105
Subtotal, Realty and Ownership Management	93,246	82,399	82,543	-10,703	+144
Resource Protection and Maintenance					
Resource management planning	48,510	50,056	48,694	+184	-1,362
Resource protection and law enforcement	16,283	15,042	17,834	+1,551	+2,792
Hazardous materials management	16,497	16,080	16,559	+62	+479
Subtotal, Resource Protection and Maintenance	81,290	81,178	83,087	+1,797	+1,909
Transportation and Facilities Maintenance					
Operations	6,311	6,151	6,317	+6	+166
Annual maintenance	31,846	31,045	31,883	+37	+838
Deferred maintenance	12,349	11,036	41,413	+29,064	+30,377
Infrastructure improvement	31,027	28,236	---	-31,027	-28,236
Subtotal, Transportation/Facilities Maintenance	81,533	76,468	79,613	-1,920	+3,145

	(dollars on thousands)				
	FY 2004 Enacted	FY 2005 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Land and resources information systems	18,757	18,317	18,810	+53	+493
Mining Law Administration					
Administration	32,485	32,696	32,696	+211	---
Offsetting fees	-32,485	-32,696	-32,696	-211	---
Subtotal, Mining Law Administration	---	---	---	---	---
Workforce and Organizational Support					
Information systems operations	18,531	19,928	19,589	+1,058	-339
Administrative support	49,203	50,878	50,100	+897	-778
Bureauwide fixed costs	69,331	73,656	73,656	+4,325	---
Subtotal, Workforce and Organizational Support	137,065	144,462	143,345	+6,280	-1,117
Challenge cost share	16,176	21,000	7,500	-8,676	-13,500
Total, Management of Lands and Resources	839,848	837,462	840,401	+553	+2,939

Land Resources.—The Committee recommends $193,708,000 for land resources, $5,947,000 above the budget request and $10,573,000 above the 2004 enacted level. Changes from the budget request include increases of $3,947,000 to restore reductions taken for the wild horse and burro program, $1,000,000 for rangeland monitoring, and $1,000,000 for continuation of the San Pedro Partnership.

The Committee is concerned about the management of wild horses and burros on public lands. The Bureau is requesting almost $40 million annually to manage over 36,000 wild horses and burros on public lands and to keep more than 25,000 in long-term holding facilities for the remainder of their life. Several times in previous fiscal years, the Administration has asked to reprogram funds for this program. Additionally, the Bureau's fiscal year 2005 budget request reduces almost every program within the Management of Lands and Resources activity to pay for an increase in this program. While the Bureau reports the increase to the wild horses and burro program as one of its highest priorities, it proposes to reduce funding in other programs to pay for the increase rather than requesting additional funds. The Committee has restored the funding to these other programs and provided the requested funding to manage the wild horse and burro program. The Committee urges the Bureau to investigate all available options for managing the number of wild horses and burros in their care and reducing the cost of the program. The Committee will not reprogram funding to this program at the expense of other ongoing programs in the Bureau.

Wildlife and Fisheries.—The Committee recommends $38,087,000 for wildlife and fisheries, $203,000 above the budget request and $3,989,000 above the 2004 enacted level. Changes from the budget request include increases of $603,000 to restore reductions taken for the wild horse and burro program, $500,000 for the National Fish and Wildlife Foundation, and reductions of $500,000 from the sagebrush conservation initiative and $400,000 from the Columbia River Salmon Recovery program.

Threatened and Endangered Species.—The Committee recommends $22,028,000 for threatened and endangered species, $576,000 above the budget request and $88,000 above the 2004 enacted level. The change to the budget request is to restore the reduction taken for the wild horse and burro program.

Recreation Management.—The Committee recommends $62,525,000 for recreation management, $2,639,000 above the budget request and $249,000 above the 2004 enacted level. Changes from the budget request include increases of $1,039,000 to restore reductions taken for the wild horse and burro program, and $1,600,000 for nationwide recreation management.

The Committee is aware that the Bureau is considering implementing restrictions on landowner, inholder, and lessee access to and economic use of their property within the boundary of the Steens Mountain Cooperative Management and Protection Area (CMPA). The Committee strongly urges the Bureau to comply with provisions in the Steens Act, which protect existing and historic access to, and economic use of, inholder properties within the CMPA. Unless and until funds for land acquisitions or exchanges in the

Steens can be provided, landowners should be afforded full access to their properties.

Energy and Minerals.—The Committee recommends $106,923,000 for energy and minerals including Alaska minerals, $2,500,000 above the budget request and $956,000 below the 2004 enacted level. Changes from the budget request include increases of $2,000,000 for Oil and Gas Management, $250,000 for Coal Management, and $250,000 for Other Mineral Resources to offset partially the cost recovery reductions proposed in the budget.

The Committee is concerned that these cost recoveries will not be realized and will negatively impact these programs. The Committee has provided increases in prior years for processing applications for permits to drill on Federal lands, and is aware that some progress is being made. The Committee directs the Bureau to continue to streamline the permitting process and report quarterly on the number of permits issued.

Realty and Ownership Management.—The Committee recommends $82,543,000 for realty and ownership management, $144,000 above the budget request and $10,703,000 below the 2004 enacted level. Changes from the budget request are to restore the reduction taken for the wild horse and burro program.

Resource Protection and Maintenance.—The Committee recommends $83,087,000 for resource protection and maintenance, $1,909,000 above the budget request and $1,797,000 above the 2004 enacted level. Changes from the request include increases of $1,309,000 to restore reductions for the wild horse and burro program, $600,000 general increase for additional law enforcement officers, 1,000,000 for California desert rangers, $1,000,000 to address public land degradation as a result of illegal immigration in Arizona, and a decrease of $2,000,000 for monitoring.

Transportation and Facilities Maintenance.—The Committee recommends $79,613,000 for transportation and facilities maintenance, $3,145,000 above the budget request and $1,920,000 below the 2004 enacted level. Changes to the budget request include increases of $2,145,000 to restore reductions taken for the wild horse and burro program and $1,000,000 for infrastructure improvements for fish passage (culverts) on Bureau lands. The Committee's recommendation also shifts $29,052,000 from the infrastructure improvement program to the deferred maintenance management program. These two funding sources address identical project types and this will consolidate and streamline maintenance budget activities in the Bureau.

Land and Resource Information Systems.—The Committee recommends $18,810,000 for land resource information systems, $493,000 above the budget request, and $53,000 above the 2004 enacted level. The change to the budget request is to restore the reduction taken for the wild horse and burro program.

Mining Law Administration.—The Committee recommends $32,696,000 for mining law administration. Offsetting fees are equal to the amount made available to support this activity.

Workforce and Organizational Support.—The Committee recommends $143,345,000 for workforce and organizational support, $1,117,000 below the budget request and $6,280,000 above the 2004 enacted level. Changes from the budget request include an increase of $244,000 to restore reductions taken for the wild horse

and burro program and reductions of $583,000 for the e-government initiative, $570,000 for competitive sourcing activities, and $208,000 for Quickhire.

Bill language is included in Title III—General Provisions concerning e-government initiatives and competitive sourcing studies.

Challenge Cost Share.—The Committee recommends $7,500,000 for challenge cost share, $13,500,000 below the budget request and $8,676,000 below the 2004 enacted level. Changes to the request include reductions of $11,000,000 for the department-wide Challenge Cost Share program and $2,500,000 for the Bureau-managed Traditional Challenge Cost Share program. Funds for the Bureau-managed Challenge Cost Share program remain in the base at the fiscal year 2004 level for continuation of that program by the Bureau.

WILDLAND FIRE MANAGEMENT

Appropriation enacted, 2004	$783,593,000
Budget estimate, 2005	743,099,000
Recommended, 2005	743,099,000
Comparison:	
Appropriation, 2004	−40,494,000
Budget estimate, 2005	0

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

(dollars on thousands)

	FY 2004 Enacted	FY 2005 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Wildland Fire Management					
Preparedness	671,621	666,227	693,627	+22,006	+27,400
Fire suppression operations	597,130	685,400	658,000	+60,870	-27,400
Borrowing repayment (emergency appropriations)	299,224	---	---	-299,224	---
Subtotal, Fire suppression operations	896,354	685,400	658,000	-238,354	-27,400
Other operations					
Hazardous fuels	233,480	---	266,238	+32,758	+266,238
Rehabilitation	6,914	3,000	13,000	+6,086	+10,000
Fire plan research and development	22,025	19,361	23,000	+975	+3,639
Joint fire sciences program	7,901	---	8,000	+99	+8,000
Forest health management (federal lands)	14,815	7,171	15,000	+185	+7,829
Forest health management (co-op lands)	9,877	5,482	10,000	+123	+4,518
State fire assistance	51,063	34,245	40,000	-11,063	+5,755
Volunteer fire assistance	8,138	8,000	8,000	-138	---
Subtotal, Other operations	354,213	77,259	383,238	+29,025	+305,979
Emergency appropriations (P.L. 108-199)	24,853	---	---	-24,853	---
Total, Wildland Fire Management	1,947,041	1,428,886	1,734,865	-212,176	+305,979

The Committee recommends $743,099,000 for wildland fire management, the same as the budget request and $40,494,000 below the 2004 enacted level. After adjusting for supplemental appropriations provided during last year's fire season for wildland fire management, there is an increase of $57,922,000 above the 2004 enacted level.

The appropriation includes $262,644,000 for preparedness, $221,523,000 for fire suppression operations, $209,282,000 for hazardous fuels reduction, $24,276,000 for burned area rehabilitation, $5,000,000 for rural fire assistance, $12,374,000 for deferred maintenance and capital improvement and $8,000,000 for the joint fire science program.

The Committee's recommendation includes an additional $100,000,000 in funding to provide additional resources for wildland fire suppression and to preclude borrowing funding from other ongoing Departmental programs to fight wildfires. These funds are included in Title IV of the bill.

The Committee is concerned that the allocation of funds between preparedness and suppression operations may not maintain the levels of readiness needed for public safety that were established in fiscal years 2002 and 2003. The Committee believes that decisive action is necessary to manage escalating fire suppression costs. An important component of reducing such costs is maintaining initial attack capability so that more fires can be contained before they escape and cause serious loss of life and property as well as natural resource damage. Accordingly, the Committee directs the Department of the Interior to analyze current readiness levels to determine whether maintaining preparedness resources in the field at a level not less than that established in fiscal year 2003 will, based on the best information available, result in lower overall firefighting costs. If the Department makes such a determination, the Committee directs the Department to adjust the levels for preparedness and suppression funding accordingly and report on these adjustments to the House and Senate Committees on Appropriations. The Department should advise the House and Senate Committees on appropriations in writing prior to its decision.

The Committee has provided the requested funds for the hazardous fuels program but wants to ensure that these funds are used to address the highest priority fuels projects. The Committee expects the Department to provide a summary report on hazardous fuels projects planned for fiscal year 2005 including information on the major vegetative cover type and the type of treatment. In this report, the Department, in conjunction with the Forest Service, should detail the methods used to prioritize fuels projects. A common project prioritization method should be used by both departments to assure the American public that all funds, regardless of funding source, are used for the highest priority fuels reduction projects. The report should be delivered to the Committee by December 31, 2004.

Bill Language.—Language is included under the wildland fire management account allowing the Secretary of the Interior and the Secretary of Agriculture to transfer not more than $12,000,000 between the two Departments for wildland fire management programs and projects. Language is also included allowing the use of

wildfire suppression funds in support of Federal emergency response actions.

CENTRAL HAZARDOUS MATERIALS FUND

Appropriation enacted, 2004	$9,856,000
Budget estimate, 2005	9,855,000
Recommended, 2005	9,855,000
Comparison:	
Appropriation, 2004	−1,000
Budget estimate, 2005	0

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

The Committee recommends $9,855,000, the same as the budget request and $1,000 below the 2004 enacted level for the central hazardous materials fund.

The Committee does not approve the transfer of carryover balances to the Environmental Protection Agency for the Denver Radium site. Use of those carryover balances for the Department's financial management system replacement effort is addressed under the departmental management account.

CONSTRUCTION

Appropriation enacted, 2004	$13,804,000
Budget estimate, 2005	6,476,000
Recommended, 2005	15,000,000
Comparison:	
Appropriation, 2004	+1,196,000
Budget estimate, 2005	+8,524,000

The Committee recommends $15,000,000 for construction, $8,524,000 above the budget request and $1,196,000 above the 2004 enacted level. The increase above the budget request is to address high priority deferred maintenance construction projects that improve recreation facilities and public access.

The Committee directs the Bureau to provide a list of projects to be accomplished with the funding by December 31, 2004. The Committee is concerned about the relatively low level of construction funding provided to the Bureau compared to other land management agencies and encourages the Department and the Administration to place more emphasis on providing adequate funding for large deferred maintenance construction projects on public lands managed by the Bureau.

LAND ACQUISITION

Appropriation enacted, 2004	$18,370,000
Budget estimate, 2005	24,000,000
Recommended, 2005	4,500,000
Comparison:	
Appropriation, 2004	−13,870,000
Budget estimate, 2005	−19,500,000

The Committee recommends $4,500,000 for land acquisition, a decrease of $19,500,000 below the budget request and $13,870,000

below the enacted level. This amount includes $1,000,000 for emergencies and hardships, $500,000 for land exchanges and $3,000,000 for acquisition management.

Within available funds the agency should continue work on the Washington State land exchange.

The Committee is concerned over the delay in the transfer of land at Fort Ord, California from the Department of the Army to the Department of the Interior, Bureau of Land Management. The Committee requests BLM to report back to the Committee within 60 days of enactment of this Act the exact remedial actions required to be completed at the Fort Ord site prior to final conveyance from the Army.

OREGON AND CALIFORNIA GRANT LANDS

Appropriation enacted, 2004	$105,357,000
Budget estimate, 2005	116,058,000
Recommended, 2005	111,557,000
Comparison:	
Appropriation, 2004	+6,200,000
Budget estimate, 2005	−4,501,000

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

(dollars on thousands)

	FY 2004 Enacted	FY 2005 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Oregon and California Grant Lands					
Western Oregon resources management	86,376	97,059	92,558	+6,182	-4,501
Western Oregon information and resource data systems	2,175	2,181	2,181	+6	---
Western Oregon transportation & facilities maintenance	10,777	10,782	10,782	+5	---
Western Oregon construction and acquisition	293	295	295	+2	---
Jobs in the woods	5,736	5,741	5,741	+5	---
Total, Oregon and California Grant Lands	105,357	116,058	111,557	+6,200	-4,501

The Committee recommends $111,557,000 for the Oregon and California grant lands, $4,501,000 below the budget request and $6,200,000 above the 2004 enacted level. Changes to the budget request include reductions of $1,501,000 for forest management and $3,000,000 for resource management planning.

RANGE IMPROVEMENTS

Appropriation enacted, 2004	$10,000,000
Budget estimate, 2005	10,000,000
Recommended, 2005	10,000,000
Comparison:	
Appropriation, 2004	0
Budget estimate, 2005	0

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

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

The Committee recommends an indefinite appropriation estimated to be $24,490,000, the budget request, for service charges, deposits, and forfeitures. This appropriation is offset with fees collected under specified sections of the Federal Land Policy and Management Act of 1976 and other Acts to pay for reasonable administrative and other costs in connection with rights-of-way applications from the private sector, miscellaneous cost-recoverable realty cases, timber contract expenses, repair of damaged lands, the adopt-a-horse program, and the provision of copies of official public land documents.

MISCELLANEOUS TRUST FUNDS

Appropriation enacted, 2004	$12,405,000
Budget estimate, 2005	12,405,000
Recommended, 2005	12,405,000
Comparison:	
Appropriation, 2004	0
Budget estimate, 2005	0

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

UNITED STATES FISH AND WILDLIFE SERVICE

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

The Service manages nearly 96 million acres across the United States, encompassing a 544-unit National Wildlife Refuge System, additional wildlife and wetlands areas, and 69 National Fish Hatcheries. A network of law enforcement agents and port inspectors enforce Federal laws for the protection of fish and wildlife. In 2003, the Service celebrated the 100th anniversary of the establishment of the National Wildlife Refuge System.

RESOURCE MANAGEMENT

Appropriation enacted, 2004	$956,483,000
Budget estimate, 2005	950,987,000
Recommended, 2005	970,494,000
Comparison:	
Appropriation, 2004	+14,011,000
Budget estimate, 2005	+19,507,000

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

(dollars on thousands)

	FY 2004 Enacted	FY 2005 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Resource Management					
Ecological Services					
Endangered species					
Candidate conservation	9,808	8,610	10,110	+302	+1,500
Listing	12,135	17,226	16,226	+4,091	-1,000
Consultation	47,146	45,450	47,200	+54	+1,750
Recovery	67,907	58,154	65,054	-2,853	+6,900
Subtotal, Endangered species	136,996	129,440	138,590	+1,594	+9,150
Habitat conservation	87,322	96,843	95,510	+8,188	-1,333
Environmental contaminants	10,672	10,740	10,740	+68	---
Subtotal, Ecological Services	234,990	237,023	244,840	+9,850	+7,817
Refuges and Wildlife					
Refuge operations and maintenance	391,493	387,657	389,427	-2,066	+1,770
Migratory bird management	32,096	36,668	35,668	+3,572	-1,000
Law enforcement operations	53,696	51,345	53,395	-301	+2,050
Subtotal, Refuges and Wildlife	477,285	475,670	478,490	+1,205	+2,820
Fisheries					
Hatchery operations and maintenance	57,992	57,004	59,504	+1,512	+2,500
Fish and wildlife management	56,330	46,794	54,434	-1,896	+7,640
Subtotal, Fisheries	114,322	103,798	113,938	-384	+10,140

(dollars on thousands)

	FY 2004 Enacted	FY 2005 Request	Recommended	Recommended versus Enacted	Recommended versus Request
General Administration					
Science excellence initiative	---	2,000	---	---	-2,000
Central office administration	17,062	18,128	18,128	+1,066	---
Regional office administration	23,494	23,164	23,164	-330	---
Servicewide administrative support	56,998	58,942	58,942	+1,944	---
National Fish and Wildlife Foundation	7,575	7,670	8,000	+425	+330
National Conservation Training Center	16,285	15,968	15,968	-317	---
International affairs	8,077	8,624	9,024	+947	+400
Caddo Lake Ramsar Center	395	---	---	-395	---
Subtotal, General Administration	129,886	134,496	133,226	+3,340	-1,270
Total, Resource Management	956,483	950,987	970,494	+14,011	+19,507

The Committee recommends $970,494,000 for resource management, an increase of $19,507,000 above the budget request and $14,011,000 above the fiscal year 2004 level. Changes to the budget request are detailed below.

Ecological Services.—The Committee recommends $244,840,000 for ecological services, an increase of $7,817,000 above the budget request. The Committee has not agreed with the budget proposals to reduce dramatically or eliminate funding for certain candidate conservation, consultation, and recovery programs as outlined below.

Increases for endangered species candidate conservation programs include $300,000 for Idaho sage grouse, $750,000 for Alaska sea otter, $50,000 for slickspot peppergrass, $100,000 for Tahoe yellow cress, and $300,000 for the Fisher (Martes pennanti). There is a decrease in the listing program of $1,000,000 for critical habitat designation. There is an increase of $1,750,000 in consultation to restore partially the Natural Communities Conservation Planning program. Increases for recovery programs include $1,500,000 to restore the base program, $1,000,000 to restore the Platte River recovery program, $1,500,000 for wolf monitoring, $2,000,000 for Pacific salmon grants to be administered through the National Fish and Wildlife Foundation, $700,000 to restore the Upper Colorado River recovery program, and $200,000 for Florida manatee rescue and carcass salvage.

In habitat conservation programs, there is a net decrease of $1,333,000. For the Partners for Fish and Wildlife program, there are increases of $2,000,000 for invasive species control (non-specific), $1,400,000 for Washington regional fisheries enhancement groups, $750,000 for the Walla Walla Basin HCP, $500,000 for Walla Walla Basin fish passage and salmon recovery efforts, $180,000 for technical assistance at the New Jersey Meadowlands; $800,000 for restoration in the Tunkhannock and Bowman's Creek watersheds in Pennsylvania, $1,000,000 for fish passage in the west branch of the Susquehanna River, $1,000,000 for Georgia streambank restoration, and $700,000 for Willapa Bay spartina grass control. These increases are offset by decreases of $1,083,000 for Tamarisk control, $5,225,000 for the Upper Klamath Basin restoration program, and $4,000,000 for the High Plains partnership. In project planning, increases include $300,000 to restore the Metropolitan Greenspaces program, $170,000 to restore the base program, and $100,000 to continue operations at the Cedar City, UT ecological services office. In coastal programs there are increases of $175,000 for the Hood Canal Salmon Enhancement Group, $200,000 for Long Live the Kings, and $300,000 to restore funding for the Tampa and Florida panhandle field offices. These increases are offset partially by decreases of $400,000 for regional offices support and $200,000 for Washington office support.

Refuges and Wildlife.—The Committee recommends $478,490,000 for refuges and wildlife, an increase of $2,820,000 above the budget request. In refuge operations and maintenance, there are increases of $700,000 to restore the Spartina grass control program at the Willapa NWR, WA, $2,000,000 for cooperative projects with friends groups on invasive species control, $1,000,000 to restore partially the invasive species program at Loxahatchee NWR, FL, $670,000 to restore the base operations program under the "improve habitat"

subactivity, $2,000,000 to continue "minimum staffing" implementation, $100,000 for base funding for Caribbean NWRs, which have been adversely affected by the need to fund and staff the Vieques NWR, $2,000,000 to restore the visitor facilities enhancements program, and $1,900,000 to restore the base operations program under the "visitor services" subactivity. These increases are offset partially by decreases of $1,000,000 for invasive species strike teams and $7,600,000 for the Department-wide challenge cost share program. The funds for the Service-managed challenge cost share program remain in the base for continuation of that program by the Service.

In migratory bird management, there is a decrease of 1,000,000 for the joint ventures program. An increase of $201,000 above the fiscal year 2004 level remains in the budget for implementing the recommendations of the North American Waterfowl Management Plan.

In law enforcement operations, increases include $250,000 for operations at the Atlanta, GA port of entry, $450,000 for operations at the Louisville, KY port of entry, $450,000 for a general increase in law enforcement operations, and $900,000 to restore partially the law enforcement vehicle replacement program.

Fisheries.—The Committee recommends $113,938,000 for fisheries, an increase of $10,140,000 above the budget request. There is an increase of $2,500,000 in hatchery maintenance to complete the Washington hatchery improvement program. The proposed decrease of $160,000 in hatchery operations base funding has been restored in the fish and wildlife assistance account for general program activities (see below) and is to be used for habitat restoration, consistent with the Committee's direction of the past several years to recover mitigation costs and use those funds to address habitat restoration.

In fish and wildlife management, there is an increase of $100,000 to restore the anadromous fish management general program activities. For fish and wildlife assistance, increases include $200,000 to restore partially general program activities, $160,000 for habitat restoration as discussed above, $2,500,000 to restore the fish passage program, $180,000 to restore the aquatic nuisance control program, $2,100,000 for Washington State salmon mass marking of hatchery fish, $1,000,000 to restore partially the whirling disease research program, and $500,000 to restore the Great Lakes fish and wildlife restoration program. There is also an increase of $900,000 to restore partially the marine mammals program.

General Administration.—The Committee recommends $133,226,000 for general administration, a net decrease of $1,270,000 below the budget request. There is a decrease of $2,000,000 for the science excellence initiative. The Committee believes this initiative needs to be closely coordinated with, and jointly funded by, the U.S. Geological Survey. The Committee encourages the Department to facilitate this coordination and to request funding in both bureaus in fiscal year 2006 for this science initiative. There are also increases of $330,000 for the National Fish and Wildlife Foundation and $400,000 for the wildlife without borders program within the international affairs budget.

Bill Language.—The Committee recommends continuing bill language earmarking the Natural Communities Conservation Plan-

ning program. The amount for fiscal year 2005 is $1,750,000. For the endangered species listing program, $16,226,000 earmarked in bill language, of which $12,700,000 is earmarked for critical habitat designation.

The Committee agrees to the following:

1. The Service should continue to modify its cost allocation methodology to ensure that costs are fairly assessed and cost containment is achieved to the maximum extent possible.

2. The Service and the Department should not abandon their commitment to addressing the critical operations and maintenance backlog needs of the National Wildlife Refuge System now that the 100th anniversary of the refuge system has passed. The Service should update its minimum staffing analysis, which forms the basis for tier one of the Refuge Operating Needs System, no later than January 15, 2005.

3. The Service's explanation for not having a backlog maintenance reduction initiative similar to that of the National Park Service is unacceptable. The Service's response to the Committee on this issue is that, since it has not completed all its comprehensive condition assessments, the amount of the maintenance backlog is "tentative". The Committee points out that the National Park Service backlog estimate is also "tentative".

4. The Committee has added $1,000,000 for invasive species control at Loxahatchee NWR, FL. These funds, along with $5,000,000 provided in fiscal year 2004 should be sufficient for the first 2 years of a 5-year program to achieve "maintenance control" of invasive species on the refuge. The remaining 3 years of the program will require $3,000,000 per year and the Service should budget for those funds in fiscal years 2006, 2007, and 2008.

5. The Louisville, KY airport port of entry is funded for continued operation, as are the Tampa and Florida Panhandle offices in the coastal program. The Service's budget has been consistently wrong-minded in ignoring the funding needs for continued operations of existing offices in order to fund new and expanded initiatives. The Committee strongly encourages the Service and the Department to discontinue this practice in the future.

6. The Peregrine Fund should be funded at $400,000 in fiscal year 2005.

7. The Service should maximize the use of non-Federal employees for joint venture coordinators and assistant coordinators in the migratory bird program.

8. The Service should review the fisheries budget structure, in the context of the new fisheries strategic plan. Improvements to the budget structure should be made to implement more efficiently the strategic plan and to track performance against that plan. Particular consideration should be given to combining anadromous fish management and fish and wildlife assistance.

9. The Service should continue and intensify its efforts to collect reimbursements for fisheries mitigation efforts and use those funds to address habitat restoration and conservation. Funds should not be deducted from the Service's budget on the hope of getting reimbursement from others. The fisheries program's ability to address mission essential work and to maintain its infrastructure is severely limited by the amount of funding and staffing that is being dedicated to mitigation work for others. The Service needs to pay

more attention to habitat restoration. The Committee expects the funds from reimbursements for mitigation to be used for this purpose and for other mission-essential fisheries work.

10. The Service should not raise fish for Bureau of Reclamation mitigation at the Hotchkiss National Fish Hatchery unless it is provided funding from BOR adequate to support that activity.

11. The Committee has recommended bill language, in Title III—General Provisions, prohibiting the use of funds for Safecom, Disaster Management, E-Training, and E-Rulemaking activities. Funds requested for these activities should be reprogrammed to cover equitably fixed cost increases not funded in the budget request.

12. The Committee notes the enactment of the Captive Wildlife Safety Act and encourages the Service to develop a plan to implement the Act and to request funding in fiscal year 2006 for that purpose.

13. The Navy transferred land on Vieques, Puerto Rico to the Service for a National Wildlife Refuge and funding is provided for operation of that refuge. The National Oceanic and Atmospheric Administration has experience in the protection and restoration of trust resources and has also successfully conducted large-scale remediation projects at other sites, including the Pribilof Islands, Alaska. The Service should consult with NOAA and, as appropriate, enter into memoranda of understanding to make use of NOAA's expertise and experience in fulfilling its responsibilities on Vieques NWR.

14. In the past, the Service has achieved cost savings and efficiency improvements by consolidating the management of certain refuges within the National Wildlife Refuge System. There are three major refuges in Arkansas, the White River, the Cache River, and the Bald Knob National Wildlife Refuges, that are in close proximity of each other. These refuges suffer from inadequate staffing and maintenance funding. The Committee believes that, to ensure cost effective and consistent management practices within the refuge system in Arkansas, the Service should examine the feasibility of consolidating these three refuges under the management of the White River National Wildlife Refuge. The Service should report within 120 days of enactment of this Act on the benefits that would result from such a consolidation.

CONSTRUCTION

Appropriation enacted, 2004	$59,808,000
Budget estimate, 2005	22,111,000
Recommended, 2005	48,400,000
Comparison:	
Appropriation, 2004	−11,408,000
Budget estimate, 2005	+26,289,000

The Committee recommends $48,400,000 for construction, a decrease of $11,408,000 below the fiscal year 2004 level and an increase of $26,289,000 above the budget request.

The Committee agrees to the following distribution of funds:

[Dollars in thousands]

Project	Description	Budget request	Cmte. rec.	Change
Arapaho NWR, CO	Muskrat Dam [p/d/cc]	$800	$800	

[Dollars in thousands]

Project	Description	Budget request	Cmte. rec.	Change
Atchafalaya NWR, LA	Bridge repairs/improvements	.....	300	$300
Big Branch Marsh NWR, LA	Storage facility	.....	285	285
Clark R. Bavin Forensics Laboratory, OR	Renovation/upgrade facility [cc]	.....	6,682	6,682
Craig Brook NFH, ME	Wastewater Treatment Compliance—Phase II [d/icl].	1,950	1,950	.....
Eastern MA NWR Complex, MA (Great Meadows).	Visitors Center and Administration Building (#3 on priority list) [p/d/c].	-	3,177	3,177
Fish Springs NWR, UT	Seismic Safety Rehabilitation of Six Buildings—Phase I [p/d].	115	115	.....
Green Lake NFH, ME	Wastewater Treatment Compliance—Phase I [p/d].	658	658	.....
Kenai NWR, AK	Visitors Center (#2 on priority list) [p/d]	.....	883	883
King Salmon FWS Administrative Site, AK	Seismic Safety Rehabilitation of Office/Storage Building—Phase I [p/d].	65	65	.....
Klamath Basin NWR Complex, CA	Water Supply and Management—Phase V [c].	1,000	1,000	.....
Lacreek NWR, SD	Little White River Dam—Phase III [cc]	4,200	4,200	.....
Midway Atoll NWR	Electrical system replacement	.....	2,700	2,700
Midway Atoll NWR	Replace wastewater treatment system w/septic fields.	.....	500	500
Northeast Fishery Center, PA	Raceway rehabilitation and tank installation.	.....	795	795
Northwest Power Planning Area	Fish screens etc.	.....	3,000	3,000
Office of Aircraft Services (MBS Programs).	Replacement of Survey Aircraft—Phase II	1,000	1,000	.....
Pocosin Lakes NWR, NC	Center for the Sounds expansion and exhibits.	.....	1,000	1,000
Servicewide	Bridge Safety Inspections	575	575	.....
Servicewide	Dam Safety Programs & Inspections	730	730	.....
Servicewide	Visitor Contact Facilities	.....	5,000	5,000
Servicewide	Field and laboratory testing of fishway designs.	.....	300	300
Tualatin NWR, OR	Visitors Center and Administration Building (#1 on priority list) [p/d].	.....	1,667	1,667
Subtotal, Line Item Construction	.....	11,093	37,382	26,289
Nationwide Engineering Services:	.			
Cost Allocation Methodology	.....	3,151	3,151	.....
Environmental Compliance	.....	1,400	1,400	.....
Other, non-project specific Nationwide Engineering Services.	.....	6,117	6,117	.....
Seismic Safety Program	.....	200	200	.....
Waste Prevention, Recycling Environmental Management.	.....	150	150	.....
Subtotal, Nationwide Engineering Services.	.....	11,018	11,018	.....
Total	.....	22,111	48,400	26,289

The Committee agrees to the following:

1. The Service should continue to use a standardized design approach for visitors centers and should request funding for visitors centers on the priority list. The Committee has provided some funding for the first 3 projects on the priority list.

2. Funding is included for infrastructure improvements at Midway Atoll NWR, including replacement of the electrical system and replacement of the current wastewater treatment system with septic fields. These improvements will significantly reduce the cost of operations at Midway, including the cost of airport operations. The Service should work with the Federal Aviation Administration to

leverage FAA funds for completion of these important projects and for fuel farm improvements.

LAND ACQUISITION

Appropriation enacted, 2004	$43,091,000
Budget estimate, 2005	45,041,000
Recommended, 2005	12,500,000
Comparison:	
Appropriation, 2004	−30,591,000
Budget estimate, 2005	−32,541,000

The Committee recommends $12,500,000 for land acquisition, a decrease of $32,541,000 below the budget request and $30,591,000 below the enacted level. This amount includes $1,000,000 for inholdings, $1,000,000 for emergencies and hardships, $500,000 for exchanges, $2,000,000 for cost allocation methodology, and $8,000,000 for acquisition management.

LANDOWNER INCENTIVE PROGRAM

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

Appropriation enacted, 2004	$29,630,000
Budget estimate, 2005	50,000,000
Recommended, 2005	15,000,000
Comparison:	
Appropriation, 2004	−14,630,000
Budget estimate, 2005	−35,000,000

The Committee recommends $15,000,000 for the landowner incentive program, a decrease of $14,630,000 below the fiscal year 2004 level and $35,00,000 below the budget request.

Given the constrained allocation for fiscal year 2005, the Committee has focused restoring funding on the core, proven, mission-essential programs of the Service. The Committee does not object to new programs, but these grant programs should only be funded in addition to, and not at the expense of, mission-essential programs including proven, cost-shared, partnership programs. The Committee recommendations address restoring funding for the critical operational needs in the National Wildlife Refuge System and the fisheries program and provide some modest increases for successful and highly leveraged partnership programs such as the coastal program, the joint ventures program, and the National Fish and Wildlife Foundation.

PRIVATE STEWARDSHIP GRANTS

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

Appropriation enacted, 2004	$7,408,000
Budget estimate, 2005	10,000,000
Recommended, 2005	5,000,000
Comparison:	
Appropriation, 2004	−2,408,000
Budget estimate, 2005	−5,000,000

The Committee recommends $5,000,000 for private stewardship grants, a decrease of $2,408,000 below the fiscal year 2004 level and $5,000,000 below the budget request.

Bill language is included providing for the merger of funds from the former "Stewardship Grants" account with funds in this account.

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, 2004	$81,596,000
Budget estimate, 2005	90,000,000
Recommended, 2005	81,596,000
Comparison:	
Appropriation, 2004	0
Budget estimate, 2005	−8,404,000

The Committee recommends $81,596,000, the fiscal year 2004 funding level, for the cooperative endangered species conservation fund, a decrease of $8,404,000 below the budget request.

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

NATIONAL WILDLIFE REFUGE FUND

Through this program the Service makes payments to counties in which Service lands are located, based on their fair market value. Payments to counties are estimated to be $17,814,000 in fiscal year 2005 with $14,414,000 derived from this appropriation and $3,400,000 from net refuge receipts estimated to be collected in fiscal year 2004.

Appropriation enacted, 2004	$14,237,000
Budget estimate, 2005	14,414,000
Recommended, 2005	14,414,000
Comparison:	
Appropriation, 2004	+177,000
Budget estimate, 2005	0

The Committee recommends $14,414,000, the budget request, for the National wildlife refuge fund, an increase of $177,000 above the fiscal year 2004 funding level.

NORTH AMERICAN WETLANDS CONSERVATION FUND

The U.S. Fish and Wildlife Service, through the North American Wetlands Conservation Fund, leverages partner contributions for wetlands conservation. Projects to date have been in 50 States, 13 Canadian provinces, 25 Mexican states, and the U.S. Virgin Islands. In addition to this appropriation, the Service receives funding from receipts in the Federal Aid in Wildlife Restoration account from taxes on firearms, ammunition, archery equipment, pistols, and revolvers, and from the Sport Fish Restoration account from taxes on fishing tackle and equipment, electric trolling motors and fish 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, 2004	$37,531,000
Budget estimate, 2005	54,000,000
Recommended, 2005	38,000,000
Comparison:	
Appropriation, 2004	+469,000
Budget estimate, 2005	– 16,000,000

The Committee recommends $38,000,000 for the North American wetlands conservation fund, a decrease of $16,000,000 below the budget request and $469,000 above the fiscal year 2004 level. Decreases to the budget request include $15,360,000 for wetlands conservation grants and $640,000 for program administration.

NEOTROPICAL MIGRATORY BIRD CONSERVATION

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

Appropriation enacted, 2004	$3,951,000
Budget estimate, 2005	0
Recommended, 2005	4,400,000
Comparison:	
Appropriation, 2004	+449,000
Budget estimate, 2005	+4,400,000

The Committee recommends $4,400,000 for the neotropical migratory bird conservation program, an increase of $4,400,000 above the budget request and $449,000 above the fiscal year 2004 level. The Administration proposed $4,000,000 for this program as part of the multinational species conservation fund.

This program provides critically needed resources for conservation of neotropical migratory birds. The Committee expects the Service to coordinate closely with the Service's international program on neotropical migratory bird conservation program implementation.

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, 2004	$5,532,000
Budget estimate, 2005	9,500,000
Recommended, 2005	5,900,000
Comparison:	
Appropriation, 2004	+368,000
Budget estimate, 2005	−3,600,000

The Committee recommends $5,900,000 for the multinational species conservation fund, an increase of $368,000 above the fiscal year 2004 level and $3,600,000 below the budget request. Changes to the budget request include a decrease of $4,000,000 for neotropical migratory birds (which is funded in a separate account) and an increase of $100,000 each for African elephant conservation, Asian elephant conservation, great ape conservation, and rhinoceros and tiger conservation. The Committee expects these funds to be matched by non-Federal funding to leverage private contributions to the maximum extent possible.

STATE AND TRIBAL WILDLIFE GRANTS

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

Appropriation enacted, 2004	$69,138,000
Budget estimate, 2005	80,000,000
Recommended, 2005	67,500,000
Comparison:	
Appropriation, 2004	−1,638,000
Budget estimate, 2005	−12,500,000

The Committee recommends $67,500,000 for State and tribal wildlife grants, a decrease of $1,638,000 below the fiscal year 2004 level and $12,500,000 below the budget request. Within the amount provided, $6,000,000 is for competitively awarded grants to Indian tribes.

Each State or eligible entity has two years to enter into specific grant agreements with the Service using fiscal year 2005 funding. If funds remain unobligated at the end of fiscal year 2006, the unobligated funds will be reapportioned to all States and eligible entities, together with any new appropriations provided in fiscal year 2007.

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

Funds made available under this account should be added to revenues from existing State sources and not serve as a substitute for revenues from such sources.

Priority for the use of these funds should be placed on those species with the greatest conservation need. Funds should be used to address the life needs and habitat requirements of those species in order to preclude the need to list them as threatened or endangered under the Endangered Species Act.

The Committee expects each State and other participating entity in the formula grant program to submit its comprehensive wildlife conservation plan on time. The Service should notify each State or other entity as soon as possible after receipt of its plan if the plan is approved, conditionally approved, or disapproved. If a plan is conditionally approved, the submitting entity should be given a limited but reasonable amount of time to address the Service's concerns and submit a revised plan for approval. The Committee suggests that such extension of time should not exceed 6 months. If a plan is disapproved, the submitting entity is no longer entitled to receive funds from the program. Should an entity with a disapproved plan elect to submit a revised plan in the future, it may do so but, until a plan is approved, that entity will not be entitled to receive any funds from the program.

NATIONAL PARK SERVICE

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

The National Park Service, established in 1916, has stewardship responsibilities for the protection and preservation of the heritage resources of the national park system. The system, consisting of 388 separate and distinct units, is recognized globally as a leader in park management and resource preservation. The national park system represents much of the finest the Nation has to offer in terms of scenery, historical and archeological relics, and cultural heritage. Through its varied sites, the National Park Service attempts to explain America's history, interpret its culture, preserve

examples of its natural ecosystems, and provide recreational and educational opportunities for U.S. citizens and visitors from all over the world. In addition, the National Park Service provides support to tribal, local, and State governments to preserve culturally significant, ecologically important, and public recreational lands.

OPERATION OF THE NATIONAL PARK SYSTEM

Appropriation enacted, 2004	$1,609,560,000
Budget estimate, 2005	1,686,067,000
Recommended, 2005	1,686,067,000
Comparison:	
Appropriation, 2004	+76,507,000
Budget estimate, 2005	0

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

(dollars on thousands)

	FY 2004 Enacted	FY 2005 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Operation of the National Park System					
Park Management					
Resource stewardship	335,306	343,467	343,467	+8,161	---
Visitor services	319,763	330,256	326,856	+7,093	-3,400
Maintenance	559,211	586,093	573,178	+13,967	-12,915
Park support	282,329	300,570	284,231	+1,902	-16,339
Additional park base increase	---	---	32,654	+32,654	+32,654
Subtotal, Park Management	1,496,609	1,560,386	1,560,386	+63,777	---
External administrative costs	112,951	125,681	125,681	+12,730	---
Total, Operation of the National Park System	1,609,560	1,686,067	1,686,067	+76,507	---

The Committee recommends $1,686,067,000 for operation of the National Park System, the same as the budget request and an increase of $76,507,000 above the enacted level. The Committee has redirected increases in the budget request in order to provide an additional $32,654,000 for across the board park base increases. Combined with $22,012,000 in specific park operating increases in the budget request, the parks will have an additional $54,666,000 for fiscal year 2005. This means that park units will have $1.02 billion available for park operations in fiscal year 2005.

For three years, the Committee has been concerned about the absorption of pay costs, storm damage, anti-terrorism requirements, competitive sourcing activities and other mandates from the Department and the Office of Management and Budget for which funds have not been provided, or provided at the expense of core operating programs. This has begun to have a major impact of the parks' ability to operate, despite the $500,000,000 in additional operating funds provided by the Committee over the last ten years. The Committee understands the need for fiscal constraint during times of war and high deficits, however, that can be accomplished by focusing limited resources on basic operational needs and core programs—not by creating new initiatives and expanding non-essential programs.

The Committee has reviewed the park increase priorities submitted in the budget for fiscal year 2005 and again finds the emphasis placed on expanding law enforcement and maintenance programs. The Congress has already provided increases to enhance law enforcement presence at the icon and border parks and has invested more funds each year for maintenance of Service facilities than any period in the past. The Service's budget requests cannot continue to be limited to a few parks and purposes while not providing funds to maintain visitor access and services in parks across the system.

Resource Stewardship.—The Committee recommends $343,467,000 for resource stewardship, an increase of $8,161,000 above the enacted level and the same as the budget request. Included in this amount are increases above the enacted level of $2,182,000 for specific park base increases, $4,111,000 for inventory and monitoring, and $528,000 to monitor water quality in parks. The Committee accepts the following reductions detailed in the budget: $700,000 for fleet management and $223,000 for the Cumberland Piedmont Learning Center. Also included is $2,263,000 for uncontrollable expenses.

Visitor Services.—The Committee recommends $326,856,000 for visitor services, an increase of $7,093,000 above the enacted level and a decrease of $3,400,000 below the budget request. Included in this amount are increases above the enacted level of $5,758,000 for specific park base increases, $1,000,000 for the Presidential Inaugural and $300,000 for law enforcement at headquarters. Decreases to the request include $1,200,000 for regional field criminal investigations and $2,200,000 for a new law enforcement pilot program (IMARS). The Committee accepts the following reductions detailed in the budget, $200,000 for fleet management reform and $1,000,000 for publication streamlining. Also included is $1,235,000 for uncontrollable expenses.

Maintenance.—The Committee recommends $573,178,000 for maintenance, an increase of $13,967,000 above the enacted level and a reduction of $12,915,000 below the budget request. This reduction was done in order to provide additional operating funds for the parks and because the service has had difficulty obligating the funds. Included in this amount are increases above the enacted level of $11,106,000 for specific park base increases and $2,017,000 for condition assessments. Decreases to the request include $8,165,000 for repair and rehabilitation, $3,000,000 for the removal of hazardous structures and $1,750,000 for general maintenance. The Committee accepts the following reductions detailed in the budget, $400,000 for fleet management reform and $1,000,000 for central sign program savings. Also included is $2,244,000 for uncontrollable expenses.

Within the amounts available for repair and rehabilitation, $450,000 is for the rehabilitation of 26 Williams Street in Dayton Aviation Heritage National Historical Park, $306,000 is for rehabilitation of restrooms at Porter Beach in Indiana Dunes National Lakeshore, $500,000 is for boat launch ramps at Lake Mead National Recreation Area, $300,000 is for signage repairs at Ft. Stanwix National Monument, $388,000 is for dock, signage and lighting repairs at Amistad National Recreation Area, and $300,000 is to continue the cultural landscaping improvements at Gettysburg NMP.

Park Support.—The Committee recommends $284,231,000 for park support, an increase of $1,902,000 above the enacted level and a reduction of $16,339,000 from the budget request. Included in this amount are increases above the enacted level of $2,966,000 for specific park base increases, $1,200,000 for IT security infrastructure, $1,571,000 for IT certification and accreditation, $750,000 for IT enterprise architecture, $1,200,000 enterprise services network, $980,000 for annual financial audits, and $970,000 for competitive sourcing activities. Decreases to the request include $871,000 for E-gov initiatives, $500,000 for management accountability review, $250,000 for VIP regional coordinators, $94,000 for Lewis and Clark, $600,000 for expansion of the VIP senior ranger program, $2,028,000 for regular challenge cost share program, $4,125,000 that represents the proposed increase to the Departmentwide Challenge Cost Share program, and $7,871,000 in base funding for the Department-wide Challenge Cost Share program. The Committee has retained base funding for the long-standing, Service-managed challenge cost share program. Also included is $2,654,000 for uncontrollable expenses. The Committee accepts the programmatic decreases proposed in the budget.

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

External Administrative Costs.—The Committee recommends $125,681,000 for external administrative costs, an increase of $12,730,000 above the enacted level and the same as the budget request. Included in this amount are increases above the enacted level of $13,180,000 for uncontrollable expenses. The Committee accepts the following reduction of $450,000 for central office streamlining. The budget request did not include programmatic increases for this account.

The Committee continues to support the decision by Ozark National Scenic Riverways to retain the carpentry and maintenance positions at the park. The Committee recognizes the urgent needs at ONSR for key carpentry and maintenance personnel who have specialized skills in properly maintaining park facilities. The Committee expects that these carpentry and maintenance positions will be retained.

Everglades Science.—In 2003, the National Academy of Sciences (NAS) and the General Accounting Office (GAO) issued reports recommending numerous management improvements for the National Park Service and the United States Geological Survey science programs supporting the Everglades restoration effort. Although noting the importance of science to the restoration effort, the NAS and GAO each recommended improved coordination of the Department's scientific programs to ensure that gaps in scientific understanding are filled and that science is synthesized and integrated into the decision-making process. Absent such improvements, the NAS and GAO raised the prospect that the Everglades restoration effort, which relies heavily on adaptive management to deal with technological uncertainty, could fail to achieve its restoration goals. Such failure would jeopardize the sustainability of the national parks and national wildlife refuges located in South Florida and risk the significant federal investment that is being made to restore and protect these national resources.

In response to these reports, the Committee held an oversight hearing on the Department's science programs. At that hearing the Department testified that it would develop a Science Plan by May 2003 to support the research requirements of the land management agencies involved in the restoration effort. The Department also testified that it would improve internal coordination of scientific research within the National Park Service and the U.S. Geological Survey. Despite these commitments, the Committee remains concerned that little is being done. Although the Department recently submitted its Science Plan—one year later than promised—it is not clear that improvements in internal coordination have occurred or that the research is supporting the decisions that are being made. If the Department wishes to retain the support of the Committee for its science programs that support the restoration effort, it is imperative that the Department manage these programs to ensure that the scientific research needs of the land management agencies involved in the Everglades restoration effort are being met. Accordingly, the Committee directs the Department to submit a report by November 15, 2004, describing the scientific research projects to be funded in the National Park Service and the U.S. Geological Survey with the fiscal year 2005 appropriation. The report should provide details for each research project, including how each research project is consistent with the Department's Science Plan; how each research project is filling gaps in scientific information; and the importance of each research project to the decisions that need to be made. Additionally, the Committee directs the Department to provide a status report on the actions taken to implement the recommendations of the NAS and the GAO.

National Park Foundation.—The Committee has noted a strained relationship between the National Park Service and the National Park Foundation. This has occurred at both the national and park

levels. The Committee requested that the General Accounting Office (GAO) review continuing concerns within the National Park Service that the Foundation is not supporting its priority needs. The Committee had additional concerns and requested information on the following areas: (1) the Foundation's roles and responsibilities for raising funds to support the Park Service, (2) the amount and kinds of donations raised, and (3) the extent to which the contributions obtained by the Foundation assist the Service in addressing park priorities. Other issues were also addressed.

The GAO concluded that although the Foundation has more than doubled donations of money and in-kind contributions from 1999 levels, many National Park Service officials question the use of Foundation donations and believe support should be directed more toward park priorities. A majority of the donations are restricted by donors and most corporate dollars are non-cash or in-kind services. The GAO concluded that the Foundation's efforts to assist the Service are hampered by poor communication and documentation problems.

Major factors that contribute to these problems include: (1) the Foundation and the Service do not have a comprehensive written agreement that clearly describes the Foundation's fundraising strategy and clarifies roles and responsibilities for each partner, (2) the Foundation and the Service enter into verbal rather than written fund-raising agreement, thereby making it impossible to determine whether commitments were met, and (3) Foundation and Service officials continually disagree about the fund-raising strategy as well as the objectives for one of the Foundation's key programs.

The Committee directs that the Service and the Foundation implement all of the specific recommendations identified in the GAO report as detailed on pages 22 and 23 of the report. There are specific actions to be taken by the Service and the Foundation. Some of the major recommendations include:

1. Enter into an overall written fundraising agreement that describes the Service's and the Foundation's fundraising strategy; the roles and responsibilities of the Service and the Foundation including headquarters, regions, and parks; and a process for the annual identification of a list of the Service's overall needs and park-specific needs and the Foundation's philanthropic opportunities. This overarching agreement, including a strategy and priorities for fundraising, is to be submitted to the Committee within 60 days of enactment of this Act. In addition, the Service and the Foundation should submit a cooperatively developed report to the Committee in January of each year on specific park priorities and goals for that year and a cooperatively developed report by December 15 each year detailing actual accomplishments.

2. Immediately enter into written fundraising agreements and plans for all ongoing and future fundraising efforts. All individual agreements are to be forwarded to the Committee.

3. The Service should submit a report twice a year in April and December detailing all cooperative agreements and any movement of funds from the Service to the Foundation and describe what services were requested and provided.

4. Ensure that the funds and services secured through the Proud Partner program, and any new initiative approved by the Service and the Foundation meet park specific needs.

Travel.—The Committee notes that the Service has made efforts this year to reduce non-essential travel. Given the continuing tight fiscal constraints on domestic discretionary spending, and the shortage of park operating dollars, the Committee continues to urge the Service to approve only essential domestic travel and use alternatives such as teleconferencing to accomplish the Service's mission when possible. This directive particularly applies to the Washington, D.C. and Regional Offices. Foreign travel is strongly discouraged. The Committee requests that the Director submit all requests for foreign travel to the Committee prior to approval. In addition, the Service should limit the number and size of national conferences and regional meetings.

Setting Priorities.—The Committee's goal is to maintain our national parks in good condition and have them accessible by the American public. The Committee recognizes that many programs compete for funding in the National Park Service, which makes it increasingly important to have an effective system for setting budget priorities. Priority-setting and strategic planning are critical, given the constraints on federal domestic spending.

This Committee has provided an additional $500 million in operating increases over the past ten years, yet the Service indicates that there are severe operational shortfalls. The Committee has provided the Service with the Recreation Fee Demonstration program, which has brought in an additional revenue stream amounting to hundreds of millions of dollars dedicated to relieving the backlog maintenance needs of the parks. In addition, the Committee has tripled the funding for the repair and rehabilitation account and focused the line item construction program on backlog maintenance requirements for the last eight years. The Committee has also provided over $80 million in recent years for a new natural resource challenge program. Despite all of these funding increases, the parks continue to announce reduced hours and services.

The Committee is concerned that the Service does not have a priority system in place and operating. While the Committee acknowledges that the Service has had to absorb significant costs for the past several years, it believes that the Service fails to recognize that all of its various program "wishes" cannot be met. Leadership must focus on resolving the most pressing needs and resist the temptation to initiate new programs, such as a major educational initiative, at a time of constrained resources.

In addition, the Committee is concerned about the emergence of large, expensive partnership construction projects, most of which do not have Committee approval. As referenced in the construction account, there are currently over 100 projects, with a potential cost to the Committee in excess of $300 million. Without question, funding these projects would have a profound effect on park operations as well as backlog maintenance needs.

Therefore, the Committee believes this situation needs to be addressed immediately and directs the Service to contract with the National Academy of Public Administration for a comprehensive review of its priority-setting and strategic planning processes. Fund-

ing should be provided with savings from reduced travel and conferences.

UNITED STATES PARK POLICE

Appropriation enacted, 2004	$77,888,000
Budget estimate, 2005	81,204,000
Recommended, 2005	81,204,000
Comparison:	
Appropriation, 2004	+3,316,000
Budget estimate, 2005	0

The Committee recommends $81,204,000 for the U.S. Park Police, an increase of $3,316,000 above the enacted level and the same as the budget request.

The Committee continues to be disappointed over the long delay in resolving the fiscal and management problems of the U.S. Park Police. The first phase of the second report of the National Academy of Public Administration, issued February 2004, documents that while some minor recommendations have been implemented, the balance have either been only partially implemented or not addressed at all.

The Committee holds the Park Service responsible for not managing this problem, and urges the Service and the Department, in the strongest of terms, to deal with these issues before the end of calendar year 2004.

NATIONAL RECREATION AND PRESERVATION

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

Appropriation enacted, 2004	$61,776,000
Budget estimate, 2005	37,736,000
Recommended, 2005	53,877,000
Comparison:	
Appropriation, 2004	−7,899,000
Budget estimate, 2005	+16,141,000

The Committee recommends $53,877,000 for national recreation and preservation, an increase of $16,141,000 above the request and a decrease of $7,899,000 below the enacted level.

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

	(dollars on thousands)				
	FY 2004 Enacted	FY 2005 Request	Recommended	Recommended versus Enacted	Recommended versus Request
National Recreation and Preservation					
Recreation programs	548	551	551	+3	---
Natural programs	10,875	10,966	10,718	-157	-248
Cultural programs	19,690	19,814	19,814	+124	---
International park affairs	1,605	1,616	1,616	+11	---
Environmental and compliance review	396	397	397	+1	---
Grant administration	1,576	1,892	1,892	+316	---
Heritage Partnership Programs					
Commissions and grants	14,152	2,378	14,973	+821	+12,595
Administrative support	122	122	122	---	---
Subtotal, Heritage Partnership Programs	14,274	2,500	15,095	+821	+12,595
Statutory or Contractual Aid					
Benjamin Franklin Tercentenary Commission	198	---	---	-198	---
Blue Ridge Parkway (Folk Art Center)	741	---	---	-741	---
Brown Foundation	198	---	198	---	+198
Chesapeake Bay Gateway	2,469	---	1,500	-969	+1,500
Dayton Aviation Heritage Commission	85	---	85	---	+85
Flight 93 Memorial (Sommerset)	294	---	250	-44	+250
French and Indian War (PA)	494	---	---	-494	---
George Washington Memorial Bridge (Gravely Point)	---	---	100	+100	+100
Harry S. Truman Statue	50	---	---	-50	---
Ice Age National Scientific Reserve	796	---	796	---	+796
Jamestown 2007	197	---	---	-197	---
Johnstown Area Heritage Association	49	---	49	---	+49
Lake Roosevelt Forum	50	---	50	---	+50
Lamprey River	988	---	---	-988	---
Mandan Interpetive Center and Lodge project	494	---	---	-494	---

(dollars on thousands)

	FY 2004 Enacted	FY 2005 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Martin Luther King, Jr. Center	522	---	---	-522	---
Mt. Ranier National Park (study)	---	---	700	+700	+700
Native Hawaiian culture and arts program	731	---	---	-731	---
New Orleans Jazz Commission	66	---	66	---	+66
Oklahoma City Memorial	1,581	---	---	-1,581	---
Office of Arctic Studies	1,481	---	---	-1,481	---
Roosevelt Campobello International Park Commission	837	---	---	-837	---
Sleeping Rainbow Ranch, Capitol Reef NP	491	---	---	-491	---
Subtotal, Statutory or Contractual Aid	12,812	---	3,794	-9,018	+3,794
Total, National Recreation and Preservation	61,776	37,736	53,877	-7,899	+16,141

Recreation Programs.—The Committee recommends $551,000 for recreation programs, the same as the budget request and an increase of $3,000 above the enacted level. The increase above the enacted level is for uncontrollable expenses.

Natural Programs.—The Committee recommends $10,718,000 for natural programs, a decrease of $157,000 below the enacted level and $248,000 below the budget request. The decrease below the budget request is for the Rivers and Trails technical assistance program.

The Committee appreciates the cooperation of the leadership of the National Park Service in implementing reforms to the Rivers and Trails Technical Assistance Program articulated in the Committee's surveys and investigative report dated October 2003. The Committee understands that there is an effort underway to update a strategic plan for the program. However, the Committee is concerned that program managers continue to resist these reforms. Until such time as the Committee is convinced that reforms have been implemented fully, the bill restrictions regarding cooperative agreements and contracts will be retained.

Cultural Programs.—The Committee recommends $19,814,000 for cultural programs, an increase of $124,000 above the enacted level and the same as the budget request. The increase above the enacted level is for uncontrollable expenses. Within available funds, $300,000 is provided for Heritage Preservation, Inc., and $250,000 to continue the Louisiana Heritage Education Model at the National Center Preservation Technology Training located in Natchitoches, Louisiana.

International Park Affairs.—The Committee recommends $1,616,000 for international park affairs, an increase of $11,000 above the enacted level and the same as the budget request. The increase above the enacted level is for uncontrollable expenses.

Environmental and Compliance Review.—The Committee recommends $397,000 for environmental and compliance review, an increase of $1,000 above the enacted level and the same as the budget request.

Grant Administration.—The Committee recommends $1,892,000 for grant administration, an increase of $316,000 above the enacted level and the same as the budget request. The increase above the enacted level is for uncontrollable expenses and reflects the transfer of urban park grant administration.

Heritage Partnership Program.—The Committee recommends $15,095,000 for the heritage partnership program, an increase of $821,000 above the enacted level and an increase of $12,595,000 above the budget request. Within this amount, $122,000 is provided for administration. The Committee recommends the following distribution of funds:

Project	*Amount*
America's Agricultural Heritage Partnership (Silos & Smokestacks)	$750,000
Augusta Canal NHA	400,000
Automobile NHA	600,000
Blue Ridge NHA	1,000,000
Cache La Poudre River Corridor	45,000
Cane River NHA	800,000
Delaware and Lehigh NHC	800,000
Erie Canalway National Corridor	700,000
Essex NHA	1,000,000
Hudson River Valley NHA	500,000

Project	*Amount*
Illinois & Michigan Canal NHC	600,000
John H. Chafee Blackstone River Valley NHC	795,000
Lackawanna Valley NHA	550,000
National Coal Heritage Area	123,000
Ohio and Erie Canal NHC	1,000,000
Quinnebaug & Shetucket Rivers Valley NHC	800,000
Rivers of Steel NHA	1,000,000
Schuylkill River Valley NHA	500,000
Shenandoah Valley Battlefields National Historic District	500,000
South Carolina NHC	1,000,000
Tennessee Civil War Heritage Area	300,000
Wheeling NHA	1,000,000
Yuma Crossing NHA	210,000
Project Total	14,973,000
Administrative	122,000
Total	$15,095,000

The Committee has been concerned about the use of funds provided for the Hudson River Valley National Heritage Area. Specifically, funds are not being used for on the ground projects that meet the objectives of the management plan. The Committee directs that funds be used for a signage program for tier I and II heritage sites and a grant program to assist heritage sites meet the stated goals of the plan.

Statutory or Contractual Aid.—The Committee recommends $3,794,000 for statutory or contractual aid, a decrease of $9,018,000 below the enacted level and an increase of $3,794,000 above the request.

Bill language is recommended to allow the Service to provide funds to the City of Tacoma, Washington on a one-time basis to fund a feasibility study for the Train to the Mountain project. This study will analyze the cost and feasibility of utilizing the existing track of the Mountain Division Line, in combination with shuttle services, to provide an alternative means to transport visitors to Mount Rainier National Park. This study must involve the National Park Service and all communities and stakeholders in the area. Any future funding for this initiative will come from private, local, or federal transportation sources.

Bill language is also included that prohibits the use of rivers and trails funds for cooperative agreements, contracts, or grants.

HISTORIC PRESERVATION FUND

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

Appropriation enacted, 2004	$73,583,000
Budget estimate, 2005	77,533,000
Recommended, 2005	71,533,000
Comparison:	
Appropriation, 2004	−2,050,000
Budget estimate, 2005	−6,000,000

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

(dollars on thousands)

	FY 2004 Enacted	FY 2005 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Historic Preservation Fund					
State historic preservation offices	34,569	34,570	34,570	+1	---
Tribal grants	2,963	2,963	2,963	---	---
Grants for millennium initiative	32,594	30,000	30,000	-2,594	---
Preserve America	---	10,000	---	---	-10,000
National trust (endowment)	494	---	---	-494	---
HBCUs	2,963	---	4,000	+1,037	+4,000
Total, Historic Preservation Fund	73,583	77,533	71,533	-2,050	-6,000

The Committee recommends $71,533,000 for historic preservation fund programs, a decrease of $2,050,000 below the enacted level and a decrease of $6,000,000 below the budget request.

The total amount provides $34,570,000 for State historic preservation offices, $2,963,000 for tribal grants, $30,000,000 for Save America's Treasures and $4,000,000 for Historically Black Colleges and Universities. The HBCU program will be a competitive program administered by the National Park Service. The cost share on this program is 70 percent Federal, 30 percent private. The Committee was not able to provide the $10,000,000 for a new Preserve America program because the allocation was $220,000,000 below the President's request.

CONSTRUCTION

Appropriation enacted, 2004	$329,879,000
Budget estimate, 2005	329,880,000
Recommended, 2005	297,628,000
Comparison:	
Appropriation, 2004	−32,251,000
Budget estimate, 2005	−32,252,000

The Committee recommends $297,628,000 for construction, a decrease of $32,251,000 below the enacted level and $32,252,000 below the budget request.

The Committee recommends the following distribution of funds:

Project	*Amount*
Allegheny Portage Railroad NHS, PA (rehabilitation)	$861
Apostle Islands NL, WI (Raspberry Island Light Station)	1,136
Big Bend NP, TX (Chisos Basin)	2,000
Blue Ridge Parkway, NC (destination center)	3,000
Boston NHP, MA (rehabilitation)	1,187
Cane River Creole NHP, LA (stabilization)	1,068
Chattahoochee River NRA, GA	2,125
Chesapeake & Ohio Canal NHP, DC, MD, VA (Great Falls)	1,776
Cumberland Island NS, GA (Plum Orchard)	264
Cumberland Island NS, GA (stabilization)	1,285
Cuyahoga NP, OH (rehabilitation)	2,500
Dayton Aviation NHP, OH (Huffman Prairie hangar)	650
Delaware Water Gap NRA, PA (cabin replacement)	1,000
Delaware Water Gap NRA, NJ (Depew Recreation site)	2,298
Everglades NP, FL (water system)	8,077
Fire Island NS, NY (rehabilitation)	2,374
Flight 93 National Memorial, PA	806
Fort Larned NHS, KS (Old Commissary)	869
Frederick Law Olmsted NHS, MA (upgrades)	2,011
George Washington Carver NM, MO (rehabilitation/expansion)	1,200
George Washington Memorial Parkway (rehabilitation)	300
Gettysburg NMP, PA (visitor center)	5,000
Great Smoky Mountain NP, NC, TN (water & sewer system)	2,171
Hampton NHS, MD (Hampton Mansion)	1,546
Homestead NM of America, NE (visitor center)	2,500
Klondike Gold Rush NHP, AK	739
Lassen Volcanic NP, CA	10,051
Lincoln Library, IL	5,000
Manassas NB Park (rehabilitation), VA	2,317
Martin Luther King, Jr., NHS, GA	2,459
Moccasin Bend NAD, TN (planning)	400
Monocacy NB, MD (visitor center)	3,539
Olympic NP, WA	1,940
Olympic NP, WA (Elwha River Ecosystem)	26,950
Organ Pipe Cactus NM, NM (vehicle barrier)	6,600
Petersburg NB, VA	812
Point Reyes NS, CA (Marina Railway)	1,885
Point Reyes NS, CA (watershed restoration)	2,077

Project	*Amount*
Pu'uhonua o Honaunau NHP, HI	1,112
Rock Creek Park, DC (preservation)	3,007
San Francisco Maritime NHP, CA (Sala Burton Maritime Museum)	4,183
Saratoga NHP, NY (Victory Woods planning)	295
Saugus Iron Works NHS, MA (rehabilitation)	1,283
Southwest Pennsylvania Heritage Commission, PA	2,500
Timucuan Ecological & Historic Preserve, FL (planning)	388
Tuskegee Airmen NHS, AL (site development & utilities)	1,500
Washington Office (storm damage)	14,000
Western Arctic National Parklands, AK	14,708
White House, DC (Executive Residence)	9,938
Yellowstone NP, WY (infrastructure improvements)	1,000
Yellowstone NP, WY (Madison wastewater facilities)	3,956
Yellowstone NP, WY (Old House at Old Faithful Inn)	9,801
Yellowstone NP, WY (West Entrance Station)	1,487
Project Total	181,931
Emergency/Unscheduled	4,000
Housing	8,000
Equipment replacement	39,100
Planning, construction	21,220
General management plans	13,313
Construction program management	27,364
Dam safety	2,700
Subtotal	115,697
Total Construction	297,628

The Committee has included $3,000,000 for ongoing work on the Blue Ridge Parkway destination center; $264,000 for continued planning and compliance work on Plum Orchard within the Cumberland Island National Seashore; $2,500,000 for rehabilitation work at Cuyahoga National Recreation Area, and $650,000 for the Huffman Prairie hanger at Dayton Aviation National Historical Park.

Funding will not be recommended for construction of a curatorial storage facility for Big Bend National Park until planning is sufficiently underway and reviewed by the Park Service Development Advisory Board. The Service is reminded that the cost estimate associated with this facility a year ago was $1,900,000. Committee support for this project is based on this number; any serious deviation from this estimate will jeopardize future funds.

Within the funds provided for lump sum planning, the Service is to initiate pre-design work for the restoration of the Bodie Island Lighthouse at Cape Hatteras National Seashore. This project is currently scheduled for construction in fiscal year 2007, with an estimated gross construction cost of $2,330,000.

Also included is $1,200,000 to complete work at George Washington Carver National Monument; $300,000 for rehabilitation work along the George Washington Memorial Parkway; $5,000,000 for Gettysburg National Military Park; and $2,500,000 for continuing work on the Homestead National Monument visitor center.

The Committee recommendation provides $1,000,000 for facility improvements to address the lodging conditions at the Pocono Environmental Education Center at the Delaware Water Gap National Recreation Area. Last year, $300,000 was provided to initiate work on this effort, to complete a site development plan and value analysis before beginning detailed project design. While this work has not yet begun, the Committee expects the park and partner to undertake this effort collaboratively during fiscal year 2005 within the funds provided. It is important that the park and partner come

to mutual agreement about future development at the site; common agreement as to the necessary planning and compliance requirements for the site; and a clear understanding of future costs and fundraising strategies for any expanded development beyond current levels.

The Committee understands that the estimated cost to undertake rehabilitation of the cabins and to support existing program levels, is approximately $2,500,000. The value analysis recommended last year is intended to help both parties determine how best to accomplish the objectives within this funding target. Any larger development program must be non-Federally funded. In the meanwhile, the Committee has no objection to the fiscal year 2004 funds being used for rehabilitation and improvements to existing cabins.

The Committee has provided $5,000,000 for the Lincoln Library; $2,500,000 for the Southwest Pennsylvania Heritage Commission; and $388,000 for planning at Timucuan Ecological and Historic Preserve.

The $400,000 provided for Moccasin Bend at Chickamauga and Chattanooga National Military Park is for a development concept plan for this newly authorized area. The Committee understands there is considerable local support for a significant visitor facility. The Service must first complete the appropriate management planning and scoping to determine site requirements and facility needs. The park must also work with the Service's visitor facility-planning model in order to determine an appropriately sized facility that can be operated and maintained given foreseeable budget constraints. The local friends group is encouraged to participate actively in the planning process, and to consider feasible partnership components that could be value-added to what the Service might otherwise construct, such as, undertaking a fundraising campaign for exhibits or a visitor center film.

The Committee provides $295,000 for planning associated with visitor access to the Victory Woods site at Saratoga National Historical Park. These funds are available for archeological surveys, cultural landscape inventory and report, site planning and design, environmental assessment, and compliance with the National Historic Preservation Act. It is anticipated that these surveys will largely be conducted during the spring and summer season, and that site planning would follow upon completion. Phase II of the project, which entails implementation of visitor access and site improvements, is expected to be ready for construction in fiscal year 2006, at an estimated cost of approximately $300,000. The Committee expects planning to commence consistent with this total funding level. The Committee understands that this cost estimate does not include road and parking improvements, which should be contributed by non-Federal sources.

The Committee has provided $1,500,000 for ongoing site development and utility work at Tuskegee Airmen National Historical Site in Alabama.

The Service is directed to provide funds to complete the Muscle Shoals National Heritage Area Study from within the amounts provided. Within available funds, the Service should begin funding the Buffalo Bayou National Heritage study and the Waco Mammoth site new area study located in Texas.

The Committee has provided funding over several fiscal years for environmental studies affecting the George Washington Memorial Parkway, including the northern extension of the Mount Vernon Trail, the Belle Haven Marina, and the Arlington Boathouse. These studies continue to be delayed without explanation. The Committee directs the Service to complete these studies within available funds by the end of fiscal year 2005. An interim report is due three months after enactment of this Act.

Partnership Construction Projects.—The Committee has included bill language that imposes a temporary moratorium on all partnership projects in excess of $5,000,000 without written approval from the House and Senate Committees on Appropriations. It excludes the Flight 93 Memorial. This language applies to both new projects and those already under consideration. This language does not allow the partners to fund planning and design of a project that has not been approved by the Committee.

This provision is necessary because the Committee included bill language in the Interior and Related Agencies Appropriations Act for the last two fiscal years, directing the National Park Service not to spend funds on planning or construction of any new facility that has not been approved by the Committee. This was done in an effort to ensure that low priority, expensive, oversized facilities, that ultimately result in increased requirements for operations and maintenance funding, were not pursued. While the Service has complied with this direction regarding line-item construction projects, the Service has yet to attain a full comprehension of the magnitude of capital improvement projects being pursued at the park level with expectations of future funding. Of particular concern are project concepts that proceed to the point of needing funding immediately, thus bypassing established budget procedures and processes. In some instances, the Service has allowed partners to plan and design projects, which then results in an expectation of immediate Federal funding. This is unacceptable.

In many cases, National Park and Regional Office staff have ignored the Service's own internal directive—Director's Order 21—which provides specific guidance from the Director to the field on how to manage private sector partnership projects. In addition, the Committee understands that there are some types of partnership projects that involve States and other Federal agencies that have no specific guidance at all.

The Committee discussed these issues during the FY 2005 budget hearing in March 2004. Since that time, the Committee has become aware that there are over 100 additional partnership projects with a potential Federal cost in excess of $300 million. It remains unclear which of these projects are programmed to receive funding in established Federal programs (NPS or other), which anticipate pursuing other competitively available Federal or non-Federal funds, and which are simply desired projects at the local level that have not been reviewed and/or approved at the regional and Washington office level. Most of these projects have never been formally discussed with the Committee. In fact, the Service has made informal commitments to many private partners for Federal money without the knowledge of the Committee. If only a portion of these projects were funded, it would have a devastating impact on both major backlog maintenance projects funded in the line item con-

struction account and on the operating account for the National Parks. The situation is currently out of control and this provision is needed to allow the Service to demonstrate its capacity to exercise greater control over the planning and early stages of partnership construction projects.

Since the spring, there have been continuing reports in newspapers across the Nation about parks needing to reduce hours of operations and services to the American public because of operational shortfalls. If there are true shortfalls, which the Committee believes there are, it makes no sense to compound the problem by encouraging large, expensive construction projects outside the regular budget process that also have huge operational implications. Even the best intentions by the Service to fund large construction projects completely with private funding sometimes fall short of expectations. Unfortunately, this also results in delaying critical backlog projects and other priority needs of the Service.

The Committee recognizes that the Service is in the process of setting up strict new guidelines for dealing with partnership projects. Specific direction from the Director has been forwarded to the field. While the Committee appreciates this effort, it reminds the Service that the current process was not followed. The Service should address the requirements for both public-private and public-public partnerships. Both types of partnerships must recognize the constraints and uncertainties associated with the Federal budget process. Without the direct involvement of senior park management, including the Director, Deputy Directors, and Regional Directors, the new system will not work either.

The Service is strongly encouraged to rethink the partnership projects identified to the Committee in light of the considerable operational needs facing the parks today and the overall constraints on federal domestic spending. The Committee has supported the concept of partnerships, and does not wish to diminish or discourage the history of philanthropic giving that has benefited the national parks since their earliest days. At the same time, however, the Committee reiterates that partnership construction projects must be done for the right reasons, at the right size, at the right cost, and with defensible and attainable operational requirements. While the Service plays a significant role in managing these construction projects, the partners and the Service play a significant role in generating expectations. All parties must play a role in addressing the concerns raised.

The Committee recognizes that the Service has committed to review the agreements associated with partnership construction projects, including fundraising agreements. As part of its review and analysis of the projects identified to date, the Committee expects the Service to examine carefully whether all of these partnerships can be sustained and, if not, whether they should be pursued. The Service has also committed to quarterly reporting on its progress in improving management of partnership construction projects. The Committee will be monitoring the Service's progress over the course of the next year to determine whether further changes are needed before lifting the moratorium.

LAND AND WATER CONSERVATION FUND

(RESCISSION)

Appropriation enacted, 2004	−$30,000,000
Budget estimate, 2005	−30,000,000
Recommended, 2005	−30,000,000
Comparison:	
Appropriation, 2004	0
Budget estimate, 2005	0

The Committee recommends the rescission of $30,000,000 in the annual contract authority provided by 16 U.S.C. 4601–10a. This authority has not been used in years, and there are no plans to use it in fiscal year 2005.

LAND ACQUISITION AND STATE ASSISTANCE

Appropriation enacted, 2004	$135,594,000
Budget estimate, 2005	178,124,000
Recommended, 2005	107,500,000
Comparison:	
Appropriation, 2004	−28,094,000
Budget estimate, 2005	−70,624,000

The Committee recommends $107,500,000 for land acquisition and State assistance, a decrease of $70,624,000 below the budget request and $28,094,000 below the enacted level. Within the funds provided, $91,500,000 is for assistance to States, of which $1,500,000 is for administrative expenses, and $16,000,000 is for Federal land acquisition program activities, including $3,000,000 for emergencies and hardships, $10,000,000 for acquisition management, and $3,000,000 for inholdings.

For the purposes of acquiring the Orange Hill patented mining claim within the Wrangell-St. Elias National Park and Preserve, the Committee expects the Service to commence acquisition negotiations based upon an appraisal of the market value of the property prepared in conformance with the Uniform Appraisal Standards for Federal Land Acquisitions. In the determination of highest and best use, the appraisal should consider all available economic uses of the property, shall recognize statutory rights of surface access to the property, and consider the prices of other mining claims, patented and unpatented, within other Alaska National Park System units including Denali National Park and Preserve.

ADMINISTRATIVE PROVISIONS

Bill Language.—Existing concession contracts provide for a contractual right of compensation, known as "possessory interest" in structures, fixtures or improvements made or acquired by the concessioner under the terms of the contract. The amount of compensation is described in the contracts as the "fair value" of a PI, which is deemed to be its "sound value." The contracts provide that "the sound value of any structure, fixture, or improvement shall be determined upon the basis of any reconstruction cost less depreciation evidenced by its condition and prospective serviceability in comparison with a new unit of like kind, but not to exceed fair market value." However, the results of recent value determination proceedings suggest that valuations do, in fact, exceed the fair market value of the improvements provided by the concessioner, and suggest that the value may be based, in part, on the value of the

underlying land or business operations of the concessioner, rather than the improvements. There is currently no procedure in place for review of these determinations when flaws in the process are suspected. Language is included in the bill that will provide the Secretary the authority to seek judicial review when appropriate.

In addition, the Committee recognizes that possessory interest and leasehold surrender interest impose a significant Federal debt. To help mitigate the budgetary impact of this debt, language has been included to allow the Secretary to manage this debt by providing some flexibility in the use of 80 percent of concession franchise fees, rather than appropriated funds, to assist in the reduction or extinguishment of such contractual obligations in park units other than those that collected the franchise fees. Such use of the franchise fees from other units will be on "loan" basis, with the benefiting unit responsible for crediting the "loaned" franchise fees back to the originating park within the term of the benefiting park's contract.

UNITED STATES GEOLOGICAL SURVEY

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

SURVEYS, INVESTIGATIONS, AND RESEARCH

Appropriation enacted, 2004	$937,985,000
Budget estimate, 2005	919,788,000
Recommended, 2005	944,498,000
Comparison:	
Appropriation, 2004	+6,513,000
Budget estimate, 2005	+24,710,000

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

(dollars on thousands)

	FY 2004 Enacted	FY 2005 Request	Recommended	Recommended versus Enacted	Recommended versus Request
United States Geological Survey					
Surveys, Investigations, and Research					
Mapping, Remote Sensing, and Geographic Investigations					
Cooperative topographic mapping	80,843	71,048	74,754	-6,089	+3,706
Land remote sensing	33,678	33,132	33,191	-487	+59
Geographic analysis and monitoring	15,238	14,761	14,834	-404	+73
Subtotal, National Mapping Program	129,759	118,941	122,779	-6,980	+3,838
Geologic Hazards, Resource and Processes					
Geologic hazards assessments	75,283	73,007	74,960	-323	+1,953
Geologic landscape and coastal assessments	78,351	75,230	77,331	-1,020	+2,101
Geologic resource assessments	80,549	72,517	78,603	-1,946	+6,086
Subtotal, Geologic Hazards, Resource & Processes	234,183	220,754	230,894	-3,289	+10,140
Water Resources Investigations					
Hydrologic monitoring, assessments and research					
Ground water resources program	5,967	6,688	7,750	+1,783	+1,062
National water quality assessment	63,285	62,506	62,559	-726	+53
Toxic substances hydrology	14,902	12,638	12,691	-2,211	+53
Hydrologic research and development	17,112	14,333	15,736	-1,376	+1,403
National streamflow information program	14,179	14,018	14,018	-161	---
Hydrologic networks and analysis	29,852	29,492	28,733	-1,119	-759
Subtotal, Hydrologic monitoring, assessments and research	145,297	139,675	141,487	-3,810	+1,812
Federal-State program	63,995	63,007	63,262	-733	+255

(dollars on thousands)

	FY 2004 Enacted	FY 2005 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Water resources research institutes	6,422	---	6,500	+78	+6,500
Subtotal, Water Resources Investigations	215,714	202,682	211,249	-4,465	+8,567
Biological Research					
Biological research and monitoring	135,110	129,226	132,573	-2,537	+3,347
Biological information management and delivery	24,662	24,265	24,337	-325	+72
Cooperative research units	14,757	14,113	15,066	+309	+953
Subtotal, Biological Research	174,529	167,604	171,976	-2,553	+4,372
Enterprise Information					
Enterprise information security and technology	---	22,498	22,248	+22,248	-250
Enterprise information resources	---	17,233	17,164	+17,164	-69
Federal geographic data coordination	---	5,416	4,736	+4,736	-680
Subtotal, Enterprise Information	---	45,147	44,148	+44,148	-999
Science support	90,811	68,716	67,508	-23,303	-1,208
Facilities	92,989	95,944	95,944	+2,955	---
Total, United States Geological Survey	937,985	919,788	944,498	+6,513	+24,710

The Committee recommends $944,498,000 for surveys, investigations, and research, an increase of $24,710,000 above the budget request and $6,513,000 above the fiscal year 2004 enacted level.

For the fifth year in a row the Committee has partially restored a number of high-priority research programs that were proposed for reduction or elimination. The Administration has placed a high priority on cooperative programs that leverage funds from State and local governments as well as private entities. The Survey has been a leader in the development of cooperative programs and outsourcing its activities. The Committee believes that Bureaus that are successful in implementing these policies should be rewarded and not penalized.

National Mapping Program.—The Committee recommends $122,779,000 for the national mapping program, $3,838,000 above the budget request and $6,980,000 below the 2004 enacted level. Changes from the request include increases of $483,000 to restore the streamlining cut, $2,355,000 for national map activities, and $1,000,000 to meet the Survey's obligations for North Carolina flood mapping.

The Committee is concerned that the Survey is not adequately planning for the future of the Landsat 7 program. The Committee has twice reprogrammed funding to keep Landsat 7 operations going under the condition that a short-term fix and a long-term solution to the problem be investigated. To date, no solutions to the problem of continuing operations for a degraded satellite have been proposed. The Committee will no longer increase funding, or reprogram funding from other ongoing Survey programs, to keep the Landsat 7 program operating. The Committee recommends that the Survey operate the Landsat 7 program from within base funds and collect and archive data only. If additional funds are needed for distribution of data and operation of the international ground stations, then those funds must be generated by data sales and reimbursable agreements with other Federal agencies and institutions. The Committee agrees that long-term remote sensing data are vital to many aspects of the government and private sector. The Committee encourages the Administration to work with NASA and other Federal agencies to place the next generation Landsat sensor in orbit as soon as possible to reduce future data gaps.

The Committee supports the Survey's efforts to manage more efficiently the growing volume of data at the EROS Data Center. Accordingly, the Committee supports efforts by the Survey to convert its archived remote sensing data from outdated storage media to disk based storage. The Committee believes this conversion will accommodate growing volumes of data and provide access to users more efficiently and at lower cost. Further, the Committee supports the employment of data replication technologies that will reduce failures within the data storage infrastructure and will ensure recovery from any potential outage.

Geologic Hazards, Resources and Processes.—The Committee recommends $230,894,000 for geologic hazards, resources, and processes, $10,140,000 above the budget request and $3,289,000 below the 2004 enacted level. Changes from the request include increases of $840,000 to restore streamlining cuts, $1,350,000 for the ANSS program, $750,000 to further the Survey's work on landslide hazards, $250,000 to continue to study the impacts of global dust

events on coral reefs, $1,600,000 to restore the Tampa Bay Pilot coastal project, and $6,500,000 to restore the cut to mineral resource assessments, and decreases of $400,000 for the earth observation and monitoring program, $250,000 for geothermal assessments, and $500,000 for science on DOI landscape.

The Committee strongly disagrees with the proposed reduction in the Survey's mineral resources program. Minerals and mineral products are important to the U.S. economy with processed minerals accounting for adding billions of dollars to the economy in 2003. Mineral commodities are essential to both national security and infrastructure development. Mineral resources research and assessments are a core responsibility of the Survey.

Water Resources Investigations.—The Committee recommends $211,249,000 for water resources investigations, $8,567,000 above the budget request and $4,465,000 below the 2004 enacted level. Changes from the request include increases of $742,000 to restore streamlining reductions, $800,000 for the water availability project, $250,000 for Potomac River groundwater assessments, $250,000 for increased reporting requirements associated with the San Pedro Partnership, $500,000 for the Rathdrum Prairie aquifer, $250,000 for the Chesapeake Bay program, $350,000 for the Hood Canal dissolved oxygen study, and $6,500,000 for the Water Resource Research Institutes, and decreases of $200,000 for the SPARROW model, $375,000 for science on the DOI landscape, and $500,000 for the Klamath Basin initiative. The Committee directs the Survey to dedicate $2,000,000 in existing funds to the ongoing Lake Pontchartrain restoration project.

The Committee recommendation increases the funding for the water availability project proposed in the request by $800,000. This program, as outlined in the Survey's November 2003 implementation plan, calls for the establishment of two pilot projects at an estimated cost of $5,200,000. Due to current budget constraints, the Committee recommendation does not fully fund the pilot project, but funding is included to initiate the Survey's top priority pilot project in the Great Lakes region. The Committee expects the Administration to continue to request funding in future budgets to expand this program for other areas of the country.

Biological Research.—The Committee recommends $171,976,000 for biological research, $4,372,000 above the budget request and $2,553,000 below the 2004 enacted level. Changes to the request include increases of $602,000 to restore streamlining reductions, $2,800,000 to restore the interagency cooperative fire science program, $500,000 for manatee research, $170,000 for equipment at the Anadromous Fish Research Lab, $250,000 for the Great Lakes Deepwater Large Vessel program, $400,000 to restore the Nebraska Cooperative Fish and Wildlife Research Unit, and $500,000 for a general increase to the Cooperative Research Unit program, and decreases of $350,000 for science on the DOI landscape, and $500,000 for the Klamath Basin initiative. Within base funding, the Committee directs the Survey to provide an additional $75,000 for the Southeastern Cooperative Wildlife Disease Study for chronic wasting disease research and $250,000 to continue the Delaware River Basin Ecologically Sustainable Water Management Project.

The Committee is concerned about the growth of the National Biological Information Infrastructure (NBII); the number of planned

regional and thematic nodes is too high and inadequately justified. The Committee does not agree that having 12 separate regions is necessary to distribute electronic information over the World Wide Web. The Committee directs the Survey to locate all new "thematic" nodes in the same physical location as existing regional nodes and to consolidate operational expenses. The Committee also suggests that the Survey reduce the number of planned NBII regions and realign existing regions to align better with the Survey's existing regional structure.

The Committee has provided an increase for the Cooperative Fish and Wildlife Research Units. The Committee is concerned about the strategic growth of this system and directs the Survey to develop a long-term plan addressing the number and location of new units that are needed prior to any expansion of the system. This plan should be delivered to the House and Senate Committees on Appropriations no later than December 31, 2004.

Enterprise Information.—The Committee recommends $44,148,000 for Enterprise Information, $999,000 below the budget request, and $44,148,000 above the 2004 enacted level. Changes to the budget request include decreases of $250,000 for the Enterprise Services Network, $5,000 for e-government, $64,000 for Safecom, and $680,000 for Disaster.gov. Enterprise Information is a new activity in the 2005 request, derived from transfers from other Survey activities.

Science Support.—The Committee recommends $67,508,000 for science support, $1,208,000 below the request and $23,303,000 below the 2004 enacted level. Changes from the request include an increase of $311,000 to restore the "streamlining" savings and decreases of $414,000 for e-government, $700,000 for financial management improvements, and $405,000 for competitive sourcing activities.

Facilities.—The Committee recommends $95,944,000 for facilities, the same as the budget request and $2,955,000 above the 2004 enacted level.

Bill language is included in Title III—General Provisions regarding e-government initiatives and competitive sourcing studies.

MINERALS MANAGEMENT SERVICE

The Minerals Management Service is responsible for collecting, distributing, accounting and auditing revenues from mineral leases on Federal and Indian lands. In fiscal year 2004, MMS expects to collect and distribute about $7.1 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. The MMS also operates the Interior Franchise Fund: the en-

trepreneurial GovWorks enterprise provides important procurement services to a variety of governmental agencies.

ROYALTY AND OFFSHORE MINERALS MANAGEMENT

Appropriation enacted, 2004	$263,510,000
Budget estimate, 2005	275,305,000
Recommended, 2005	275,305,000
Comparison:	
Appropriation, 2004	+11,795,000
Budget estimate, 2005	0

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

(dollars on thousands)

	FY 2004 Enacted	FY 2005 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Royalty and Offshore Minerals Management					
OCS Lands					
Leasing and environmental program	37,037	37,462	37,462	+425	---
Resource evaluation	27,081	28,057	28,057	+976	---
Regulatory program	49,465	50,438	50,438	+973	---
Information management program	25,706	30,147	30,147	+4,441	---
Subtotal, OCS Lands	139,289	146,104	146,104	+6,815	---
Royalty Management					
Compliance and asset management	45,857	47,749	47,749	+1,892	---
Revenue and operations	33,860	34,142	34,142	+282	---
Indian allottee refunds	15	15	15	---	---
Subtotal, Royalty Management	79,732	81,906	81,906	+2,174	---
General Administration					
Executive direction	2,049	2,072	2,072	+23	---
Policy and management improvement	4,111	4,176	4,176	+65	---
Administrative operations	16,639	17,181	17,181	+542	---
General support services	21,690	23,866	23,866	+2,176	---
Subtotal, General Administration	44,489	47,295	47,295	+2,806	---
Subtotal (gross)	263,510	275,305	275,305	+11,795	---

(dollars on thousands)

	FY 2004 Enacted	FY 2005 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Use of receipts	-100,230	-103,730	-103,730	-3,500	---
Total, Royalty and Offshore Minerals Management	163,280	171,575	171,575	+8,295	---

The Committee recommends $275,305,000 for royalty and offshore minerals management, the same as the budget request and $11,795,000 above the 2004 enacted level, of which $103,730,000 is derived from receipts. The Committee recommendation provides for the Administration's requested activities except for certain E–GOV Quicksilver projects. The Committee has recommended bill language, in Title III—General Provisions, prohibiting the use of funds for Safecom, Disaster Management, E-Training, and E-Rulemaking activities. Funds requested for these activities should be reprogrammed to the environmental studies program, to offset partially the proposed redirection of funds within that activity.

Bill language is included earmarking $81,906,000 for royalty management activities. The Committee has also included new bill language giving the MMS authority to pay any late disbursement interest caused by delays in processing royalty payments for States and tribes out of the federal royalty share rather than the agency's appropriated funds. Given the recent problems caused by disruption of internet service through no fault of the agency, and its impacts on the MMS's ability to process royalty payments in a timely fashion, the Committee believes this additional authority is necessary.

OIL SPILL RESEARCH

Appropriation enacted, 2004	$7,017,000
Budget estimate, 2005	7,105,000
Recommended, 2005	7,105,000
Comparison:	
Appropriation, 2004	+88,000
Budget estimate, 2005	0

The Committee recommends $7,105,000 to be derived from the Oil Spill Liability Trust Fund, to conduct oil spill research and financial responsibility and inspection activities associated with the Oil Pollution Act of 1990, Public Law 101–380. The Committee recommendation is equal to the budget request and $88,000 above the fiscal year 2004 level.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

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

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

REGULATION AND TECHNOLOGY

Appropriation enacted, 2004	$105,384,000
Budget estimate, 2005	108,905,000
Recommended, 2005	108,905,000
Comparison:	
Appropriation, 2004	+3,521,000
Budget estimate, 2005	0

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

(dollars on thousands)

	FY 2004 Enacted	FY 2005 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Regulation and Technology					
Environmental restoration	161	161	161	---	---
Environmental protection	78,484	79,953	79,953	+1,469	---
Technology development and transfer	12,592	13,487	13,487	+895	---
Financial management	485	492	492	+7	---
Executive direction	13,391	14,712	14,712	+1,321	---
Subtotal, Regulation and Technology	105,113	108,805	108,805	+3,692	---
Civil penalties	271	100	100	-171	---
Total, Regulation and Technology	105,384	108,905	108,905	+3,521	---

The Committee recommends $108,905,000, the budget request, for regulation and technology, including the use of $100,000 in civil penalty collections. This is $3,521,000 above the 2004 level. The increase in funds over the enacted funding level is to offset partially increases in uncontrollable costs for States and the OSM and for other requested activities. The Committee has recommended bill language, in Title III—General Provisions, prohibiting the use of funds for Safecom, Disaster Management, E-Training, and E-Rulemaking activities. Funds requested for these activities should be reprogrammed to cover equitably fixed cost increases not funded in the budget request.

ABANDONED MINE RECLAMATION FUND

Appropriation enacted, 2004	$190,591,000
Budget estimate, 2005	243,863,000
Recommended, 2005	194,106,000
Comparison:	
Appropriation, 2004	+3,515,000
Budget estimate, 2005	−49,757,000

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

(dollars on thousands)

	FY 2004 Enacted	FY 2005 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Abandoned Mine Reclamation Fund					
Environmental restoration	173,472	170,229	173,472	---	+3,243
Legislative proposal	---	53,000	---	---	-53,000
Technology development and transfer	4,132	4,542	4,542	+410	---
Financial management	6,183	8,565	8,565	+2,382	---
Executive direction	6,804	7,527	7,527	+723	---
Total, Abandoned Mine Reclamation Fund	190,591	243,863	194,106	+3,515	-49,757

The Committee recommends $194,106,000 for the abandoned mine reclamation fund, $49,757,000 below the budget request and $3,515,000 above the 2004 funding level. The recommendation does not include the requested allocation of $53,000,000 to implement the Administration's legislative proposal which would return the State share balances to certified States. The recommendation does include other aspects of the Administration request under this heading, but does not allow any funds to be transferred for certain E–GOV Quicksilver projects. The Committee has recommended bill language, in Title III—General Provisions, prohibiting the use of funds for Safecom, Disaster Management, E-Training, and E-Rulemaking activities. Funds requested for these activities should be reprogrammed to cover equitably fixed cost increases not funded in the budget request. Funding for AML grants and the environmental restoration activity are maintained at the fiscal year 2004 level, an increase of $3,243,000 above the request. The Committee has also retained language, as in past years, which limits funding for minimum program States to $1,500,000 and provides Maryland special flexibility.

The Committee recognizes the merit of the Administration's legislative proposal to extend and modify the Surface Mining Control and Reclamation Act (SMCRA), which is included in H.R. 3778. Without reauthorization, the existing State and tribal share accounts would not receive any additional fees collected after September 30, 2004. The Committee notes that legislative action is still pending on this proposal, so funds are not included at this time for its implementation. The Committee encourages the authorizing committees to act on this reasonable legislative proposal, which would increase the rate at which dangerous abandoned sites would be reclaimed; do so at a lower cost; and provide a fair and reasonable method of compensating Wyoming, which has completed abandoned coal mine reclamation. The Committee expects to revisit funding needs for this account once reauthorization occurs. Absent legislative action, existing law will allow continued distribution of AML funds to States in a manner similar to that which occurred in fiscal year 2004.

BUREAU OF INDIAN AFFAIRS

The Bureau of Indian Affairs was created in 1824. Its mission is founded on a government-to-government relationship and trust responsibility that results from treaties with Native groups. The Bureau delivers services to over 1.5 million Native Americans through 12 regional offices and 83 agency offices. In addition, the Bureau provides education programs to Native Americans through the operation of 118 day schools, 52 boarding schools, and 14 dormitories. The Bureau administers more than 45 million acres of tribally owned land, and 10 million acres of individually owned land and over 309,000 acres of Federally owned land, which is held in trust status.

OPERATION OF INDIAN PROGRAMS

Appropriation enacted, 2004	$1,892,706,000
Budget estimate, 2005	1,929,477,000
Recommended, 2005	1,935,033,000
Comparison:	
Appropriation, 2004	+42,327,000
Budget estimate, 2005	+5,556,000

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

(dollars on thousands)

	FY 2004 Enacted	FY 2005 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Operation of Indian Programs					
Tribal Budget System					
Tribal Priority Allocations					
Tribal government	387,223	391,666	391,666	+4,443	---
Human services	147,745	147,465	147,465	-280	---
Education	49,375	48,980	48,980	-395	---
Public safety and justice	1,229	1,239	1,239	+10	---
Community development	39,969	41,226	41,226	+1,257	---
Resources management	62,253	62,872	62,872	+619	---
Trust services	57,654	56,906	56,906	-748	---
General administration	25,189	25,277	25,277	+88	---
Subtotal, Tribal Priority Allocations	770,637	775,631	775,631	+4,994	---
Other Recurring Programs					
Education					
School operations					
Forward-funded	452,874	453,115	458,057	+5,183	+4,942
Other school operations	69,129	69,253	69,253	+124	---
Subtotal, School operations	522,003	522,368	527,310	+5,307	+4,942
Continuing education	48,600	43,390	43,390	-5,210	---
Subtotal, Education	570,603	565,758	570,700	+97	+4,942
Resources management	43,533	34,853	41,403	-2,130	+6,550
Subtotal, Other Recurring Programs	614,136	600,611	612,103	-2,033	+11,492

(dollars on thousands)

	FY 2004 Enacted	FY 2005 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Non-Recurring Programs					
Community development	2,469	---	---	-2,469	---
Resources management	35,988	36,584	36,734	+746	+150
Trust services	37,184	36,427	36,427	-757	---
Subtotal, Non-Recurring Programs	75,641	73,011	73,161	-2,480	+150
Total, Tribal Budget System	1,460,414	1,449,253	1,460,895	+481	+11,642
BIA Operations					
Central Office Operations					
Tribal government	2,867	3,136	2,279	-588	-857
Human services	896	899	899	+3	---
Community development	864	871	---	-864	-871
Resources management	3,445	3,464	3,464	+19	---
Trust services	5,252	19,340	19,340	+14,088	---
General administration					
Education program management	2,383	2,381	2,381	-2	---
Education personnel services	2,107	2,135	5,946	+3,839	+3,811
Other general administration	70,692	102,218	110,712	+40,020	+8,494
Subtotal, General administration	75,182	106,734	119,039	+43,857	+12,305
Subtotal, Central Office Operations	88,506	134,444	145,021	+56,515	+10,577

(dollars on thousands)

	FY 2004 Enacted	FY 2005 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Regional Office Operations					
Tribal government	1,328	1,111	1,111	-217	---
Human services	3,152	3,081	3,081	-71	---
Community development	846	789	789	-57	---
Resources management	5,407	5,394	5,394	-13	---
Trust services	24,134	24,388	24,388	+254	---
General administration	28,819	27,760	7,183	-21,636	-20,577
Subtotal, Regional Office Operations	63,686	62,523	41,946	-21,740	-20,577
Special Programs and Pooled Overhead					
Education	16,252	16,566	16,566	+314	---
Public safety and justice	172,495	182,600	182,600	+10,105	---
Community development	8,254	1,057	5,880	-2,374	+4,823
Resources management	1,290	1,287	1,287	-3	---
General administration	81,809	81,747	80,838	-971	-909
Subtotal, Special Programs and Pooled Overhead	280,100	283,257	287,171	+7,071	+3,914
Total, BIA Operations	432,292	480,224	474,138	+41,846	-6,086
Total, Operation of Indian Programs	1,892,706	1,929,477	1,935,033	+42,327	+5,556

The Committee recommends $1,935,033,000 for the operation of Indian programs, $5,556,000 above the budget request and $42,327,000 above the 2004 enacted level.

Tribal Priority Allocations.—The Committee recommends $775,631,000 for tribal priority allocations, the same as the budget request and $4,994,000 above the fiscal year 2004 enacted level.

Other Recurring Programs.—The Committee recommends $612,103,000 for other recurring programs, $11,492,000 above the budget request and $2,033,000 below the 2004 enacted level. Changes from the budget request include increases of $1,942,000 for student transportation, $3,000,000 for the administrative cost grant fund, $4,000,000 for the timber-fish-wildlife program, $320,000 for Upper Columbia United Tribes, $630,000 for Lake Roosevelt management, $600,000 for Wetlands and Waterfowl Management (Circle of Flight) and $1,000,000 for the intertribal bison council. The funds within the base for the Chippewa/Ottawa Resource Authority (CORA) are to be allocated based on the allocation in House Report 108–10.

The Committee has again restored the $3,000,000 for start-up administrative costs and overhead as incentives for tribal school boards to begin to assume responsibility for the remaining schools that are still being managed by the Bureau. The Committee expects this to be a separate fund to enable the conversion of Bureau operated schools without compromising funding for tribally operated schools.

Non Recurring Programs.—The Committee recommends $73,161,000 for non-recurring programs, $150,000 above the budget request and $2,480,000 below the 2004 enacted level. The increase above the budget request is for water management planning and predevelopment for the Seminole tribe to address water quality programs as part of Everglades restoration efforts.

Central Office Operations.—The Committee recommends $145,021,000 for central office operations, $10,577,000 above the budget request and $56,515,000 above the 2004 enacted level. Changes from the request include an increase of $20,577,000 to reflect internal transfers made in fiscal year 2004 and a decrease of $10,000,000 for information resources technology.

The Committee commends the Bureau for the significant progress it has made in addressing the information technology needs for their day-to-day operations and for continuing to move forward on trust reform efforts. The reduction to the increase proposed in the budget request is a result of the current budget constraints. The Committee appreciates that the Bureau is taking a comprehensive approach to its information technology needs and has agreed to a $19,051,000 increase above the 2004 level for information resources technology.

Regional Office Operations.—The Committee recommends $41,946,000 for regional office operations, $20,577,000 below the budget request and $21,740,000 below the 2004 enacted level. The decrease to the budget request reflects internal transfers made in fiscal year 2004.

Special Programs and Pooled Overhead.—The Committee recommends $287,171,000 for special programs and pooled overhead, $3,914,000 above the budget request and $7,071,000 above the 2004 enacted level. Changes from the budget request include in-

creases of $3,000,000 for the United Tribes Technical College, $515,000 for the National Ironworkers Training Program, and $1,308,000 for Crownpoint Institute and decreases of $409,000 for E-government programs and $500,000 for the Enterprise Services Network.

CONSTRUCTION

Appropriation enacted, 2004	$346,825,000
Budget estimate, 2005	283,126,000
Recommended, 2005	348,626,000
Comparison:	
Appropriation, 2004	+1,801,000
Budget estimate, 2005	+65,500,000

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

(dollars on thousands)

	FY 2004 Enacted	FY 2005 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Construction					
Education	294,954	229,083	294,583	-371	+65,500
Public safety and justice	4,981	4,985	4,985	+4	---
Resources management	38,679	40,857	40,857	+2,178	---
General administration	2,154	2,156	2,156	+2	---
Construction management	6,057	6,045	6,045	-12	---
Total, Construction	346,825	283,126	348,626	+1,801	+65,500

The Committee recommends $348,626,000 for construction, $65,500,000 above the budget request and $1,801,000 above the 2004 enacted level.

Education.—The Committee recommends $294,583,000 for education construction, $65,500,000 above the budget request and $371,000 below the 2004 enacted level. Changes from the budget request include an increase of $65,500,000 to restore the school construction program, of which $7,000,000 is to restore partially the facilities improvement and repair program. The funding restored for replacement school construction is sufficient to begin the replacement of the highest priority schools on the updated priority list provided to the Committee in a letter transmitted February 24, 2004.

Public Safety and Justice.—The Committee recommends $4,985,000 for public safety and justice construction, the same as the budget request and $4,000 above the 2004 enacted level.

Resources Management.—The Committee recommends $40,857,000 for resources management construction, the same as the budget request and $2,178,000 above the 2004 enacted level.

General Administration and Construction Management.—The Committee recommends $8,201,000 for general administration and construction management, the same as the budget request and $10,000 below the 2004 enacted level.

Bill Language.—Bill language is included providing $4,500,000 in the tribal school demonstration program for the Eastern Band of Cherokee education facility at the Ravensford tract.

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

Appropriation enacted, 2004	$54,866,000
Budget estimate, 2005	34,771,000
Recommended, 2005	44,771,000
Comparison:	
Appropriation, 2004	−10,095,000
Budget estimate, 2005	+10,000,000

The Committee recommends $44,771,000 for Indian land and water claim settlements and miscellaneous payments to Indians, $10,000,000 above the budget request and $10,095,000 below the 2004 enacted level. Funding includes $625,000 for White Earth, $250,000 for Hoopa-Yurok, $142,000 for Pyramid Lake, $8,000,000 for Colorado Ute, $9,972,000 for Cherokee, Choctaw and Chickasaw, $10,032,000 for the Quinalt Settlement Agreement, $14,000,000 for the Zuni Water Settlement, and 1,750,000 for Seneca-Cuba Lake Land Settlement.

Bill Language.—Bill language is included providing $10,032,000 for payment to the Quinault Indian Nation for the North Boundary Settlement Agreement.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

Appropriation enacted, 2004	$6,417,000
Budget estimate, 2005	6,421,000
Recommended, 2005	6,421,000
Comparison:	
Appropriation, 2004	+4,000
Budget estimate, 2004	0

The Committee recommends $6,421,000 for the Indian guaranteed loan program account, the same as the budget request and $4,000 above the fiscal year 2004 enacted level.

DEPARTMENTAL OFFICES

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

The Office of Insular Affairs (OIA) was established on August 4, 1995, through Secretarial Order No. 3191, which also abolished the former Office of Territorial and International Affairs. The OIA has important responsibilities to help the United States government fulfill its responsibilities to the four U.S. territories of Guam, American Samoa (AS), U.S. Virgin Islands and the Commonwealth of the Northern Marianas Islands (CNMI) and also the three freely associated States: the Federated States of Micronesia (FSM), the Republic of the Marshall Islands (RMI) and the Republic of Palau. The permanent and trust fund payments to the territories and the compact nations provide substantial financial resources to these governments. 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, 2004	$75,744,000
Budget estimate, 2005	72,935,000
Recommended, 2005	74,935,000
Comparison:	
Appropriation, 2004	−809,000
Budget estimate, 2005	+2,000,000

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

(dollars on thousands)

	FY 2004 Enacted	FY 2005 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Assistance to Territories					
Territorial Assistance					
Office of Insular Affairs	6,243	6,563	6,563	+320	---
Technical assistance	12,406	7,561	10,561	-1,845	+3,000
Maintenance assistance fund	2,272	2,300	2,300	+28	---
Brown tree snake	2,321	2,700	2,700	+379	---
Insular management controls	1,472	1,491	1,491	+19	---
Coral reef initiative	494	500	500	+6	---
Insular measures and assessments	---	1,000	---	---	-1,000
Subtotal, Territorial Assistance	25,208	22,115	24,115	-1,093	+2,000
American Samoa					
Operations grants	22,816	23,100	23,100	+284	---
Northern Marianas					
Covenant grants	27,720	27,720	27,720	---	---
Total, Assistance to Territories	75,744	72,935	74,935	-809	+2,000

The Committee recommends $74,935,000 for assistance to territories, $809,000 below the fiscal year 2004 level and $2,000,000 above the budget request. The Committee has recommended bill language, in Title III—General Provisions, prohibiting the use of funds for Safecom, Disaster Management, E-Training, and E-Rulemaking activities. Funds requested for these activities should be reprogrammed to cover equitably fixed cost increases not funded in the budget request.

Territorial Assistance.—The Committee recommends $24,115,000 for territorial assistance, $1,093,000 below the fiscal year 2004 level and $2,000,000 above the budget request. Increases to the budget request include $1,000,000 for urgent water system rehabilitation needed in the CNMI and $1,000,000 for payments to replace the Prior Service Trust Fund. The Committee expects the Department to work with governments of the CNMI, Guam, Palau, FSM and RMI, as well as with representatives of the Prior Service Benefits Board of Directors, to establish a funding mechanism through appropriate pension or social security systems, which would replace the Prior Service Trust Fund for the former employees of the Trust Territories. If this cannot be implemented during fiscal year 2005, the $1,000,000 should be directed to other high priority technical assistance program activities. The Committee has included $1,000,000 within the technical assistance activity for work related to insular measures and assessments, but these funds are not provided in a separate budget line as was requested. The Committee expects that technical assistance funds are sufficient to continue the CNMI immigration initiative, including the labor ombudsmen office. In addition, the OIA is encouraged to consider, as appropriate, additional grants for judicial training for the territories and freely associated states.

American Samoa.—The Committee recommends $23,100,000 for American Samoa as requested, an increase of $284,000 above the 2004 level.

Northern Mariana Islands/Covenant Grants.—The Committee recommends $27,720,000 for CNMI covenant grants, the same as the budget request and the 2004 level. The Committee directs the Office of Insular Affairs to implement the allocations presented in the budget request, but the Secretary may use discretion to modify the Covenant funding formula to address appropriately court-ordered infrastructure projects in the respective territories.

Guam.—The Committee notes there is mandatory, permanent appropriation for Compact impact payments of $30,000,000 per year, split among Guam, Hawaii, AS, and the CNMI, are provided to compensate governments for the impact of migration from the compact nations. The Committee supports the population based allocation method currently used by the OIA.

COMPACT OF FREE ASSOCIATION

Appropriation enacted, 2004	$6,379,000
Budget estimate, 2005	5,941,000
Recommended, 2005	5,499,000
Comparison:	
Appropriation, 2004	−880,000
Budget estimate, 2005	−442,000

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

(dollars on thousands)

	FY 2004 Enacted	FY 2005 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Compact of Free Association					
Compact of Free Association - Federal services.....	2,700	3,941	2,999	+299	-942
Mandatory payments - program grant assistance.....	2,000	2,000	2,000	---	---
Enewetak support.....	1,679	---	500	-1,179	+500
Total, Compact of Free Association.....	6,379	5,941	5,499	-880	-442

The Committee recommends $5,499,000 for the compact of free association, $442,000 below the request and $880,000 below the 2004 level. The Committee recommendation reduces the allocation for Federal services, as these may have been overestimated in the request. In addition, while the Committee notes the presence of mandatory payments to Enewetak now that the new financial arrangements of the Compact are in place, the Committee has retained $500,000 in this account to augment these payments and provide needed relief because previous payments have not had adequate cost adjustments for need or inflation.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

Appropriation enacted, 2004	$81,599,000
Budget estimate, 2005	99,103,000
Recommended, 2005	93,051,000
Comparison:	
Appropriation, 2004	+11,452,000
Budget estimate, 2005	−6,052,000

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

(dollars on thousands)

	FY 2004 Enacted	FY 2005 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Departmental Management					
Departmental direction	13,457	13,546	13,546	+89	---
Management and coordination	28,560	29,356	28,956	+396	-400
Hearings and appeals	7,981	8,030	8,030	+49	---
Central services	26,885	27,978	27,884	+999	-94
Bureau of Mines workers compensation/unemployment	683	638	638	-45	---
Take Pride in America	494	1,000	497	+3	-503
Financial and business management system	---	18,555	13,500	+13,500	-5,055
Grant to Kendall County, Illinois	4,939	---	---	-4,939	---
Foreign currency account	-1,400	---	---	+1,400	---
Subtotal, Departmental management	81,599	99,103	93,051	+11,452	-6,052
By transfer from Central Hazardous Material Fund	---	---	-13,500	-13,500	-13,500
Total, Departmental Management	81,599	99,103	79,551	-2,048	-19,552

The Committee recommends $93,051,000 for salaries and expenses for departmental management, of which $13,500,000 is derived by transfer from the Central Hazardous Materials fund, a decrease of $6,052,000 below the budget request and $11,452,000 above the 2004 enacted level. Changes from the budget request include decreases of $503,000 for Take Pride in America, $400,000 for the Office of Law Enforcement, $56,000 for e-government initiatives, $38,000 for embassy security, and $18,555,000 for the financial and business management system. Departmental programs that are denied requested increases in this appropriation should not be augmented with staffing and funds from individual bureaus or any other source to achieve the requested level of activity.

The Committee recommends funding the financial and business management system through a transfer of $13,500,000 from prior year unobligated balances in the Central Hazardous Material Fund. The Committee is supportive of the conversion of Department of the Interior bureaus to a new financial and business management system, but has not provided the full amount requested due to budget constraints.

Financial Management System.—The Committee cautions the Department to avoid the problems identified in a recent GAO report on NASA's efforts to implement a new financial management system. Specifically, the Department should ensure that it builds an appropriate enterprise architecture for its financial management system; that it uses disciplined cost estimates and recognized best practices in preparing life cycle cost estimates; and that the software used is able to capture and report all key budget information.

Land Appraisal Consolidation.—Last year, the Committee approved a departmental reprogramming that consolidated the land appraisal functions of multiple bureaus in a new organization, the Office of Appraisal Services. The purpose of the restructuring was to achieve greater independence for the appraisal function from the realty management programs of the bureaus, as well as to gain greater efficiencies. Funds for the transferred functions remain in the bureau accounts during the transition period.

The Committee reminds the Department that several of the bureau land acquisition administration accounts received reduced funding levels in fiscal year 2004 that are sustained in fiscal year 2005. As a result, the funding assumptions of the reprogramming must be revised significantly to operate both the appraisal and the bureau acquisition management functions within appropriated funding amounts through the balance of fiscal year 2004 and fiscal year 2005. It was neither the Committee's intention to hold the appraisal function harmless in achieving the reduced program levels now required, nor to affect disproportionately the appraisal function.

The Committee is concerned about recent actions to increase staffing, at high grade levels, in the Office of Appraisal Services, at a time when it may not be feasible to support these positions. In formulating the operating program for this function for FY 2005, the Department should not assume a higher funding level than would have been available for these purposes had the function remained in the respective bureaus. The Committee reminds the Department of the Committee's concerns regarding the use of reim-

bursable support agreements, and will not support the use of such funding mechanisms to support operations of the appraisal function beyond the levels sustainable by the bureau land acquisition management accounts. As part of the fiscal year 2006 budget, the Department should identify funds to support the appraisal function in the Departmental Management account, so that transfers from the bureau land acquisition administration accounts are no longer necessary.

PAYMENTS IN LIEU OF TAXES

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

Appropriation enacted, 2004	$224,696,000
Budget estimate, 2005	226,000,000
Recommended, 2005	226,000,000
Comparison:	
Appropriation, 2004	+1,304,000
Budget estimate, 2005	0

The Committee recommends $226,000,000 for PILT, the same as the budget request and $1,304,000 above the fiscal year 2004 level.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

Appropriation enacted, 2004	$49,753,000
Budget estimate, 2005	53,453,000
Recommended, 2005	51,356,000
Comparison:	
Appropriation, 2004	+1,603,000
Budget estimate, 2005	−2,097,000

The Committee recommends $51,356,000 for salaries and expenses of the Office of the Solicitor, a decrease of $2,097,000 below the budget request and an increase of $1,603,000 above the fiscal year 2004 enacted level. Changes from the budget request include decreases of $267,000 for uncontrollable fixed costs, $624,000 for paralegal and support positions, $537,000 for support for legal staff, $400,000 for computers, $15,000 for e-government initiatives, and $254,000 for training, audit, and evaluation. Departmental programs that are denied requested increases in this appropriation should not be augmented with staffing and funds from individual bureaus or any other source to achieve the requested level of activity.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

Appropriation enacted, 2004	$38,271,000
Budget estimate, 2005	39,400,000
Recommended, 2005	37,655,000
Comparison:	
Appropriation, 2004	−616,000
Budget estimate, 2005	−1,745,000

The Committee recommends $37,655,000 for salaries and expenses of the Office of Inspector General, a decrease of $1,745,000 below the budget request and a decrease of $616,000 below the fiscal year 2004 enacted level. Changes from the budget request include decreases of $507,000 for uncontrollable fixed costs, $450,000 for staff with non-traditional auditor backgrounds, $150,000 for a contract specialist, $150,000 for the On TARGET initiative, $78,000 for equipment replacement, $300,000 for information management staff, $100,000 for information technology standardization, and $10,000 for e-government initiatives. Departmental programs that are denied requested increases in this appropriation should not be augmented with staffing and funds from individual bureaus or any other source to achieve the requested level of activity.

Full funding requested for staff with non-traditional auditor backgrounds was not provided due to budget constraints. The Committee expects the Office of the Inspector General to make up the difference by incorporating non-traditional auditor training into its professional development and training program.

The Committee expects new funding for the On TARGET initiative to be used in conducting verification activities to determine whether audit recommendations have been implemented as reported to the Department.

OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS

FEDERAL TRUST PROGRAMS

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

The Special Trustee for American Indians also has responsibility for the related financial trust functions including deposit, investment, and disbursement of trust funds. The Department has responsibility for what may be the largest land trust in the world. Indian trust lands today encompass approximately 56 million acres of land—over 10 million acres belonging to individual Indians and nearly 45 million acres owned by Indian Tribes. On these lands, Interior manages over 100,000 leases for individual Indians and Tribes. Leasing, use permits, sale revenues, and interest of approximately $194 million per year are collected for approximately 260,000 individual Indian money accounts, and about $378 million per year is collected for about 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, 2004	$187,305,000
Budget estimate, 2005	247,666,000
Recommended, 2005	196,267,000
Comparison:	
Appropriation, 2004	+8,962,000
Budget estimate, 2005	−51,399,000

The Committee recommends $196,267,000 for the office of special trustee for American Indians, $51,399,000 below the budget request and $8,962,000 above the 2004 enacted level.

Program Operations, Support, and Improvements.—The Committee recommends $194,020,000 for program operations, support and improvements, $51,399,000 below the budget request and $8,962,000 above the 2004 enacted level. The change from the request is a decrease of $51,399,000 for the Office of Historical trust Accounting.

Executive Direction.— The Committee recommends $2,247,000 for executive direction the same as the budget request and the 2004 enacted level.

Bill Language.—The Committee is encouraged by the recent mitigation talks in the Cobell vs. Norton litigation. The Committee has appropriated hundreds of millions of dollars in litigation related activities and feels very strongly that these funds could have been better used to fund health and education programs in Indian country. In addition to the mitigation talks, the House and Senate authorizing committees have made commitments to develop a comprehensive legislative solution to this ongoing problem. If the case is not resolved, the Committee still faces the likelihood of appropriating hundreds of millions of dollars, or possibly billions of dollars, for an historical accounting. The result of this process will likely provide more money to accountants and lawyers with little benefit for the individual Indian account holders. Therefore, the Committee has included bill language that caps the amount of funding available for historical accounting at $58,000,000.

INDIAN LAND CONSOLIDATION

Appropriation enacted, 2004	$21,709,000
Budget estimate, 2005	70,000,000
Recommended, 2005	42,000,000
Comparison:	
Appropriation, 2004	+20,291,000
Budget estimate, 2005	−28,000,000

The Committee recommends $42,000,000 for Indian land consolidation, $28,000,000 below the budget request and $20,291,000 above the 2004 enacted level.

NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

The purpose of the Natural Resource Damage Assessment Fund is to provide the basis for claims against responsible parties for the restoration of injured natural resources. Assessments ultimately will lead to the restoration of injured resources and reimbursement for reasonable assessment costs from responsible parties through negotiated settlements or other legal actions. Operating on a "polluter pays" principle, the program anticipates recovering over $38 million in receipts in fiscal year 2004, with the vast majority to be

used for the restoration of injured resources. The program works to restore sites ranging in size from small town landfills to the Exxon Valdez oil spill of 1989 in Alaska.

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

Appropriation enacted, 2004	$5,564,000
Budget estimate, 2005	5,818,000
Recommended, 2005	5,818,000
Comparison:	
Appropriation, 2004	+254,000
Budget estimate, 2005	0

The Committee recommends $5,818,000, the budget request, for the natural resource damage assessment fund, an increase of $254,000 above the fiscal year 2004 level.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

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

Section 103 makes permanent a provision that provides for warehouse and garage operations and for reimbursement for those services.

Section 104 provides for vehicle and other services.

Section 105 makes permanent a provision that provides for uniform allowances.

Section 106 makes permanent a provision that provides for twelve-month contracts.

Sections 107 through 109 prohibit the expenditure of funds for Outer Continental Shelf (OCS) leasing activities in certain areas. These OCS provisions are addressed under the Minerals Management Service.

Section 110 prohibits the National Park Service from reducing recreation fees for non-local travel through any park unit.

Section 111 limits the investment of Federal funds by tribes and tribal organizations to obligations of the United States or obligations insured by the United States.

Section 112 permits the transfer of funds between the Bureau of Indian Affairs and the Office of Special Trustee for American Indians.

Section 113 continues a provision allowing the hiring of administrative law judges to address the Indian probate backlog.

Section 114 continues a provision permitting the redistribution of tribal priority allocation and tribal base funds to alleviate funding inequities.

Section 115 continues a provision requiring the allocation of Bureau of Indian Affairs postsecondary schools funds consistent with unmet needs.

Section 116 continues a provision limiting the use of the Huron Cemetery in Kansas City to religious purposes.

Section 117 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 118 continues a provision authorizing a cooperative agreement with the Golden Gate National Parks Association.

Section 119 makes permanent a provision permitting the Bureau of Land Management to retain funds from the sale of seeds and seedlings.

Section 120 continues a provision authorizing the Secretary of the Interior to use helicopter or motor vehicles to capture and transport horses and burros at the Sheldon and Hart National Wildlife Refuges.

Section 121 authorizes federal funds for Shenandoah Valley Battlefield NHD and Ice Age NST to be transferred to a State, local government, or other governmental land management entity for acquisition of lands.

Section 122 continues a provision prohibiting the closure of the underground lunchroom at Carlsbad Caverns NP, NM.

Section 123 continues a provision preventing the demolition of a bridge between New Jersey and Ellis Island.

Section 124 continues a provision prohibiting the posting of signs at Canaveral National Seashore as clothing optional areas if it is inconsistent with county ordinance.

Section 125 continues a provision limiting compensation for the Special Master and Court Monitor appointed by the Court in Cobell v. Norton to 200 percent of the highest Senior Executive Service rate of pay.

Section 126 continues a provision allowing the Secretary to pay private attorney fees for employees and former employees incurred in connection with Cobell v. Norton.

Section 127 continues a provision dealing with the U.S. Fish and Wildlife Service's responsibilities for mass marking of salmonid stocks.

Section 128 requires the use of Departmental Management funds for operational needs at the Midway Atoll National Wildlife Refuge airport.

Section 129 prohibits the conduct of gaming under the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) on lands described in section 123 of the Department of the Interior and Related Agencies Appropriations Act, 2001, or land that is contiguous to that land.

Section 130 continues a provision prohibiting the use of funds to study or implement a plan to drain or reduce water levels in Lake Powell.

Section 131 allows the National Indian Gaming Commission to collect $12,000,000 in fees for fiscal year 2006.

Section 132 makes funds appropriated for fiscal year 2005 available to the tribes within the California Tribal Trust Reform Consortium and others on the same basis as funds were distributed in fiscal year 2004, and separates this demonstration project from the Department of the Interior's trust reform reorganization.

Section 133 limits the use of the National Mall for special events.

TITLE II—RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

The U.S. Forest Service manages 192 million acres of public lands for multiple use Nationwide, including lands in 44 States and Puerto Rico, and cooperates with States, other Federal agencies, Tribes and others to sustain the Nation's forests and grasslands. The Forest Service administers a wide variety of programs, including forest and rangeland research, State and private forestry assistance, wildfire suppression and fuels reduction, cooperative forest health programs, and human resource programs. The National Forest System (NFS) includes 155 National forests, 20 National grasslands, 20 National recreation areas, a National tallgrass prairie, 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 Committee congratulates the Forest Service on its first century of service to the American public. The Forest Service was established on February 1, 1905 when the forest reserves were transferred from the General Land Office in the Department of the Interior to the newly named, U.S. Forest Service in the Department of Agriculture. The Forest Service has played a key role in many aspects of American life and has developed and implemented important conservation and land management practices which have enriched lives, protected and rehabilitated watersheds, provided valuable natural resources, enhanced vast amounts of habitat for numerous fish, wildlife and plants, and provided countless recreational opportunities. The science and cooperative forestry programs are unrivaled. As the next century unfolds, many new challenges will arise, and old problems will need to be addressed. To celebrate this centennial, the Committee has set-aside $10,000,000 within the national forest system account to fund a new, Centennial of Service Challenge program to work with partners to implement improvements to the national forest system.

FOREST AND RANGELAND RESEARCH

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

Appropriation enacted, 2004	$266,387,000
Budget estimate, 2005	280,654,000
Recommended, 2005	280,654,000
Comparison:	
Appropriation, 2004	+14,267,000
Budget estimate, 2005	0

The Committee recommends $280,654,000 for forest and rangeland research, equal to the budget request and $14,267,000 above the 2004 funding level. This funding level includes $52,714,000 for the forest inventory and analysis (FIA) program, $1,000,000 above the requested level. The Committee notes that an additional $9,000,000 for the FIA program is provided within the State and private forestry appropriation, for a total increase of $4,972,000 for the FIA program. The recommendation does not include the Administration proposal to move funds from State and private forestry to research for the purpose of technical assistance, technology transfer and conservation education. The Forest Service never indicated a precise dollar increase for this technical assistance adjustment, but the Committee recommendation provides that $6,086,000, which the Committee estimates was requested for this initiative, should be used for base research programs and for fixed cost increases indicated below. Technical transfer functions are, and should remain, part of the normal way the agency conducts its research and development as well as its State and Private forestry functions. Other projects in the budget request are approved, but the following activities receive total allocations of: $1,600,000 for the advanced housing research consortium; $1,500,000 for adelgid research at the Northeastern station; $2,500,000 for sudden oak death research; $500,000 for emerald ash borer research; $300,000 for hemlock wooly adelgid research at Coweeta; $2,000,000 for the southern pine beetle initiative; $300,000 for the Olympic Natural Resource Center; and $7,109,000 for uncontrollable cost increases. The following projects included in the requested budget are not funded: Montana State University Skeen range research; salvage lumber research at the forest products lab; hardwood tree improvement and regeneration in Indiana; and the Fernow experimental forest hydrology study, WV.

Bill Language.—The Committee recommends continuing bill language earmarking a specific allocation, $52,714,000 this year, for the forest inventory and analysis program.

STATE AND PRIVATE FORESTRY

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

Appropriation enacted, 2004	$329,197,000
Budget estimate, 2005	294,388,000
Recommended, 2005	282,446,000
Comparison:	
Appropriation, 2004	−46,751,000
Budget estimate, 2005	−11,942,000

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

(dollars on thousands)

	FY 2004 Enacted	FY 2005 Request	Recommended	Recommended versus Enacted	Recommended versus Request
State and Private Forestry					
Forest Health Management					
Federal lands forest health management	53,829	46,012	55,000	+1,171	+8,988
Cooperative lands forest health management	44,741	25,214	48,000	+3,259	+22,786
Emerging pests and pathogens	---	10,000	---	---	-10,000
Subtotal, Forest Health Management	98,570	81,226	103,000	+4,430	+21,774
Cooperative Fire Protection					
State fire assistance	33,384	25,062	36,384	+3,000	+11,322
Volunteer fire assistance	5,037	5,043	5,443	+406	+400
Emergency appropriations (P.L. 108-199)	24,853	---	---	-24,853	---
Subtotal, Cooperative Fire Protection	63,274	30,105	41,827	-21,447	+11,722
Cooperative Forestry					
Forest stewardship	31,884	40,692	37,000	+5,116	-3,692
Forest Legacy	64,134	100,019	43,119	-21,015	-56,900
Urban and Community Forestry	34,864	31,961	32,000	-2,864	+39
Economic action programs	25,606	---	10,000	-15,606	+10,000
Forest resource information and analysis	4,939	5,028	9,000	+4,061	+3,972
Subtotal, Cooperative Forestry	161,427	177,700	131,119	-30,308	-46,581
International program	5,926	5,357	6,500	+574	+1,143
Total, State and Private Forestry	329,197	294,388	282,446	-46,751	-11,942

The Committee recommends $282,446,000 for State and private forestry, $11,942,000 below the budget request and $46,751,000 below the 2004 funding level. The requested change of program responsibility and funding for technology transfer is not approved. Other aspects of the budget request are approved, unless otherwise stated below. Funding levels are presented as changes from the request. All funds requested for the healthy forests initiative are included.

Bill Language.—The Committee recommends continuing bill language deriving forest legacy funds from the Land and Water Conservation Fund and language requiring notification of the Appropriations Committees before allocating forest legacy project funds.

Forest Health Management.—The Committee recommends $103,000,000 for forest health management, $21,744,000 above the request and $4,430,000 above the enacted level. The Committee emphasizes its concern with forest health in the broad sense and does not understand why, with the huge concern nationally for healthy forests, that the budget request included such large decreases for these immensely valuable and vital programs. The Committee is concerned about invasive exotic pests, which have proven to have huge impacts on American forests and trees. Forest health funding fully provides for the slow-the-spread gypsy moth program, and provides additional resources for work to control and manage the Asian long-horned beetle, emerald ash borer and other pests in urban settings and adelgids in the east, as well as various mountain pine beetles throughout the Rockies and the west. The Committee recommendation includes $14,000,000 for southern pine beetle forest health activities, including forest rehabilitation, disease prevention, and education. This consists of $4,000,000 within the Federal lands activity and $10,000,000 within the cooperative lands activity for help with State and private forests. The Committee expects that the Forest Service will establish a priority setting system to direct southern pine beetle initiative funds to the most urgent areas, as well as performance criteria which favor areas with proven success. Use of this funding should be closely coordinated with the complementary allocation within research and development.

Federal Lands Forest Health Management.—The Committee recommends $55,000,000 for Federal lands forest health management, $8,988,000 above the request and $1,171,000 above the enacted funding level.

Cooperative Lands Forest Health Management.—The Committee recommends $48,000,000 for cooperative lands forest health management, $22,786,000 above the budget request and $3,259,000 above the enacted funding level. Sudden oak death control and management should be provided no less than $2,000,000. Should emergency situations arise for this or other pests, the Forest Service should use appropriate funding sources elsewhere in the Department of Agriculture authorized to provide such urgent protective funding. In addition, $250,000 from the cooperative forest health activity should be designated for the southern Appalachian office of the American Chestnut Foundation.

Emerging Pests and Pathogens.—The Committee once again rejects the request for an emerging pest fund that came with unrealistic restrictions. Instead, the Committee has added this funding to

the base program. Some funds may be retained at headquarters in order to respond to new, urgent pest problems. The Committee and the Congress have repeatedly discouraged the Office of Management and Budget from making this proposal in the past, so the Committee requests that it not appear again in future proposals.

Cooperative Fire Protection.—The Committee recommends $41,827,000 for cooperative fire protection, $11,722,000 above the request and $21,447,000 below the 2004 funding level. Note that the fiscal year 2004 funding included $24,853,000 in emergency funding for the urgent situation in southern California.

State Fire Assistance.—The Committee recommends $36,384,000 for State fire assistance, $11,322,000 above the requested level and $3,000,000 above the enacted level. Within this increase the Committee has provided $5,000,000 above the normal allocation to provide treatments in the mountains of southern California, especially on State and private lands near the San Bernardino NF, where a terrible pest outbreak has created an extremely dangerous situation. An additional $5,000,000 of the increase is provided to fund, on a cost-share basis, community wildfire protection plans. The remainder of the increase above the request is for a general program increase. The Committee encourages the Forest Service to consider projects for this planning for northern Arizona and Colorado, two places with proven programs.

Volunteer Fire Assistance.—The Committee recommends $5,443,000 for volunteer fire assistance, an increase of $400,000 above the request and $406,000 above the enacted level. The increase is for the general program. The Committee also notes that the cooperative fire portion of the national fire plan within the wildland fire management account includes a total of $40,000,000 for State fire assistance and $8,000,000 for volunteer fire assistance.

Cooperative Forestry.—The Committee recommends $131,119,000 for cooperative forestry, $46,581,000 below the budget request and $30,308,000 below the 2004 funding level. The Forest Service should not spend valuable staff time, for which no funds have been budgeted, developing policies and promoting other similar, unfunded programs recently authorized, but not included in the budget request and never funded.

Forest Stewardship.—The Committee recommends $37,000,000 for forest stewardship, $3,692,000 below the budget request and $5,116,000 above the enacted level. Within the allocation for forest stewardship, the Committee continues funding of $500,000 for watershed activities in the New York City watershed and provides $1,500,000 for the Chesapeake Bay program. The Committee expects that at least $3,000,000 of the program increase above the enacted level will be used to support community wildfire protection planning activities. No funds are provided for the requested grant for the Downeast Lakes forestry partnership in Maine. No forest stewardship funds should be used to support the purchase of lands or interests in lands.

Forest Legacy Program.—The Committee recommends $43,119,000 in new funding for the forest legacy program, $56,900,000 below the budget request and $21,015,000 below the enacted level. The recommendation includes $43,119,000 in appropriated funds and uses an additional $5,300,000 from prior year

funds for new projects. The Committee understands that the $5,300,000 is available from projects that have either failed or received funding from other sources. This new funding is, as was requested by the Administration, derived from the Land and Water Conservation Fund. The Committee recommends the following distribution of funds:

State	Project name	FY05 request	Committee recommendation
AL	Mobile Tensaw Delta	$1,500,000	$1,200,000
AL	Cumberland Mountain (Coon Gulf tract)	1,400,000	1,200,000
CA	Six Rivers to the Sea	2,800,000	2,300,000
CA	Ridgewood Ranch	500,000	400,000
CT	Nightingale Pond	1,500,000	850,000
DE	Green Horizons	1,000,000	800,000
GA	Plum Creek at Broxton Rocks	1,500,000	1,200,000
IA	NE Upper Bluffs	550,000	350,000
ID	St. Joe Basin, phase 3	3,500,000	1,000,000
IL	Daggett Ridge	1,000,000	500,000
IN	Shawnee Hills	1,900,000	1,000,000
KY	Knobs State Forest (Kuhn's tract)	2,400,000	1,500,000
MA	Stock Mountain North	375,000	375,000
MA	Muschopauge Brook	400,000	300,000
MI	Turtle Lake	1,000,000	700,000
MN	Brainerd Lakes	2,800,000	1,300,000
MT	Blackfoot—Clearwater	3,300,000	1,000,000
MT	North Swan River Valley	3,000,000	1,000,000
NH	Thirteen Mile Woods II	2,000,000	500,000
NJ	Raritan River Watershed (Dickerson tract)	4,500,000	3,800,000
NM	Horse Springs Ranch	2,500,000	1,700,000
NY	Tahawus	2,500,000	1,700,000
PA	Birdsboro Waters	2,200,000	1,300,000
PR	La Jungla	2,000,000	1,000,000
SC	Catawba-Wateree Forest	3,000,000	1,500,000
TN	Walls of Jericho	5,900,000	2,000,000
TN	Scott's Gulf	1,500,000	1,200,000
UT	Pioneer Ranch	750,000	500,000
UT	Cedar Project (Iron County tract)	2,300,000	1,000,000
VA	Dragon Run	800,000	600,000
VA	The Cove	440,000	240,000
VI	Annaly Bay/Hermitage Valley	1,000,000	900,000
VT	Mt. Holly Wildlife Corridor II	1,500,000	500,000
WA	Cedar Green Forest	2,000,000	1,600,000
WA	Carbon River Forest, phase 1	1,600,000	1,300,000
WI	Wolf River	4,500,000	2,000,000
WI	Tomahawk—Northwoods—III	4,000,000	2,500,000
WV	Potomac River Hills	1,000,000	500,000
	Other requested projects	18,500,000	.....
	Forest Legacy Program Administration, Acquisition Management, and Assessment of Need Planning.	5,104,000	5,104,000
	Subtotal	100,019,000	48,419,000
	Use of prior year funds	.....	−5,300,000
	Total	$100,019,000	$43,119,000

Urban and Community Forestry.—The Committee recommends $32,000,000 for urban and community forestry, $39,000 above the budget request and $2,864,000 below the 2004 funding level. This recommendation includes $600,000 within available funds to continue supporting the long-standing and successful northeastern Pennsylvania community forestry program.

The Committee has carefully evaluated the urban and community forestry program this year. While the program has general merit, it needs better direction and focus, as well as a budget allo-

cation method, which allows funds to be focused on priority areas, rewards meritorious performance, and does not discriminate against States and areas with large, urban populations. The Committee believes the Forest Service should immediately phase-in a new allocation method. The new allocation methodology should be in place in fiscal year 2005 and allow each State, the District of Columbia, and Puerto Rico $175,000 as a base allocation, and $75,000 for territories and former territories. After subtracting congressional priorities, base State and territorial allocations, $1,000,000 should be allocated for competitive grants recommended by the advisory committee and the remainder of the funds should be distributed according to the process under development by the Forest Service. This process should allow the national office and regions to focus grants to particular problem areas of concern to the urban forestry community.

Economic Action Programs.—The Committee recommends $10,000,000 for economic action programs, $15,606,000 below the 2004 level. This program was not included in the budget request. Within the economic action program the Committee recommends: $5,100,000 for the economic recovery base program; $600,000 to continue the rural technology forestry initiative in Washington state; $500,000 to continue the mine reforestation work in Kentucky; $600,000 to continue the forestry technology work at SUNY Syracuse; $2,000,000 for the Education and Research Consortium (ERC) of Western NC environmental education effort; $250,000 for the New England value added wood products project; $200,000 for the NC Institute of Forest Biotechnology, heritage trees project; $250,000 for Allegheny National Forest area tourism effort; and $500,000 to complete the MTBE study at South Lake Tahoe. The funds for the ERC are for the on-going educational programs provided by the ERC, including the Pisgah Forest Institute, and for the expansion of the national earth and environmental education initiative in Pennsylvania and northern California; $500,000 of the allocation may be used by the Pisgah Forest Institute for purchase of supplies and equipment.

Forest Resource Information and Analysis.—The Committee recommends $9,000,000 for forest resource information and analysis, $3,972,000 above the budget request and $4,061,000 above the 2004 enacted level. The increase above the budget request is for general program delivery. These funds should be used in partnership with the State foresters and others to enhance the forest inventory and analysis program, which is managed within the forest research and development branch. The funds should be used to accelerate the inventory cycle time.

International Program.—The Committee recommends $6,500,000 for the international program, $1,143,000 above the request and $574,000 above the fiscal year 2004 funding level. The Committee is encouraged by the successful partnerships in the international program and the growing importance of maintaining expertise in this arena, including international support to counter invasive pests harming our forests and efforts to conserve and protect migratory species.

NATIONAL FOREST SYSTEM

Within the National Forest System, which covers 192 million acres, there are 51 Congressionally designated areas, including 20 National recreation areas, and 7 National scenic areas. The NFS includes a substantial amount of the Nation's softwood inventory. In fiscal year 2002 over 208,000 acres of national forest vegetation was managed through timber sale activities, which produced 1.8 billion board feet of timber products. 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 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 National forest system lands and waters. In addition, in the 16 western States, where the water supply is sometimes critically short, about 55 percent of the total annual yield of water is from National forest system lands.

Appropriation enacted, 2004	$1,365,877,000
Budget estimate, 2005	1,655,837,000
Recommended, 2005	1,399,599,000
Comparison:	
Appropriation, 2004	+33,722,000
Budget estimate, 2005	−256,238,000

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

(dollars on thousands)

	FY 2004 Enacted	FY 2005 Request	Recommended	Recommended versus Enacted	Recommended versus Request
National Forest System					
Land management planning	69,995	59,057	64,057	-5,938	+5,000
Inventory and monitoring	169,659	191,345	170,045	+386	-21,300
Recreation, heritage and wilderness	255,050	257,344	262,344	+7,294	+5,000
Wildlife and fish habitat management	135,683	134,522	136,522	+839	+2,000
Grazing management	45,899	43,422	45,422	-477	+2,000
Forest products	265,013	274,297	274,597	+9,584	+300
Vegetation and watershed management	193,689	194,335	194,335	+646	---
Minerals and geology management	53,399	59,532	59,532	+6,133	---
Landownership management	91,550	92,427	94,427	+2,877	+2,000
Law enforcement operations	82,828	82,326	87,326	+4,498	+5,000
Valles Caldera National Preserve	3,112	992	992	-2,120	---
Hazardous fuels	---	266,238	---	---	-266,238
Centennial of Service challenge	---	---	10,000	+10,000	+10,000
Total, National Forest System	1,365,877	1,655,837	1,399,599	+33,722	-256,238

The Committee recommends $1,399,599,000 for the National forest system, $10,000,000 above the budget request if the requested transfer of funding of $266,238,000 for the hazardous fuels program (which is rejected by the Committee) is not counted. The request proposed moving the hazardous fuels program from wildland fire management to this account. The Committee recommendation is $33,722,000 above the 2004 funding level. The Committee has not transferred the hazardous fuels program into this account because better oversight of the total national fire plan activities will result by continuing existing procedures, and retaining the same budget structure as that maintained in the Department of the Interior. The Committee expects close coordination of all fire plan activities among the various branches of the Forest Service and the Department of the Interior, and the Committee expects to see common project priority setting methods as well. All funds requested for the healthy forests initiative are included.

Land Management Planning.—The Committee recommends $64,057,000 for land management planning, $5,000,000 above the budget request and $5,938,000 below the 2004 level. The Committee expects that new planning regulations will be implemented during fiscal year 2005 and that this should allow some cost savings. The increase above the request is for general program delivery.

Inventory and Monitoring.—The Committee recommends $170,045,000 for inventory and monitoring, $21,300,000 below the budget request and $386,000 above the 2004 level. Absent a well reasoned and clear plan for the use of this funding, the Committee is not prepared to provide the large increase requested.

Recreation, Heritage and Wilderness.—The Committee recommends $262,344,000 for recreation heritage and wilderness, $5,000,000 above the budget request and $7,294,000 above the 2004 level. Within the increase, the Committee has included $250,000 for the National Forests in North Carolina above the base funding for the conservation education program at the Cradle of Forestry in America. The remainder of the increase above the request is for general program delivery.

Wildlife and Fish Habitat Management.—The Committee recommends $136,522,000 for wildlife and fish habitat management, an increase of $2,000,000 above the budget request and $839,000 above the 2004 level. The increase above the request is for general program delivery.

Grazing Management.—The Committee recommends $45,422,000 for grazing management, $2,000,000 above the budget request and $477,000 below the 2004 funding level. The increase above the request is for general program delivery.

Forest Products.—The Committee recommends $274,597,000 for forest products, $300,000 above the budget request and $9,584,000 above the 2004 funding level. The increase above the request is to increase the base program on the National Forests in North Carolina.

The Committee encourages the Forest Service to use the expanded stewardship end-result contracting authority as an important tool to help manage and improve forestland. As the Forest Service expands this implementation, it should keep track of these projects and report regularly to the Congress. The Forest Service

should also include provisions for independent, outside, second party monitoring. The Committee notes that only $2,000,000 worth of healthy forests initiative related work was anticipated for fiscal year 2005 by the Administration. This is disappointing. The Committee expects that more activity should result from stewardship contracting. Some of the large funding increase provided for forest products above the fiscal year 2004 enacted level should be used to facilitate this goal.

Vegetation and Watershed Management.—The Committee recommends $194,335,000 for vegetation and watershed management as requested and $646,000 above the 2004 funding level. This allocation includes, within available funds, $1,000,000 each to continue priority forest improvement on the Colville NF, WA and watershed recovery work on the Wayne NF, OH. These allocations should be deducted from the national total for this program and not result in reductions to these forests or regions in this or any other program.

Minerals and Geology Management.—The Committee recommends $59,532,000 for minerals and geology management, as requested, an increase of $6,133,000 above the 2004 funding level.

Land Ownership Management.—The Committee recommends $94,427,000 for land ownership management, $2,000,000 above the budget request and $2,877,000 above the 2004 funding level. The Committee expects the Forest Service to maintain the full-time lands team to work on the Pacific Crest Trail project and other similar projects. The increase above the request is for general program delivery.

Law Enforcement Operations.—The Committee recommends $87,326,000 for law enforcement operations, $5,000,000 above the budget request and $4,498,000 above the 2004 funding level. This funding allocation includes a total of $1,000,000 for anti-drug activities on the Daniel Boone National Forest, KY, and $400,000 for work on the Mark Twain NF, MO. The remainder of the increase above the request is for general program delivery. The Committee encourages the Forest Service to fund law enforcement program indirect costs and contributions to cost pools the same as other NFS activities as soon as practicable.

Centennial of Service Challenge.—The Committee notes that February 2005 marks the centennial of the establishment of the U.S. Forest Service. There is a long and proud history of service to the American public including, but not limited to, forestry, watershed conservation, outdoor recreation, habitat protection, science research and development, wildfire management, and rural development. In honor of this centennial, the Committee has set aside $10,000,000 for use by the national forest system, along with partners, to fund cost-shared projects which enhance conditions of forests, watersheds, habitat, and recreational services to the American public. These funds should be used in addition to, and in a complimentary fashion with, the challenge cost share program included in the budget request. The Forest Service should continue to display data on these efforts in subsequent budget justifications.

Other.—The Committee has provided $992,000, as requested, for management of the Valles Caldera National Preserve, NM, but notes that, if there are specific infrastructure needs, such funding should be requested under the capital improvement and mainte-

nance appropriation and compete with other Forest Service projects.

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

WILDLAND FIRE MANAGEMENT

Appropriation enacted, 2004	$1,947,041,000
Budget estimate, 2005	1,428,886,000
Recommended, 2005	1,734,865,000
Comparison:	
Appropriation, 2004	−212,176,000
Budget estimate, 2005	+305,979,000

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

(dollars on thousands)

	FY 2004 Enacted	FY 2005 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Capital Improvement and Maintenance					
Facilities	214,366	191,338	196,355	-18,011	+5,017
Roads	234,538	227,906	227,906	-6,632	---
Trails	74,718	71,791	76,774	+2,056	+4,983
Infrastructure improvement	31,605	10,024	21,905	-9,700	+11,881
Total, Capital Improvement and Maintenance	555,227	501,059	522,940	-32,287	+21,881

The Committee recommends $1,734,865,000 for wildland fire management. This is $39,741,000 above the budget request once the hazardous fuels funding of $266,238,000 is added. Hazardous fuels funding was requested in the National Forest system account but the Committee has rejected this proposed transfer. The overall recommendation is $328,249,000 above the 2004 funding level not counting the $299,224,000 in emergency suppression funds which were provided in fiscal year 2004 to repay partially previous emergency fire suppression expenditures and the $24,853,000 in emergency funds provided for southern California hazardous fuels and rehabilitation work.

The Committee recommendation supports the direction provided by the national fire plan and the healthy forests initiative. All funds requested for the healthy forests initiative are included. In addition, funds are provided for other essential national fire plan related activities which suffered reductions in the request, including forest health management, State fire assistance, the joint fire science program, fire plan research and development, and restoration and rehabilitation. The fire suppression operations program is provided the 10-year average, $658,000,000, an increase of $60,870,000 above the fiscal year 2004 base program. The Committee also notes that, pursuant to the budget resolution for 2005, a special allocation of $400,000,000 for fire suppression operations is provided in Title IV. These funds will be available if the fire season is extreme, regular funding is exhausted, and certain cost containment procedures are implemented.

Wildfire Preparedness.—The Committee recommends $693,627,000 for wildfire management preparedness, an increase of $27,400,000 above the budget request and $22,006,000 above the enacted level. The increase above the request is for general program delivery. The Committee understands that it is imperative to maintain firefighting readiness so that initial attack has a greater chance of putting fires out while they are small, less destructive, and less expensive to suppress. Accordingly, the Committee has realigned some of the fire suppression funding into the preparedness activity in order to help prevent run-away, large fire incidents, which command so much emergency funding and are so destructive to the environment, property, and lives.

The Committee is concerned that the allocation of funds between preparedness and suppression operations may not maintain the levels of readiness needed for public safety that were established in fiscal years 2002 and 2003. The Committee believes that decisive action is necessary to manage escalating fire suppression costs. An important component of reducing such costs is maintaining initial attack capability so that more fires can be contained before they escape and cause serious loss of life and property as well as natural resource damage. Accordingly, the Committee directs the Forest Service to analyze current readiness levels to determine whether maintaining preparedness resources in the field at a level not less than that established in fiscal year 2003 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 Sec-

retary of Agriculture should advise the House and Senate Committees on Appropriations in writing prior to its decision.

Wildfire Suppression Operations.—The Committee recommends $658,000,000 for wildfire suppression operations, which is equal to the ten-year average cost of wildfire suppression. This amount is $27,400,000 below the budget request but an increase of $60,870,000 above the non-emergency funding for this activity in fiscal year 2004.

The Committee remains concerned about rising suppression costs and the lack of incentives to consider costs during large fire incidents. The Forest Service, along with the Department of the Interior, should ensure that cost containment is an important priority when suppressing wildland fires. Therefore, the Committee directs the Forest Service and the Department of the Interior to continue reports directed in fiscal years 2003 and 2004.

The Committee agrees with instructions in the Administration's budget appendix covering fire operations, but directs the Forest Service not to implement the instruction regarding immediate allocation of half the suppression funds and allowing unobligated suppression funds to be retained at a region. The Committee insists that a national, interdepartmental approach, with full cooperation of State and other partners, is needed to improve the fire program. The cooperative spirit would be disrupted by pitting region against region as instructed in the budget appendix.

Hazardous Fuels.—The Committee has provided $266,238,000 for hazardous fuels reduction work, equal to the budget request (which was in the NFS account) and an increase of $32,758,000 above the non-emergency funds provided in fiscal year 2004 level. The Committee believes that the hazardous fuels funding should remain in the wildland fire management account to maintain accountability and continuity with previous years as well as with similar work in the Department of the Interior. The Committee expects that the urgent and dangerous situation on the San Bernardino NF, CA, and surrounding areas, caused by drought and a catastrophic bark beetle outbreak, will be a top priority for allocation of fuels funding. The overall allocation also continues the previous funding of $5,000,000 for the Community Forest Restoration Act and up to $15,000,000 for use on adjacent non-Federal lands when hazard reduction activities are planned on national forest system lands.

The Committee has provided the requested funds for the hazardous fuels program but wants to ensure that these funds are used to address the highest priority fuels projects. The Committee requests the Forest Service to provide the Committees on Appropriations a summary of hazardous fuels projects planned for fiscal year 2005 with information on the major vegetative cover type and the type of treatment by December 31, 2004. Included in this report, the Forest Service, in conjunction with the Department of the Interior, should detail the methods used to prioritize fuels projects. A common project prioritization method should be used by both departments to assure the American public that all funds, regardless of funding source, are used for the highest priority fuels reduction projects.

Rehabilitation.—The Committee has restored $13,000,000 for the burned area rehabilitation and restoration program, $10,000,000 above the budget request and $6,086,000 above the enacted fund-

ing level. The Committee expects the Forest Service, in close partnership with the Department of the Interior, to continue the native plant program with at least $2,000,000. The remainder of the increase above the request is for general program delivery.

Fire Plan Research and Development.—The Committee recommendation includes $23,000,000 for research and development, $3,639,000 above the budget request and $975,000 above the enacted funding level. The increase above the request is for general program delivery.

Joint Fire Sciences Program.—The Committee has provided $8,000,000 for the joint fire science program, $99,000 above the enacted level. Although budget documents were not clear, it appears that the Administration requested this amount of funding for this program within the preparedness activity. This program is producing important scientific and technical information, often in collaboration with the Nation's forestry schools, that is needed to support the large effort concerning hazardous fuels and other fire management issues.

Forest Health Management, Federal Lands and Co-op Lands.—The Committee has provided $25,000,000 for the forest health portion of the national fire plan, including $15,000,000 for Federal lands and $10,000,000 for cooperative efforts with the States and others. This funding level is $12,347,000 above the request and $308,000 above the enacted level. The increase above the request is for general program delivery. This funding should be used in conjunction with the similar funding in State and private forestry to continue the more integrated approach to forest health, including prevention, and restoration and rehabilitation of forests and rangelands. The Committee expects the Forest Service to focus on major problems, such as southern pine beetles, western mountain bark beetles, adelgids, and other pests and pathogens, which harm forests and subsequently increase wildfire hazards. This work is an essential part of the national fire plan, and is vital to the success of the healthy forests initiative as well.

State and Volunteer Fire Assistance.—The Committee has provided $40,000,000 for State fire assistance, $5,755,000 above the request and $11,063,000 below the enacted level. The increase above the request is for general program delivery. This funding is in addition to the $36,384,000 provided under the State and private forestry heading. The Committee expects that funds will be used to support and expand the Fire Safe Councils in California and that the Forest Service will use this innovative program as a model for other States. State fire assistance funds should also be used preferentially to support community wildfire protection planning. The Committee supports expansion of the Firewise program. The Committee has also included $8,000,000 for volunteer fire assistance, as requested. This brings the volunteer fire funding to a total of $13,443,000.

CAPITAL IMPROVEMENT AND MAINTENANCE

Appropriation enacted, 2004	$555,227,000
Budget estimate, 2005	501,059,000
Recommended, 2005	522,940,000
Comparison:	
Appropriation, 2004	−32,287,000
Budget estimate, 2005	+21,881,000

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

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2004
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2005
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF THE INTERIOR					
Bureau of Land Management					
Management of lands and resources	839,848	837,462	840,401	+553	+2,939
Wildland fire management:					
Preparedness	274,303	283,018	262,644	-11,659	-20,374
Fire suppression operations	192,903	221,523	221,523	+28,620	---
Borrowing repayment (emergency)	98,416	---	---	-98,416	---
Other operations	217,971	238,558	258,932	+40,961	+20,374
Subtotal	783,593	743,099	743,099	-40,494	---
Central hazardous materials fund	9,856	9,855	9,855	-1	---
Construction	13,804	6,476	15,000	+1,196	+8,524
Land acquisition	18,370	24,000	4,500	-13,870	-19,500
Oregon and California grant lands	105,357	116,058	111,557	+6,200	-4,501
Range improvements (indefinite)	10,000	10,000	10,000	---	---
Service charges, deposits, & forfeitures (indefinite)	19,490	24,490	24,490	+5,000	---
Offsetting fee collections	-19,490	-24,490	-24,490	-5,000	---
Miscellaneous trust funds (indefinite)	12,405	12,405	12,405	---	---
Total, Bureau of Land Management	1,793,233	1,759,355	1,746,817	-46,416	-12,538
United States Fish and Wildlife Service					
Resource management	956,483	950,987	970,494	+14,011	+19,507
Construction	59,808	22,111	48,400	-11,408	+26,289

The Committee recommends $522,940,000 for capital improvement and maintenance, $21,881,000 above the request and $32,287,000 below enacted level. The Committee expects to continue to receive regular updates, and a continued display in the budget justification, on progress in addressing the huge backlog of deferred maintenance and repair, especially as it relates to the activities funded through the road and trails fund, the pilot conveyance authority and the infrastructure improvement funds.

Facilities.—The Committee recommends $196,355,000 for facilities maintenance and capital improvement, $5,017,000 above the budget request and $18,011,000 below the fiscal year 2004 level. The Committee has fully funded the request for facility maintenance. The Committee has funded the capital improvement request but no funding is provided for the ANM/JRD collocated administrative site, AK. The remainder of the funding includes: $1,800,000 for recreation and administrative projects on the Allegheny NF, PA; $600,000 for recreation improvements on the Daniel Boone NF, KY; $4,000,000 for projects on the National Forests of North Carolina; $900,000 for Cherokee NF, TN recreation projects; and $2,000,000 for San Bernardino NF, CA recreational infrastructure projects.

The Committee encourages the Department of the Interior and the Forest Service to work jointly to secure funding under the Southern Nevada Land Management Act to construct the Tahoe Mountain Lake Research Center at Fallen Leaf Lake near Lake Tahoe. This center is listed in the Lake Tahoe Environmental Improvement Plan. The Committee also expects that a process will be developed to routinely transfer funds for environmental improvement projects at Lake Tahoe to the Forest Service from the Bureau of Land Management, as authorized by amendments to the act mentioned above. Furthermore, the Committee notes that it is important to use the Act to maintain funding for Forest Service land improvement activities and water quality protection in the Lake Tahoe Basin, as well as for erosion control grants within the Lake Tahoe watershed.

Roads.—The Committee recommends $227,906,000 for road maintenance and capital improvement, equal to the budget request and $6,632,000 below the fiscal year 2004 level. The Committee has maintained the road decommissioning authority at $15,000,000.

Trails.—The Committee recommends $76,774,000 for trails maintenance and capital improvement, $4,983,000 above the budget request and $2,056,000 above the fiscal year 2004 level. The recommendation funds the budget request for operations and construction, and provides increases above the budget request of $500,000 for construction and $500,000 for operations at the Florida National Scenic Trail, $1,000,000 for construction and $500,000 for operations at the Continental Divide trail, and $1,000,000 for construction and $500,000 for operations at the Pacific Crest National Scenic trail. Increases above the request for operations includes $75,000 for the Appalachian trail, $400,000 for the Nez Perce trail, $75,000 for the North Country trail, and $433,000 for other named national scenic and historic trails. The remainder of the increase above the request is for general program delivery. In addition, the Forest Service should maintain a full time Pacific Crest Trail (PCT) manager; provide funds to work with the Pacific Crest Trail Asso-

ciation; and aid PCT trail relocation reviews. The Forest Service should make every effort to work with volunteer groups, which contribute work, time, and money to enhance Federal resources.

Infrastructure Improvement.—The Committee recommends $21,905,000 for infrastructure improvement, $11,881,000 above the budget request and $9,700,000 below the fiscal year 2004 enacted level. This includes $17,905,000 for deferred maintenance and $4,000,000 to continue the program to help remediate salmonid fish passage problems at road crossings. This funding should be allocated for priority projects in regions 6 and 5, and activities should be coordinated with States, other Federal agencies, watershed councils, and others to help determine priority projects.

LAND ACQUISITION

Appropriation enacted, 2004	$66,363,000
Budget estimate, 2005	66,885,000
Recommended, 2005	15,500,000
Comparison:	
Appropriation, 2004	−50,863,000
Budget estimate, 2005	−51,385,000

The Committee recommends $15,500,000 for land acquisition, a decrease of $51,385,000 below the budget request and $50,863,000 below the enacted level. This amount includes $13,000,000 for acquisition management, $1,000,000 for cash equalization, and $1,500,000 for inholdings.

ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL ACTS

Appropriation enacted, 2004	$1,056,000
Budget estimate, 2005	1,069,000
Recommended, 2005	1,069,000
Comparison:	
Appropriation, 2004	+13,000
Budget estimate, 2005	0

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

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

Appropriation enacted, 2004	$231,000
Budget estimate, 2005	234,000
Recommended, 2005	234,000
Comparison:	
Appropriation, 2004	+3,000
Budget estimate, 2005	0

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

RANGE BETTERMENT FUND

Appropriation enacted, 2004	$2,963,000
Budget estimate, 2005	3,064,000
Recommended, 2005	3,064,000
Comparison:	
Appropriation, 2004	+101,000
Budget estimate, 2005	0

The Committee recommends $3,064,000, 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, 2004	$90,000
Budget estimate, 2005	65,000
Recommended, 2005	65,000
Comparison:	
Appropriation, 2004	−25,000
Budget estimate, 2005	0

The Committee recommends $65,000, 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, 2004	$5,467,000
Budget estimate, 2005	5,962,000
Recommended, 2005	5,962,000
Comparison:	
Appropriation, 2004	+495,000
Budget estimate, 2005	0

The Committee recommends $5,962,000, the same as the budget request and $495,000 above the enacted level, for the management of national forest lands for subsistence uses in Alaska.

ADMINISTRATIVE PROVISIONS, FOREST SERVICE

The Committee has continued administrative provisions contained in previous years. The Committee has also continued the wildland fire transfer authority, which allows use of funds from other accounts available to the Forest Service during wildfire emergencies when other wildfire emergency funds are not available. As was the case last year, the first transfer of funds into the wildland fire management account shall include unobligated funds from the land acquisition and the forest legacy accounts. The Committee recommendation also includes the language requested by the Administration canceling $40,000,000 in mandatory funding from the 2002 Farm Bill for the forest land enhancement program. The Committee notes that it has provided substantial increases above the request for other important forestry programs, including increases

in State and private forestry and wildland fire management of $44,091,000 for forest health management programs and $22,077,000 for State fire assistance, as well as $4,972,000 above the request for the forest inventory and analysis program.

The Committee limits funding for the working capital fund of the Department of Agriculture to the $72,467,000 requested in the budget. The Committee continues the authority for transfers to the National Forest Foundation and the National Fish and Wildlife Foundation. The Committee has provided new authority to allow an extra $300,000 to be used by the National Forest Foundation for activities related to the Forest Service centennial. The Committee allows $350,000 in administrative funds to be used by the National Forest Foundation. The authority allowing reimbursements for Endangered Species Act consultations has been extended for five years.

The Committee remains very concerned about how the Forest Service has implemented the "Competitive Sourcing" initiative. The Committee has looked into this issue in detail and found a number of cases of mismanagement of this effort. Accordingly, this issue is addressed once again in bill language, included under Title III—General Provisions, limiting the use of funds for competitive sourcing efforts and providing certain other guidance. The new language will allow competitive sourcing efforts to continue, but limit the cost to $2,000,000. More importantly, language is included in Title III which recognizes that past mistakes have been made and obviates the Forest Service from continuing expensive monitoring and recompeting previous sourcing efforts, which should have never been contemplated.

The Committee recognizes that the Forest Service is engaged in two large efforts to improve administrative functions through detailed and expensive business process reengineering of financial services and human resources. The Committee supports efforts to improve in these areas, but it is concerned that the efforts may not be adequately documented and open to public scrutiny. Therefore, the Committee directs the Forest Service to provide quarterly reports on business process reengineering efforts and to provide a detailed blueprint, schedule, and funding proposal for these efforts by November 1, 2004. The Committee expects the Forest Service, working closely with the Department of Agriculture, to provide adequate Congressional notification at key benchmarks in these processes, and directs the Forest Service to document the funding requirements and accomplishments in subsequent budget justifications.

The Committee has carefully evaluated the KV reforestation fund and finds that this program has considerable merit in the field, but that it suffers from a lack of consistent policies and inadequate financial management and reporting. Additional language is included in Title III clarifying treatment of KV funds. The Committee also directs the Forest Service to establish, during fiscal year 2005, a comprehensive financial tracking and management system for KV funds and provide a plan, schedule, and cost predictions as part of the next budget justification.

The Committee has recommended bill language, in the Title III—General Provisions, prohibiting the use of funds for Safecom, Disaster Management, E-Training, and E-Rulemaking activities.

Funds requested for these activities should be reprogrammed to cover equitably fixed cost increases not funded in the budget request.

DEPARTMENT OF ENERGY

CLEAN COAL TECHNOLOGY

(DEFERRAL)

The Committee recommends the deferral of $237,000,000 in clean coal technology funding until fiscal year 2006. These funds are to be used for costs associated with the FutureGen program in fiscal year 2006 and beyond.

The Committee also recommends bill language incorporating the FutureGen program into the Clean Coal Technology program and permitting the use of up to $18,000,000 in previously appropriated Clean Coal Technology funds for FutureGen in fiscal year 2005.

Future budget requests should include a table detailing the history of funding for the FutureGen program. In fiscal year 2004, $9,000,000 was made available in the Fossil Energy Research and Development appropriation to start the program. In fiscal year 2005, the Committee recommends the use of up to $18,000,000 in prior year Clean Coal Technology funds for FutureGen and the deferral of $237,000,000 in Clean Coal Technology funds for future FutureGen requirements (for a total commitment of $264,000,000 in Federal funding). In addition, the Committee understands that future budgets will include increases in the Fossil Energy Research and Development sequestration program for FutureGen. The balance of the Federal funding commitment to FutureGen will need to be identified in future budgets.

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

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

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

The Committee, in large part, rejects the fiscal year 2005 budget request for fossil energy research and development because it would provide $237,000,000 for the FutureGen program at the ex-

pense of most of the ongoing fossil energy research programs. The Committee has addressed the FutureGen program under the Clean Coal Technology account.

Appropriation enacted, 2004	$672,770,000
Budget estimate, 2005	635,799,000
Recommended, 2005	601,875,000
Comparison:	
Appropriation, 2004	−70,895,000
Budget estimate, 2005	−33,924,000

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

(dollars on thousands)

	FY 2004 Enacted	FY 2005 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Fossil Energy Research and Development					
Clean coal power initiative	169,881	50,000	105,000	-64,881	+55,000
FutureGen	8,889	237,000	---	-8,889	-237,000
Fuels and Power Systems					
Central Systems					
Innovations for existing plants	21,729	18,050	18,050	-3,679	---
Advanced Systems					
Integrated gasification combined cycle	50,372	34,450	48,450	-1,922	+14,000
Combustion systems including hybrid	4,939	---	4,500	-439	+4,500
Turbines	12,840	12,000	15,600	+2,760	+3,600
Subtotal, Advanced Systems	68,151	46,450	68,550	+399	+22,100
Subtotal, Central Systems	89,880	64,500	86,600	-3,280	+22,100
Sequestration R&D					
Greenhouse gas control	40,297	49,000	46,000	+5,703	-3,000
Fuels					
Transportation fuels and chemicals	21,927	16,000	21,300	-627	+5,300
Solid fuels and feedstocks	5,985	---	6,000	+15	+6,000
Advanced fuels research	3,308	---	3,300	-8	+3,300
Subtotal, Fuels	31,220	16,000	30,600	-620	+14,600

	(dollars on thousands)				
	FY 2004 Enacted	FY 2005 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Advanced Research					
Coal utilization science	11,852	8,000	12,800	+948	+4,800
Materials	11,111	8,000	11,000	-111	+3,000
Technology crosscut	11,326	10,500	10,500	-826	---
University coal research	2,945	3,000	3,000	+55	---
HBCUs, education and training	981	1,000	1,000	+19	---
Subtotal, Advanced Research	38,215	30,500	38,300	+85	+7,800
Distributed Generation Systems - Fuel Cells					
Advanced research	9,876	---	10,376	+500	+10,376
Systems development	10,865	---	5,700	-5,165	+5,700
Vision 21-hybrids	12,840	---	5,100	-7,740	+5,100
Innovative concepts	35,063	23,000	50,000	+14,937	+27,000
Novel generation	2,469	---	3,000	+531	+3,000
Subtotal, Distributed Generation Systems - Fuel Cells	71,113	23,000	74,176	+3,063	+51,176
U.S./China Energy and Environmental Center	988	---	1,000	+12	+1,000
Subtotal, Fuels and Power Systems	271,713	183,000	276,676	+4,963	+93,676
Gas					
Natural Gas Technologies					
Exploration and production	22,203	17,500	22,500	+297	+5,000
Gas hydrates	9,383	6,000	9,500	+117	+3,500
Infrastructure	8,939	---	7,100	-1,839	+7,100
Effective environmental protection	2,469	2,500	2,500	+31	---
Subtotal, Gas	42,994	26,000	41,600	-1,394	+15,600

(dollars on thousands)

	FY 2004 Enacted	FY 2005 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Petroleum - Oil Technology					
Exploration and production supporting research.....	18,450	3,000	18,000	-450	+15,000
Reservoir life extension/management.....	6,914	5,000	7,000	+86	+2,000
Effective environmental protection.....	9,714	7,000	9,700	-14	+2,700
Subtotal, Petroleum - Oil Technology.....	35,078	15,000	34,700	-378	+19,700
Cooperative R&D.....	8,395	3,000	7,335	-1,060	+4,335
Fossil energy environmental restoration.....	9,595	6,000	10,600	+1,005	+4,600
Import/export authorization.....	2,716	1,799	1,799	-917	---
Headquarters program direction.....	22,189	22,749	22,749	+560	---
Energy Technology Center program direction.....	69,221	69,251	69,251	+30	---
Clean coal program direction.....	14,815	14,000	14,000	-815	---
General plant projects.....	6,914	---	7,000	+86	+7,000
Advanced metallurgical processes.....	9,876	8,000	10,000	+124	+2,000
Special recruitment programs.....	---	---	665	+665	+665
National Academy of Sciences program review.....	494	---	500	+6	+500
Total, Fossil Energy Research and Development...	672,770	635,799	601,875	-70,895	-33,924

The Committee recommends $601,875,000 for fossil energy research and development, a decrease of $70,895,000 below the fiscal year 2004 level and $33,924,000 below the budget request. Changes to the budget request are detailed below.

Clean Coal Power Initiative.—The Committee recommends $105,000,000 to restore partially funding for the clean coal power initiative, an increase of $55,000,000 above the budget request and $64,881,000 below the fiscal year 2004 level. The Committee believes that at this funding level the second round of projects, for which the solicitation has already been issued, will have adequate funding to maintain a robust program. Also, this funding level will significantly shorten any delay in achieving the program goals, articulated by the President, for a 10-year, $2 billion program. Fiscal year 2005 will be the 4th year of that program.

FutureGen.—The Committee recommends no funding in this account for the FutureGen initiative, a decrease of $237,000,000 below the budget request. The FutureGen program is addressed under the Clean Coal Technology account.

Fuels and Power Systems.—The Committee recommends $276,676,000 for fuels and power systems, an increase of $93,676,000 above the budget request and $4,963,000 above the fiscal year 2004 level. Within central systems, increases for advanced systems include $14,000,000 for gasification systems technology, $4,500,000 for gas stream cleanup under the combustion systems program, and $3,600,000 for the next generation turbines program.

In sequestration research, there is a decrease of $3,000,000.

In fuels research, there is an increase of $5,300,000 to restore the syngas membrane technology program under transportation fuels and chemicals. In solid fuels and feedstocks, increases include $1,000,000 for premium carbon products, $3,000,000 for advanced separation technology, and $2,000,000 for coal-derived jet fuels. In advanced fuels research, there is an increase of $3,300,000, which includes $2,000,000 for the C–1 chemistry program.

In advanced research, there are increases of $4,800,000 for coal utilization science and $3,000,000 to restore the materials program.

In distributed generation systems, increases include $10,376,000 for advanced research (the budget request eliminated this program), $5,700,000 to restore partially the systems development program, $5,100,000 to restore partially the vision 21-hybrids program and to transition the tubular solid oxide program into one of the existing projects in the solid state energy alliance. There is also an increase of $27,000,000 in innovative concepts to restore funding for the solid-state energy conversion alliance. SECA was funded in various line items in the fiscal year 2004 appropriation and the Committee has consolidated all SECA funding in the innovative concepts program for fiscal year 2005. In novel generation, there is an increase of $3,000,000 for the Ramgen technology program.

U.S./China Energy and Environmental Center.—The Committee recommends $1,000,000 to restore funding for the U.S./China energy and environmental center. The budget request proposed to eliminate this program.

Natural Gas Technologies.—The Committee recommends $41,600,000 for natural gas technologies, an increase of $15,600,000 above the budget request and $1,394,000 below the fiscal year 2004 level. There is an increase of $5,000,000 to restore

the exploration and production program. In gas hydrates, there is an increase of $3,500,000 to restore critical research on methane hydrates. In natural gas infrastructure, there is an increase of $7,100,000 to fund ongoing projects.

Oil Technology.—The Committee recommends $34,700,000 for oil technology, an increase of $19,700,000 above the budget request and $378,000 below the fiscal year 2004 level. There is an increase of $15,000,000 to restore exploration and production supporting research programs, including $1,000,000 for cooperative research with Russia. There is an increase of $2,000,000 to restore the reservoir life extension program. There is also an increase of $2,700,000 to restore the effective environmental protection program.

Other.—The Committee recommends increases of $4,335,000 for cooperative research and development, $4,600,000 for fossil energy environmental restoration, $7,000,000 for plant and capital equipment of which $3,000,000 is for projects at the Albany Research Center and $4,000,000 is to continue the National Energy Technology Laboratory renovation program, $2,000,000 for advanced metallurgical research, $665,000 for special recruitment programs, and $500,000 to restore funding for National Academy of Sciences program reviews.

The Committee agrees to the following:

1. FutureGen is addressed under the Clean Coal Technology account. The Committee understands that the sequestration research and development portion of FutureGen will be funded under the Fossil Energy Research and Development sequestration program. The Committee cautions the Department not to "count" general increases to the sequestration budget as FutureGen. Specific sequestration projects that are integral to the FutureGen program should be identified as such in both the overall industry/government plan and in future budget requests for the sequestration program.

2. Oil and natural gas research is critical to improving current technology and ensuring the best use of our domestic oil and gas reserves. Despite the Committee's urging to the contrary, these research areas continue to be seriously underfunded in annual budget requests.

3. The fiscal year 2005 budget request for stationary fuel cells is totally inadequate. The Department should recognize the synergies between stationary and transportation fuel cells and budget more generously for stationary fuel cell programs. Stationary fuel cells still have many obstacles to overcome before they can be expected to achieve any appreciable market penetration and experience with these fuel cells will benefit the transportation fuel cell program.

4. No more than $20,000,000 is to be spent on the SECA core technology program and the remaining $30,000,000 should be divided equally among the participating teams.

5. Several programs funded in the energy conservation account need to be closely coordinated with fossil energy programs so that the highest priority energy research projects are funded. They include the cooperative programs with States, the mining industry of the future program, the industrial gasification program, and the reciprocating engines program.

6. The funding for special recruitment programs is to attract highly qualified students to pursue Federal energy careers and to

increase diversity in the fossil energy workforce. The Office of Fossil Energy has been assessing programs to pay for a Technical Career Intern Program and to participate in the Mickey Leland Energy Fellowship Program with minority educational institutions. The Committee believes that these recruitment programs should be funded directly and not through assessments on other programs. The Committee has added a line item to the budget for that purpose. It includes $165,000 for the Technical Career Intern Program and $500,000 for the Mickey Leland Energy Fellowship Program. These programs should be continued under this budget line item in the future. The Committee suggests that the Technical Career Intern Program be increased to $340,000 in fiscal year 2006 and that the Mickey Leland Energy Fellowship Program continue at the $500,000 level in fiscal year 2006.

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

8. The fossil energy reorganization proposal is approved.

NAVAL PETROLEUM AND OIL SHALE RESERVES

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

Appropriation enacted, 2004	$17,995,000
Budget estimate, 2005	18,000,000
Recommended, 2005	18,000,000
Comparison:	
Appropriation, 2004	+5,000
Budget estimate, 2005	0

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

(dollars on thousands)

	FY 2004 Enacted	FY 2005 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Naval Petroleum and Oil Shale Reserves					
Oil Reserves					
Production and operations	9,699	8,676	8,676	-1,023	---
Management	8,296	9,324	9,324	+1,028	---
Total, Naval Petroleum and Oil Shale Reserves	17,995	18,000	18,000	+5	---

The Committee recommends $18,000,000, the budget request, for the operation of the naval petroleum and oil shale reserves, an increase of $5,000 above the fiscal year 2004 level. Within the amount provided, $3,000,000 is for the Rocky Mountain Oilfield Testing Center.

ELK HILLS SCHOOL LANDS FUND

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

The Committee recommends $36,000,000 for the Elk Hills school lands fund, which is equal to amount available for fiscal year 2004. The Committee recommends that these funds be made available on October 1, 2005, rather than on October 1, 2004 as proposed in the budget. The Committee's recommendation is consistent with the payment of these funds in each of the past few years. This represents the seventh of seven payments to the fund, which was established as a part of the sale of the Elk Hills Naval Petroleum Reserve in California (to settle school lands claims by the State). However, the payments to date were based on an estimate of the amount that would be required to pay the State of California 9 percent of the net sales proceeds. The final amount due will be based on the resolution of equity determinations and is expected to be more than the amount made available in these seven payments.

ENERGY CONSERVATION

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

Appropriation enacted, 2004	$877,985,000
Budget estimate, 2005	584,733,000
Recommended, 2005	656,071,000
Comparison:	
Appropriation, 2004	−221,914,000
Budget estimate, 2005	+71,338,000

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

(dollars on thousands)

	FY 2004 Enacted	FY 2005 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Energy Conservation					
Vehicle technologies	178,003	156,656	167,356	-10,647	+10,700
Fuel cell technologies	65,187	77,500	71,000	+5,813	-6,500
Weatherization and intergovernmental activities					
Weatherization assistance grants	227,166	---	---	-227,166	---
State energy program grants	43,952	40,798	45,098	+1,146	+4,300
State energy activities	2,324	2,353	2,353	+29	---
Gateway deployment	35,170	29,716	37,216	+2,046	+7,500
Total, Weatherization and intergovernmental acivities	308,612	72,867	84,667	-223,945	+11,800
Distributed energy resources	61,023	53,080	62,480	+1,457	+9,400
Building technologies	59,866	58,284	64,884	+5,018	+6,600
Industrial technologies	93,068	58,102	84,940	-8,128	+26,838
Biomass and biorefinery systems R&D	7,506	8,680	12,680	+5,174	+4,000
Federal energy management program	19,716	17,900	17,900	-1,816	---
Program management	85,004	81,664	90,164	+5,160	+8,500
Total, Energy Conservation	877,985	584,733	656,071	-221,914	+71,338

The Committee recommends $656,071,000 for energy conservation, an increase of $5,386,000 above the fiscal year 2004 level after adjusting for the weatherization program as explained below, and $71,338,000 above the budget request. Changes to the budget request are detailed below.

Vehicle Technologies.—The Committee recommends $167,356,000 for vehicle technologies. In the hybrid and electric propulsion/energy storage program, there is a decrease of $5,000,000 for exploratory technology. In the advanced combustion engine program, increases include $6,700,000 for combustion and emissions control including homogeneous charge combustion ignition research, $1,400,000 for heavy truck engine research, and $3,500,000 to restore the off-highway engine program.

In the materials technology program, there is a decrease of $4,000,000 for automotive lightweight materials and an increase of $2,600,000 for the high temperature materials laboratory.

In the fuels technology program, there is an increase of $3,000,000 for advanced petroleum-based fuels and increases for non-petroleum fuels and lubes of $1,300,000 for medium trucks, $1,400,000 for heavy trucks, and $1,200,000 for fueling infrastructure, and a decrease of $2,400,000 for renewable and synthetic fuels. There is also an increase of $2,000,000 for the environmental impacts program.

In technology introduction, there is a decrease of $1,000,000 for legislative and rulemaking activities.

Fuel Cell Technologies.—The Committee recommends $71,000,000 for fuel cell technologies, including an increase of $1,500,000 for stack component research on catalysts and decreases of $4,000,000 for other stack component research and $4,000,000 for fuel processor research.

Intergovernmental Activities.—The Committee recommends $84,667,000 for intergovernmental activities, including a decrease of $291,200,000 for weatherization assistance grants, training, and technical assistance. The jurisdiction for the weatherization program has been moved to the Subcommittee on Labor, Health and Human Services, Education and Related Agencies, which has jurisdiction for the Low Income Home Energy Assistance Program that also includes funding for weatherization. There is an increase of $4,300,000 for State energy programs. In gateway deployment, increases include $1,000,000 for rebuild America, $2,000,000 for building codes training and assistance, $4,000,000 for the clean cities program, and $1,500,000 for the inventions and innovations program. There is also a decrease of $1,000,000 for the energy star program.

Distributed Energy Resources.—The Committee recommends $62,480,000 for distributed energy resources, including increases of $5,000,000 for advanced reciprocating engines, $1,000,000 for advanced materials and sensors, $2,400,000 for thermally activated technology, and $1,000,000 for applications integration to promote fuel flexibility in distributed generation systems, specifically the use of hydrogen in fuel cells, engines, and turbines.

Building Technologies.—The Committee recommends $64,884,000 for building technologies. In residential buildings integration, there is a decrease of $3,000,000 for residential buildings research (formerly Building America) and an increase of $500,000

for residential building energy codes. In commercial buildings integration, there is an increase of $500,000 for commercial buildings energy codes. In emerging technologies, increases include $1,000,000 for solid state lighting, $2,400,000 for space conditioning and refrigeration, and $3,200,000 for building envelope research/thermal insulation and building materials. There is also an increase of $2,000,000 in equipment and analysis for appliance standards.

Industrial Technologies.—The Committee recommends $84,940,000 for industrial technologies, including increases of $24,838,000 to restore each of the industry of the future (specific) programs to the fiscal year 2004 level and $2,000,000 in the industries of the future (crosscutting) program to restore funding for the program on robotics to replace repetitive manufacturing tasks.

Biomass and Biorefinery Systems.—The Committee recommends $12,680,000 for biomass and biorefinery systems, including an increase of $5,000,000 to restore gasification programs and a decrease of $1,000,000 for utilization of platform outputs.

Federal Energy Management Program.—The Committee recommends $17,900,000, the budget request, for the Federal energy management program.

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

Bill Language.—Bill Language is recommended earmarking $227,300,000 for weatherization and $44,798,000 for State energy programs. These levels are slightly above the fiscal year 2004 levels for those programs.

The Committee agrees to the following:

1. The Committee continues to expect that administrative savings should be achieved and several positions should be eliminated as a result of the consolidation of budget and administration functions in the 2002 reorganization. The Department should work closely with NAPA and implement all of the NAPA recommendations.

2. The budget justification for fiscal year 2006 should include the program specific table provided separately to the Committee for 2004. The official budget detail table should contain stub entries for sub-activities within each of the program areas. A few examples include, but are not limited to, each of the industries of the future (specific) and (crosscutting) programs, micro-cogeneration, advanced reciprocating engines, thermally activated technologies, and each of the major building, vehicle technology, and fuel cell areas. This direction was not fully complied with in the budget justification presented to the Committee for fiscal year 2005.

3. The Department should recognize the synergies between stationary and transportation fuel cells and budget much more generously for stationary fuel cell programs. Stationary fuel cells still have many obstacles to overcome before they can be expected to achieve any appreciable market penetration. Experience with stationary fuel cells will benefit the transportation fuel cell program.

4. The issue of starting fuel cells in freezing weather needs to be addressed before fuel cells for transportation can be successfully commercialized. The Department should request sufficient funding for this essential core technology research in its fiscal year 2006 budget.

5. There should be a new solicitation issued for off-highway research using the full $3,500,000 recommended by the Committee.

6. Funding provided for the High Temperature Materials Laboratory includes $1,000,000 for a share of the cost of the Vulcan Beam Line.

7. Funds for the Building America program should be distributed based on proven performance with respect to overall energy efficiency savings.

8. The industry of the future programs should not be reduced further. Staffing for these programs should be maintained at least at the 2004 level. The Committee encourages the Department to reconsider seriously its funding proposals for these important programs in the fiscal year 2006 budget request.

9. With the funds provided for the metal casting industry of the future program, the Department should fund competitively selected projects that are sponsored by consortia focused predominantly on small business participation, with an emphasis on cost-shared university-based research and technology transfer to industry.

10. The State Technologies Advancement Collaborative, a cooperative program between the States and the Department of Energy, has successfully completed the first year of its 5-year pilot program with the award of 16 projects covering transportation, buildings, industry, distributed energy resources, and hydrogen programs. These projects are in 32 States and are cost-shared by the States. The Committee expects the Department to supplement the funds provided for STAC with additional program funds for programs of mutual interest to DOE and the States in order to leverage Federal funds and reduce delays in program implementation.

11. The cooperative programs with the States should be closely coordinated with the Fossil Energy Research and Development program to ensure the highest priority research needs across both the Fossil Energy and Energy Conservation accounts are addressed. The mining industry of the future program, the industrial gasification program, and the reciprocating engines program should also be coordinated closely with fossil energy.

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

13. While jurisdiction for the weatherization program has been transferred to another subcommittee, the Committee notes that the Weatherization Assistance Program has not been evaluated fully in over 10 years. The Committee was pleased by the last evaluation, performed by Oak Ridge National Laboratory, and encourages the Department to contract with ORNL for an up-to-date assessment.

ECONOMIC REGULATION

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

Appropriation enacted, 2004	$1,034,000
Budget estimate, 2005	0
Recommended, 2005	0
Comparison:	
Appropriation, 2004	−1,034,000
Budget estimate, 2005	0

The Committee recommends no funding, the same as the budget request, for economic regulation. Fiscal year 2004 was the final year of funding for this account, consistent with Committee direction on phasing out this program.

STRATEGIC PETROLEUM RESERVE

The Strategic Petroleum Reserve was created by the Energy Policy and Conservation Act of 1975 to provide the United States with adequate strategic and economic protection against disruptions in oil supplies. The SPR program was established as a 750 million-barrel capacity crude oil reserve with storage in large underground salt caverns at five sites in the Gulf Coast area. It is connected to major private sector distribution systems and maintained to achieve full drawdown rate capability within fifteen days of notice to proceed with drawdown. Storage capacity development was completed in September 1991, providing the capability to store 750 million barrels of crude oil in underground caverns and to be ready to deploy at the President's direction in the event of an emergency. As a result of the decommissioning of the Weeks Island site in 1999, the SPR lost 70 million barrels of capacity. However, the Department reassessed the capacities of the remaining storage sites and estimates that those sites are currently capable of storing a total of 700 million barrels. During 1998, an inventory of 561 million barrels provided 60 days of net import protection. In 2004, 682 million barrels provide 58 days of net import protection. The decline in days of net import protection is the result of the growth of U.S. requirements for imported crude oil and the decline in domestic oil production.

Appropriation enacted, 2004	$170,949,000
Budget estimate, 2005	172,100,000
Recommended, 2005	172,100,000
Comparison:	
Appropriation, 2004	+1,151,000
Budget estimate, 2005	0

The Committee recommends $172,100,000, the budget request, for operation of the Strategic Petroleum Reserve, an increase of $1,151,000 above the fiscal year 2004 level.

NORTHEAST HOME HEATING OIL RESERVE

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

Appropriation enacted, 2004	$4,939,000
Budget estimate, 2005	5,000,000
Recommended, 2005	5,000,000
Comparison:	
Appropriation, 2004	+61,000
Budget estimate, 2005	0

The Committee recommends $5,000,000, the budget request, for the Northeast Home Heating Oil Reserve, an increase of $61,000 above the fiscal year 2004 level.

ENERGY INFORMATION ADMINISTRATION

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

Appropriation enacted, 2004	$81,100,000
Budget estimate, 2005	85,000,000
Recommended, 2005	85,000,000
Comparison:	
Appropriation, 2004	+3,900,000
Budget estimate, 2005	0

The Committee recommends $85,000,000, the budget request, for the Energy Information Administration, an increase of $3,900,000 above the fiscal year 2004 level. Over the past few years, EIA has funded a portion of its requirements through the use of unobligated balances. Those balances have been exhausted and an increase in the budget is required in fiscal year 2005 to fund ongoing, mission-essential programs.

The Committee is concerned that the Energy Information Administration has been unable to continue its residential, commercial, and manufacturing energy consumption surveys on a timely basis. The Residential Transportation Energy Consumption Survey has been cancelled and the remaining end use surveys are now conducted only once every 4 years. At current funding levels, EIA may not even be able to continue that stretched out schedule for these important surveys. In addition, in order to stay within its 2005 budget, EIA will cancel one of its electric power surveys. The Com-

mittee encourages the Department to provide a sufficient budget request for EIA in fiscal year 2006 that will ensure that the end use surveys are sufficiently funded to return to a 3–year cycle and to ensure that no additional surveys are cancelled.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

The provision of Federal health services to Indians is based on a special relationship between Indian tribes and the U.S. Government first set forth in the 1830s by the U.S. Supreme Court under Chief Justice John Marshall. Numerous treaties, statutes, constitutional provisions, and international law have reconfirmed this relationship. Principal among these is the Snyder Act of 1921, which provides the basic authority for most Indian health services provided by the Federal Government to American Indians and Alaska Natives. The Indian Health Service (IHS) provides direct health care services in 36 hospitals, 59 health centers, 2 school health centers, and 49 health stations. Tribes and tribal groups, through contracts and compacts with the IHS, operate 13 hospitals, 172 health centers, 3 school health centers, and 260 health stations (including 176 Alaska Native village clinics). The IHS, tribes, and tribal groups also operate 9 regional youth substance abuse treatment centers and 2,252 units of staff quarters.

Appropriation enacted, 2004	$2,530,364,000
Budget estimate, 2005	2,612,824,000
Recommended, 2005	2,628,322,000
Comparison:	
Appropriation, 2004	+97,958,000
Budget estimate, 2005	+15,498,000

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

(dollars on thousands)

	FY 2004 Enacted	FY 2005 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Indian Health Services					
Clinical Services					
IHS and tribal health delivery					
Hospital and health clinic programs	1,249,782	1,295,353	1,310,353	+60,571	+15,000
Dental health program	104,513	110,255	110,255	+5,742	---
Mental health program	53,294	55,801	55,801	+2,507	---
Alcohol and substance abuse program	138,250	141,680	141,680	+3,430	---
Contract care	479,070	479,085	479,085	+15	---
Catastrophic health emergency fund	---	18,000	18,000	+18,000	---
Subtotal, Clinical Services	2,024,909	2,100,174	2,115,174	+90,265	+15,000
Preventive Health					
Public health nursing	42,580	45,576	45,576	+2,996	---
Health education	11,793	12,633	12,633	+840	---
Community health representatives program	50,996	52,383	52,383	+1,387	---
Immunization (Alaska)	1,561	1,604	1,604	+43	---
Subtotal, Preventive Health	106,930	112,196	112,196	+5,266	---
Urban health projects	31,619	32,410	32,410	+791	---
Indian health professions	30,774	30,803	30,803	+29	---
Tribal management	2,376	2,376	2,376	---	---
Direct operations	60,714	61,795	62,293	+1,579	+498
Self-governance	5,644	5,672	5,672	+28	---
Contract support costs	267,398	267,398	267,398	---	---

(dollars on thousands)

	FY 2004 Enacted	FY 2005 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Medicare/Medicaid Reimbursements					
Hospital and clinic accreditation (Est. collecting).	(567,620)	(598,662)	(598,662)	(+31,042)	---
Total, Indian Health Services.....	2,530,364	2,612,824	2,628,322	+97,958	+15,498
(Non-contract services).....	(2,051,294)	(2,115,739)	(2,131,237)	(+79,943)	(+15,498)
(Contract care).....	(479,070)	(479,085)	(479,085)	(+15)	---
(Catastrophic health emergency fund).....	---	(18,000)	(18,000)	(+18,000)	---

The Committee recommends $2,628,322,000 for Indian health services, an increase of $15,498,000 above the budget request and $97,958,000 above the fiscal year 2004 level. Changes to the budget request include an increase of $15,000,000 in the hospital and health clinic programs for the Indian health care improvement fund and an increase of $498,000 in direct operations for Federal staffing and support costs at Headquarters. The Indian health care improvement fund money should be distributed in the same manner as in fiscal year 2003, which was the last year in which funds were appropriated for this program. The increase for Headquarters staffing is critically needed because the IHS Headquarters capability to perform its many critical oversight and outreach functions has been hampered by staffing decreases over the past several years.

The Committee agrees to the following:

1. The Service should reprogram the increases included in the budget to cover partially pay cost increases so that there is an equitable distribution across all Federal and tribal programs.

2. Funds for the pharmacy residency program remain in the base for fiscal year 2005.

3. The fiscal year 2001 direction on the use of loan repayment program funding should continue to be followed in fiscal year 2005.

4. The Joslin diabetes program should be considered for funding using the special diabetes program funding in addition to the base funding of $1,500,000 for fiscal year 2005.

INDIAN HEALTH FACILITIES

The need for new Indian health care facilities has not been fully quantified but it is safe to say that many billions of dollars would be required to renovate existing facilities and construct all the needed new hospitals and clinics. Safe and sanitary water and sewer systems for existing homes and solid waste disposal needs currently are estimated to amount to over $859 million for those projects that are considered to be economically feasible.

Appropriation enacted, 2004	$391,351,000
Budget estimate, 2005	354,448,000
Recommended, 2005	405,048,000
Comparison:	
Appropriation, 2004	+13,697,000
Budget estimate, 2005	+50,600,000

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

(dollars on thousands)

	FY 2004 Enacted	FY 2005 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Indian Health Facilities					
Maintenance and improvement	48,897	48,897	50,897	+2,000	+2,000
Sanitation facilities	93,015	103,158	93,158	+143	-10,000
Construction facilities	94,555	41,745	99,345	+4,790	+57,600
Facilities and environmental health support	137,803	143,567	143,567	+5,764	---
Equipment	17,081	17,081	18,081	+1,000	+1,000
Total, Indian Health Facilities	391,351	354,448	405,048	+13,697	+50,600

The Committee recommends $405,048,000 for Indian health facilities, an increase of $13,697,000 above the fiscal year 2004 level and $50,600,000 above the budget request. Changes to the budget request include a decrease of $10,000,000 for sanitation facilities and increases of $2,000,000 for maintenance and improvement, $1,000,000 for equipment, and $57,600,000 for hospital and clinic construction.

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

Project	2005 request	Committee recommendation	Difference
CA Regional Youth Treatment Centers	0	$2,700,000	+$2,700,000
Clinton, OK clinic	0	19,300,000	+19,300,000
Eagle Butte, SD clinic	0	18,300,000	+18,300,000
Joint Ventures (using existing list)	0	4,800,000	+4,800,000
Mobile dental units	0	1,500,000	+1,500,000
New health clinic planning and design	0	1,000,000	+1,000,000
Phoenix Indian Medical Center, AZ	0	4,000,000	+4,000,000
Red Mesa, AZ health center	$19,382,000	19,382,000	
Sisseton, SD health center	17,300,000	17,300,000	
Small ambulatory facilities	0	6,000,000	+6,000,000
Wagner, SD staff quarters	2,538,000	2,538,000	
Zuni, NM staff quarters	2,525,000	2,525,000	
Total	41,745,000	99,345,000	+57,600,000

The Committee recommends bill language permitting the use of up to $2,700,000 for the purchase of land for the northern and southern California youth regional treatment centers subject to advance approval by the House and Senate Committees on Appropriations.

The Committee agrees to the following:

1. The maintenance program funding increase needs to remain in the base budget for fiscal year 2006 and beyond. Further increases will be necessary as existing facilities get older and as more hospitals and clinics are built and expanded.

2. Funds for the Clinton, OK clinic will complete that project. Funds for the Eagle Butte, SD clinic will fund phase I of the construction effort. Funds for the California Regional Youth Treatment Centers are for planning and design of 2 centers. Funds for the Phoenix Indian Medical Center, AZ are for the design of a southwest clinic and a southeast clinic.

3. The funds for new health clinic planning and design are for facilities with newly approved program justification documents (PJDs). The Committee understands that there are two locations that potentially will have completed and approved PJDs within the next couple of months—San Carlos, Apache, AZ and Kayenta, AZ. The Committee urges the Service and the tribes to work together to complete these PJDs prior to conference consideration of this bill.

4. The joint venture funding is for up to 2 projects using the existing list of qualified projects from the last solicitation.

5. The Service should issue a new solicitation for small ambulatory care facilities. There should be a cap of $2,000,000 for any one project and most, if not all, projects should be funded substantially below that level.

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

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

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

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

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

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

ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

The Committee recommends bill language permitting the use of third party collections for the purchase of land for the IHS hospital in Tahlequah, Oklahoma subject to advance approval by the House and Senate Committees on Appropriations. The land will be used for a parking lot expansion at the W.W. Hastings hospital.

OTHER RELATED AGENCIES

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

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

quired the relocation of members of both tribes. Most of those to be relocated are Navajo living on the Hopi Partitioned Land.

At this time, there are approximately 146 households that remain to be relocated, of which 13 are full-time residents on the Hopi Partitioned Land. A total of 3,370 families have been relocated from the Hopi Partitioned Land.

Appropriation enacted, 2004	$13,366,000
Budget estimate, 2005	11,000,000
Recommended, 2005	11,000,000
Comparison:	
Appropriation, 2004	−2,366,000
Budget estimate, 2005	0

The Committee recommends $11,000,000 for salaries and expenses of the Office of Navajo and Hopi Indian Relocation, the same as the budget request and $2,366,000 below the 2004 enacted level.

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

Appropriation enacted, 2004	$6,173,000
Budget estimate, 2005	6,000,000
Recommended, 2005	6,000,000
Comparison:	
Appropriation, 2004	−173,000
Budget estimate, 2005	0

The Committee recommends $6,000,000 for the Institute of American Indian and Alaska Native Culture and Arts Development, the same as the budget request and $173,000 below the 2004 enacted level.

SMITHSONIAN INSTITUTION

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

The Smithsonian attracted approximately 25,000,000 visitors in 2003 to its museums, galleries, and zoological park. Additional millions also view Smithsonian traveling exhibitions, which appear across the United States and abroad. Another major attraction is the annual Folklife Festival, which is held on the Mall in Washington, DC. As custodian of the National Collections, the Smithsonian is responsible for more than 140 million art objects, natural history specimens, and artifacts. These collections are displayed for

the enjoyment and education of visitors and are available for research by the staff of the Institution and by hundreds of visiting students, scientists, and historians each year. Other significant study efforts draw their data and results directly from terrestrial, marine, and astrophysical observations at various Smithsonian installations.

The Smithsonian complex presently consists of 17 museums and galleries in New York City and the Washington, DC metropolitan area, including a zoological park; a number of research centers including an animal conservation and research center in Front Royal, Virginia; a natural preserve in Panama and one on the Chesapeake Bay; an oceanographic research facility in Fort Pierce, Florida; astrophysical stations in Cambridge, Massachusetts and Mt. Hopkins, Arizona and elsewhere; and supporting administrative, laboratory, and storage areas.

SALARIES AND EXPENSES

Appropriation enacted, 2004	$488,653,000
Budget estimate, 2005	499,125,000
Recommended, 2005	496,925,000
Comparison:	
Appropriation, 2004	+8,272,000
Budget estimate, 2005	−2,200,000

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

(dollars on thousands)

	FY 2004 Enacted	FY 2005 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Smithsonian Institution					
Salaries and Expenses					
Museum and research institutes	215,499	209,192	208,692	-6,807	-500
Program support and outreach	36,334	36,380	37,380	+1,046	+1,000
Administration	63,890	66,616	64,916	+1,026	-1,700
Facilities services	180,189	186,937	185,937	+5,748	-1,000
Offsetting reduction, FY 2004	-7,259	---	---	+7,259	---
Total, Salaries and expenses, Smithsonian	488,653	499,125	496,925	+8,272	-2,200

The Committee recommends $496,925,000 for salaries and expenses, a decrease of $2,200,000 below the budget request and an increase of $8,272,000 above the enacted level. Increases to the request include $1,000,000 for major scientific instrumentation, and $500,000 to continue the Tropical Research Institute's work in microorganisms in tropical soil. If the Smithsonian wishes to continue this program in fiscal year 2006, it should be included in the budget request. Decreases to the request include $1,000,0000 for the new National Museum of African American History and Culture, $1,000,000 for facilities operations, security, and support, and $1,700,000 for digital infrastructure.

FACILITIES CAPITAL

Appropriation enacted, 2004	$107,626,000
Budget estimate, 2005	128,900,000
Recommended, 2005	122,900,000
Comparison:	
Appropriation, 2004	+15,274,000
Budget estimate, 2005	−6,000,000

The Committee recommends $122,900,000 for facilities capital, an increase of $15,274,000 above the enacted level and a reduction of $6,000,000 below the budget request. Decreases to the request include $1,000,000 for Pod 5 due to budgetary constraints and $5,000,000 for site preparation for the Asia II exhibit. Funds for the Asia II exhibit are not necessary at this time due to the additional $15,000,000 above the request provided by the Committee in fiscal year 2004. When the zoo requires additional funds, the Committee will consider future requests.

ADMINISTRATIVE PROVISIONS, SMITHSONIAN INSTITUTION

There is new bill language included under Administrative Provisions which prohibits the Smithsonian from using funds to purchase any additional buildings without prior consultation with the House and Senate Committees on Appropriations.

NATIONAL GALLERY OF ART

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

SALARIES AND EXPENSES

Appropriation enacted, 2004	$86,768,000
Budget estimate, 2005	93,000,000
Recommended, 2005	93,000,000
Comparison:	
Appropriation, 2004	+6,232,000
Budget estimate, 2005	0

The Committee recommends $93,000,000, the budget request, for salaries and expenses of the National Gallery of Art, an increase of $6,232,000 above the fiscal year 2004 level.

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

Appropriation enacted, 2004	$11,457,000
Budget estimate, 2005	11,100,000
Recommended, 2005	11,100,000
Comparison:	
Appropriation, 2004	−357,000
Budget estimate, 2005	0

The Committee recommends $11,100,000, the budget request, for repair, restoration and renovation of buildings at the National Gallery of Art, a decrease of $357,000 below the fiscal year 2004 level.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

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

OPERATIONS AND MAINTENANCE

Appropriation enacted, 2004	$16,356,000
Budget estimate, 2005	17,152,000
Recommended, 2005	17,152,000
Comparison:	
Appropriation, 2004	+796,000
Budget estimate, 2005	0

The Committee recommends $17,152,000 for operations and maintenance, the same as the budget request and $796,000 above the enacted level.

CONSTRUCTION

Appropriation enacted, 2004	$15,803,000
Budget estimate, 2005	16,334,000
Recommended, 2005	10,000,000
Comparison:	
Appropriation, 2004	−5,803,000
Budget estimate, 2005	−6,334,000

The Committee recommends $10,000,000 for construction, a decrease of $5,803,000 below the enacted level and $6,334,000 below the budget request.

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, 2004	$8,498,000
Budget estimate, 2005	8,987,000
Recommended, 2005	8,987,000
Comparison:	
Appropriation, 2004	+489,000
Budget estimate, 2005	0

The Committee recommends $8,987,000 for salaries and expenses, the same as the budget request and $489,000 above the 2004 enacted level.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

Appropriation enacted, 2004	$120,972,000
Budget estimate, 2005	139,400,000
Recommended, 2005	120,972,000
Comparison:	
Appropriation, 2004	0
Budget estimate, 2005	−18,428,000

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

(dollars on thousands)

	FY 2004 Enacted	FY 2005 Request	Recommended	Recommended versus Enacted	Recommended versus Request
National Endowment for the Humanities					
Grants and Administration					
Grants					
Federal/State partnership	31,436	31,829	31,829	+393	---
Preservation and access	18,672	18,905	18,905	+233	---
Public programs	12,952	13,114	13,114	+162	---
Research programs	12,902	13,063	13,063	+161	---
Education programs	12,468	12,624	12,624	+156	---
Program development	392	397	397	+5	---
We The People Initiative grants	9,876	33,000	9,876	---	-23,124
Subtotal, Grants	98,698	122,932	99,808	+1,110	-23,124
Administrative Areas					
Administration	20,688	22,946	22,569	+1,881	-377
We The People Initiative administration	---	---	---	---	---
Total, Grants and administration	119,386	145,878	122,377	+2,991	-23,501

The Committee recommends $120,972,000 for the National Endowment for the Arts, a reduction of $18,428,000 from the budget request and the same as the 2004 enacted level. Although the Committee sees some merit in the proposed new national initiative on American masterpieces, there are insufficient resources to expand arts grants.

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

NATIONAL ENDOWMENT FOR THE HUMANITIES

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

GRANTS AND ADMINISTRATION

Appropriation enacted, 2004	$119,386,000
Budget estimate, 2005	145,878,000
Recommended, 2005	122,377,000
Comparison:	
Appropriation, 2004	+2,991,000
Budget estimate, 2005	−23,501,000

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

(dollars on thousands)

	FY 2004 Enacted	FY 2005 Request	Recommended	Recommended versus Enacted	Recommended versus Request
Wildland Fire Management					
Preparedness	274,303	283,018	262,644	-11,659	-20,374
Fire suppression operations	192,903	221,523	221,523	+28,620	---
Borrowing repayment (emergency appropriations)	98,416	---	---	-98,416	---
Subtotal, Fire suppression operations	291,319	221,523	221,523	-69,796	---
Other operations					
Hazardous fuels reduction	183,896	209,282	209,282	+25,386	---
Burned area rehabilitation	24,198	24,276	24,276	+78	---
State and local fire assistance	9,877	5,000	5,000	-4,877	---
Fire facilities	---	---	12,374	+12,374	+12,374
Joint fire science	---	---	8,000	+8,000	+8,000
Subtotal, Other operations	217,971	238,558	258,932	+40,961	+20,374
Total, Wildland Fire Management	783,593	743,099	743,099	-40,494	---

The Committee recommends $122,377,000 for grants and administration, an increase of $2,991,000 above the 2004 level and $23,501,000 below the budget request. The Committee has not included the $23,124,000 increase requested for the "We the People" American history initiative begun with a $9,876,000 appropriation in fiscal year 2004. The Committee sees merit to this new initiative but has inadequate resources to expand it this year. The Committee recommendation includes other requested increases under this heading, which partially offset increases to fixed costs.

MATCHING GRANTS

Appropriation enacted, 2004	$15,924,000
Budget estimate, 2005	16,122,000
Recommended, 2005	16,122,000
Comparison:	
Appropriation, 2004	+198,000
Budget estimate, 2005	0

The Committee recommends $16,122,000 for matching grants as requested, an increase of $198,000 above the fiscal year 2004 level.

COMMISSION OF FINE ARTS

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

SALARIES AND EXPENSES

Appropriation enacted, 2004	$1,405,000
Budget estimate, 2005	1,793,000
Recommended, 2005	1,793,000
Comparison:	
Appropriation, 2004	+388,000
Budget estimate, 2005	0

The Committee recommends $1,793,000 for salaries and expenses of the Commission of Fine Arts, as requested, an increase of $388,000 over the enacted funding level and the same as the budget request.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

Appropriation enacted, 2004	$6,914,000
Budget estimate, 2005	5,000,000
Recommended, 2005	7,000,000
Comparison:	
Appropriation, 2004	+86,000
Budget estimate, 2005	+2,000,000

The National Capital Arts and Cultural Affairs program was established in Public Law 99–190 to support artistic and cultural programs in the Nation's Capital. The Committee recommends $7,000,000, an increase of $86,000 above the 2004 level and $2,000,000 above the budget request. The Committee rejects the

Administration's proposal to limit grants to $400,000 in a single year.

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, 2004	$3,951,000
Budget estimate, 2005	4,600,000
Recommended, 2005	4,600,000
Comparison:	
Appropriation, 2004	+649,000
Budget estimate, 2005	0

The Committee recommends $4,600,000 for salaries and expenses of the Advisory Council on Historic Preservation, as requested, an increase of $649,000 above the 2004 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, 2004	$7,635,000
Budget estimate, 2005	8,155,000
Recommended, 2005	7,999,000
Comparison:	
Appropriation, 2004	+364,000
Budget estimate, 2005	−156,000

The Committee recommends $7,999,000, for salaries and expenses of the National Capital Planning Commission, a decrease of $156,000 below the budget request and an increase of $364,000 above the enacted level. The Committee has included bill language allowing the use of up to one-quarter of one percent of funding for official representational activities to be used only when hosting international visitors associated with the international capitals working group.

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, 2004	$39,505,000
Budget estimate, 2005	41,433,000
Recommended, 2005	41,433,000
Comparison:	
Appropriation, 2004	+1,928,000
Budget estimate, 2005	0

The Committee recommends $41,433,000 for the Holocaust Memorial Museum, the same as the budget request and $1,928,000 above the enacted level.

PRESIDIO TRUST

PRESIDIO TRUST FUND

Appropriation enacted, 2004	$20,445,000
Budget estimate, 2005	20,000,000
Recommended, 2005	20,000,000
Comparison:	
Appropriation, 2004	−445,000
Budget estimate, 2005	0

The Committee recommends $20,000,000 for the Presidio Trust fund, the same as the budget request and $445,000 below the enacted level.

TITLE III—GENERAL PROVISIONS

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

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

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

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

Section 305 provides for restrictions on departmental assessments unless approved by the Committees on Appropriations.

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

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

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

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

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

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

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

Section 313 continues a provision prohibiting the use of funds to support government-wide administrative functions unless they are justified in the budget process and approved by the House and Senate Committees on Appropriations.

Section 314 permits the Secretaries of Agriculture and the Interior to limit competition for watershed restoration project contracts under the "Jobs in the Woods" program.

Section 315 continues a provision which permits the Forest Service to use the roads and trails fund for backlog maintenance and priority forest health treatments.

Section 316 continues a provision limiting the use of answering machines during core business hours except in case of emergency and requires an option of talking to a person. The American taxpayer deserves to receive personal attention from public servants.

Section 317 amends the Knutson-Vandenburg act to clarify that the Forest Service shall not return Knutson-Vandenburg funds designated as excess to the Treasury, as long as there may be a need to use such funds for wildfire suppression and if the amount designated as excess is less than the total amount of unreimbursed funds previously transferred from this account for wildfire suppression. Should the amount of excess funds exceed the unreimbursed amount, the excess portion may be transferred to the Treasury unless there is no anticipated need to use the funding for wildfire suppression. This section also updates the Act concerning the gender of the Secretary and clarifies that all KV funded project categories are of equal priority.

Section 318 continues a provision prohibiting the Forest Service from using projects under the recreation fee demonstration program to supplant existing concessions.

Section 319 continues a provision clarifying the Forest Service land management planning revision requirements.

Section 320 continues a provision limiting preleasing, leasing, and related activities within the boundaries of National monuments.

Section 321 extends the Forest Service Conveyances Pilot Program.

Section 322 makes permanent a provision providing authority for the staff of Congressionally established foundations to use GSA contract airfare rates and Federal government hotel accommodation rates when on official business.

Section 323 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 324 continues a provision authorizing a demonstration program for the Cheyenne River Sioux Tribe, which permits the Eagle Butte service unit to pay higher salaries and bonuses to attract health professionals, if they can do so at no additional cost. The tribe has reported that part-time contract employees currently are costing more than it would cost the tribe to hire full-time permanent employees under this demonstration program.

Section 325 continues a provision prohibiting the transfer of funds to other agencies other than provided in this Act.

Section 326 continues a legislative provision limiting funds for oil or gas leasing or permitting on the Finger Lakes National Forest, NY.

Section 327 continues a provision limiting the use of funds for the planning, design, or construction of improvements to Pennsylvania Avenue in front of the White House.

Section 328 continues a provision which authorizes 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 329 continues a provision which limits the use of funds for filing declarations of takings or condemnations. This provision does not apply to the Everglades National Park Protection and Environmental Act.

Section 330 restricts the Forest Service use of the Recreation Fee Demonstration program to certain developed sites.

Section 331 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. Language is also included concerning the Forest Service so the previous, faulty competitive sourcing studies are not repeated in the future.

Section 332 requires overhead charges, deductions, reserves or holdbacks to be presented in annual budget justifications, with changes presented to the Appropriations Committees for approval.

Section 333 prohibits the expenditure of funds on Safecom, Disaster Management, E-Training, and E-Rulemaking.

Section 334 authorizes the conveyance of land within the San Bernardino National Forest, CA.

Section 335 extends a previous provision for four more years which encourages cooperative hazardous fuels projects with the State of Colorado and the Forest Service, and extends this authority to the Bureau of Land Management.

TITLE IV—SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEARS 2004 AND 2005 FOR URGENT WILDLAND FIRE SUPPRESSION ACTIVITIES

Chapter I—Supplemental Wildland Fire Suppression Funding for Fiscal Year 2004

The Committee has included supplemental appropriations for the Department of the Interior and the Forest Service that provide an additional $500,000,000 in wildland fire suppression funds pursuant to Section 312 of the Concurrent Budget Resolution for fiscal year 2005. This includes $100,000,000 for the Department of the Interior and $400,000,000 for the Forest Service. The supplemental funding provided in this Title will become available if the wildland fire suppression program is funded at the 10-year average; there are insufficient funds in the suppression program for the current fiscal year; and the current fire season is of sufficient severity to require the funds.

Severe drought conditions in many regions of the country, the expansion of the wildland urban interface, and the condition of the nation's forests are likely to cause severe wildfire conditions in fiscal year 2004. This funding is intended to preclude borrowing additional amounts from ongoing agency programs. Past borrowing of funds from ongoing projects for wildland fire suppression caused project cancellations, strained relationships with partners, and disruptions in management.

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

WILDLAND FIRE MANAGEMENT

The Committee recommends an additional amount of $100,000,000 for "Wildland Fire Management", in fiscal year 2004, as needed, and as described above.

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

WILDLAND FIRE MANAGEMENT

The Committee recommends an additional amount of $400,000,000 for "Wildland Fire Management", in fiscal year 2004, as needed, and as described above.

Chapter II—Supplemental Wildland Fire Suppression Funding for Fiscal Year 2005

The Committee has included supplemental appropriations for the Department of the Interior and the Forest Service to provide an additional $500,000,000 in wildland fire suppression funds pursuant to Section 312 of the Concurrent Budget Resolution for fiscal year 2005. This includes $100,000,000 for the Department of the Interior and $400,000,000 for the Forest Service. Bill language is included that provides the additional funds only if funds provided in Titles I and II of this Act for wildland fire suppression are insufficient.

The Committee anticipates severe drought conditions in many regions of the country as well as increased expansions of the wildland urban interface and the deterioration of the nation's forests. These conditions are likely to cause severe wildfire conditions in fiscal year 2005. This funding, available only if needed, is intended to preclude borrowing additional amounts from ongoing agency programs. Past borrowing of funds from ongoing projects for wildland fire suppression caused project cancellations, strained relationships with partners, and disruptions in management.

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

WILDLAND FIRE MANAGEMENT

The Committee recommends an additional amount of $100,000,000 for "Wildland Fire Management", in fiscal year 2005, as needed, and as described above.

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

WILDLAND FIRE MANAGEMENT

The Committee recommends an additional amount of $400,000,000 for "Wildland Fire Management", in fiscal year 2005, as needed, and as described above.

RESCISSIONS

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

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

TRANSFERS OF FUNDS

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

APPROPRIATION TRANSFERS RECOMMENDED IN THE BILL

Account from which transfer is to be made	Amount	Account to which transfer is to be made	Amount
Department of the Interior, Departmental Management.	$13,500,000	Bureau of Land Management, Central Hazardous Materials Fund.	$13,500,000

CHANGES IN APPLICATION OF EXISTING LAW

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

The bill provides that certain appropriations items remain available until expended or extends the availability of funds beyond the fiscal year where programs or projects are continuing in nature under the provisions of authorizing legislation but for which that legislation does not specifically authorize such extended availability. This authority tends to result in savings by preventing the practice of committing funds at the end of the fiscal year.

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

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

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

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

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

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

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

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

Language is included under Bureau of Land Management, Service charges, deposits, and forfeitures, allowing the use of funds on any damaged public lands.

Language is included under Bureau of Land Management, Administrative provisions, permitting the payment of rewards for information on violations of law on Bureau lands; and providing for cost-sharing arrangements for printing services.

Language is included under United States Fish and Wildlife Service, Resource management, allowing for the maintenance of the herd of long-horned cattle on the Wichita Mountains Wildlife Refuge. Without this language, the long-horned cattle would have to be removed from the refuge. Language also is included providing for the Natural Communities Conservation Planning program and for a Youth Conservation Corps; limiting funding for certain Endangered Species Act listing programs; permitting payment for information or rewards in the law enforcement program; and earmarking funds for contaminant analysis.

Language is included under United States Fish and Wildlife Service, Land acquisition, prohibiting the use of project funds for overhead expenses.

Language is included under United States Fish and Wildlife Service, Landowner incentive program, providing matching grants to States and territories.

Language is included under United States Fish and Wildlife Service, Private Stewardship grants, providing for grants for private conservation efforts.

Language is included under United States Fish and Wildlife Service, State and tribal wildlife grants, specifying the distribution formula and planning and cost-sharing requirements, requiring that funds unobligated after two years be reapportioned, and limiting administrative costs.

Language is included under United States Fish and Wildlife Service, Administrative provisions, providing for repair of damage to public roads; providing options for the purchase of land not to exceed $1; providing for installation of certain recreation facilities; and permitting the maintenance and improvement of aquaria and other facilities, cost-shared arrangements for printing services, permitting the use of funds for employment related legal services, the acceptance of donated aircraft, and limiting the use of funds for establishing new refuges.

Language is included under National Park Service, Operation of the National park system, allowing road maintenance service to trucking permittees on a reimbursable basis. This provision has been included in annual appropriations Acts since 1954. Language also is included providing for a Youth Conservation Corps program, and permitting reimbursement to the Park Police for special events under limited circumstances.

Language is included under National Park Service, National recreation and preservation, prohibiting the use of cooperative agreements and any form of cash grant for the rivers, trail, and conservation assistance program, and providing funds for the city of Tacoma, WA.

Language is included under National Park Service, Historic preservation fund, providing grants for Save America's Treasures to be matched by non-Federal funds; individual projects are only eligible

for one grant and are subject to prior approval; and funds for Federal projects are available by transfer to individual agencies.

Language is included under National Park Service, construction, limiting funds for Park Service Partnership projects with certain exceptions, limiting donation or services associated with new facilities, limiting funds for certain facilities at the Washington Monument, providing funds for Modified Water Deliveries to Everglades National Park with certain restriction, and limiting funds for Dayton Aviation Heritage National Historical Park.

Language is included under National Park Service, Land and water conservation fund, rescinding $30,000,000 in contract authority.

Language is included under National Park Service, Land acquisition and State assistance, and limiting the use of funds to establish a contingency fund for State grants.

Language is included under National Park Service, Administrative provisions, limiting funds for grants and contracts that don't include the text of 18 U.S.C. 1913, preventing the implementation of an agreement for the redevelopment of the southern end of Ellis Island; allowing funds to be used to maintain certain parts of the District of Columbia near the White House; limiting the use of funds for the United Nation's Biodiversity Convention; permitting the use of funds for workplace safety needs; authorizing reimbursable agreements in advance of receipt of funds; allowing the Secretary of Interior to appeal value determinations; and allowing certain franchise fees to be available for expenditure without further appropriation to extinguish or reduce liability for certain possessory interests.

Language is included under U.S. Geological Survey, Surveys, investigations and research, providing for two-year availability of funds for biological research and for the operations of cooperative research units; prohibiting the conduct of new surveys on private property without permission; and requiring cost sharing for cooperative topographic mapping and water resource data collection activities.

Language is included under U.S. Geological Survey, Administrative provisions, permitting reimbursement of funds to the GSA for security services, permitting contracting for certain mapping and surveys; permitting construction of facilities; permitting acquisition of land for certain uses; allowing payment of expenses for the National Committee on Geology; permitting payments to interstate compact negotiators; permitting the use of certain contracts, grants, and cooperative agreements; and recognizing students and recent graduates as Federal employees for the purposes of travel and work injury compensation.

Language is included under Minerals Management Service, Royalty and offshore minerals management, permitting the use of excess receipts from Outer Continental Shelf leasing activities; providing for reasonable expenses related to volunteer beach and marine clean-up activities; providing for refunds for overpayments on Indian allottee leases; providing for collecting royalties and late payment interest on amounts received in settlements associated with Federal and Indian leases; permitting the use of revenues from a royalty-in-kind program; and providing that royalty-in-kind be equal to, or greater than, royalty-in-value.

Language is included under Office of Surface Mining Reclamation and Enforcement, Regulation and technology, permitting the use of moneys collected pursuant to assessment of civil penalties to reclaim lands affected by coal mining after August 3, 1977 and permitting payment to State and tribal personnel for travel and per diem expenses for training.

Language is included under Office of Surface Mining Reclamation and Enforcement, Abandoned mine reclamation fund, earmarking funds for acid mine drainage; limiting grants to minimum program States; allowing the use of debt recovery to pay for debt collection; providing certain grant flexibility to the State of Maryland; and allowing funds to be used for travel expenses while attending training.

Language is included under Bureau of Indian Affairs, Operation of Indian programs, limiting funds for contract support costs and for administrative cost grants for schools; permitting the use of tribal priority allocations for general assistance payments to individuals, for contract support costs, and for repair and replacement of schools; providing for an Indian self-determination fund; and allowing the transfer of certain forestry funds.

Language is included under Bureau of Indian Affairs, Construction, providing that six percent of Federal Highway Trust Fund contract authority may be used for management costs; providing Safety of Dams funds on a non-reimbursable basis; providing for the transfer of Navajo irrigation project funds to the Bureau of Reclamation; requiring the use of administrative and cost accounting principles for certain school construction projects and exempting such projects from certain requirements; requiring conformance with building codes and health and safety standards; specifying the procedure for dispute resolution; and providing funds for the Eastern Band of Cherokee education facility at the Ravensford tract.

Language is included under Bureau of Indian Affairs, Indian Land and Water Claims Settlements and Miscellaneous Payments to Indians, permiting funding for the Quinault Indian Nation boundary settlement.

Language is included under Bureau of Indian Affairs, Indian Guaranteed Loan Program account, limiting funds for loans under certain circumstances, and providing administrative expenses.

Language is included under Bureau of Indian Affairs, Administrative provisions, allowing contracting for the San Carlos Irrigation Project; limiting the use of funds for contracts, grants and cooperative agreements; allowing tribes to return appropriated funds for distribution to other tribes; prohibiting funding of Alaska schools; and limiting the number of schools and the expansion of grade levels in individual schools.

Language is included under Departmental Offices, Insular Affairs, Assistance to Territories, requiring audits of the financial transactions of the Territorial governments by the General Accounting Office; providing grant funding under certain terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands; allowing grants for the Pacific Basin Development Council; providing a grant to the Close-Up foundation; providing for capital infrastructure in various Territories; and allowing appropriations for disaster

assistance to be used as non-Federal matching funds for hazard mitigation grants.

Language is included under Departmental Offices, Departmental management, salaries and expenses, permitting payments to former Bureau of Mines workers; directing transfer of unobligated balances in the Central Hazardous Material Fund; limiting the establishment of additional reserves in the working capital fund.

Language is included under Departmental Offices, Payments in lieu of taxes, to exclude any payment that is less than $100.

Language is included under Departmental Offices, Office of special trustee for American Indians, limiting the amount of funding available for historical accounting, specifying that the statute of limitations shall not commence on any claim resulting from trust funds losses; exempting quarterly statements for accounts less than $1; requiring annual statements and records maintenance; limiting use of funds to correct administrative errors; and permitting the use of recoveries from erroneous payments.

Language is included under Departmental Offices, Indian land consolidation, permitting transfers of funds for administration.

Language is included under Departmental Offices, Administrative provisions, allowing the sale of existing aircraft with proceeds used to offset the purchase price of replacement aircraft; prohibiting the use of working capital or consolidated working funds to augment certain offices and allowing the acquisition of aircraft through various means; requiring description of working capital fund charges in annual budget justifications; and requiring reports on National Business Center activities.

Language is included under General Provisions, Department of the Interior, allowing transfer of funds in certain emergency situations and requiring replacement with a supplemental appropriation request and designating certain transferred funds as "emergency requirements" under the Balanced Budget and Emergency Deficit Control Act of 1985.

Language is included under General Provisions, Department of the Interior, permitting the Department to consolidate services and receive reimbursement for said services. Language also is included providing for uniform allowances.

Language is included under General Provisions, Department of the Interior, allowing obligations in connection with contracts issued for services or rentals for periods not in excess of 12 months beginning at any time during the fiscal year.

Language is included under General Provisions, Department of the Interior, restricting various oil and gas preleasing, leasing, exploration and drilling activities within the Outer Continental Shelf in the Georges Bank-North Atlantic planning area, Mid-Atlantic and South Atlantic planning area, Eastern Gulf of Mexico planning area, North Aleutian Basin planning area, Northern, Southern and Central California planning areas, and Washington/Oregon planning area.

Language is included under General Provisions, Department of the Interior, prohibiting fee exemptions for non-local traffic through National Parks, and limiting the investment of Federal funds by Indian tribes.

Language is included under General Provisions, Department of the Interior, permitting the transfer of funds between the Bureau

of Indian Affairs and the Office of Special Trustee for American Indians; providing for administrative law judges to handle Indian issues; permitting the redistribution of certain Indian funds with limitations; directing allocation of funds for Bureau of Indian Affairs funded post-secondary schools; limiting the use of the Huron Cemetery to religious and cultural activities; permitting the conveyance of the Twin Cities Research Center; authorizing a cooperative agreement with the Golden Gate National Parks Association; permitting the Bureau of Land Management to retain funds from the sale of seeds and seedlings; allowing the use of helicopters and motor vehicles on Sheldon and Hart National Wildlife refuge; authorizing funding transfers for Shenandoah Valley Battlefield NHD and Ice Age NST; and prohibiting the closure of the underground lunchroom at Carlsbad Caverns NP.

Language is included under General Provisions, Department of the Interior, prohibiting demolition of the bridge between New Jersey and Ellis Island; prohibiting posting of clothing optional signs at Canaveral NS; limiting compensation for the Special Master and Court Monitor for the Cobell v. Norton litigation; allowing payment of attorney fees for Federal employees related to the Cobell v. Norton litigation; requiring the Fish and Wildlife Service to mark hatchery salmon; and allowing for the transfer of certain Departmental Management funds to the U.S. Fish and Wildlife Service for Midway Island Refuge airport; addressing the use of certain Indian lands for gaming purposes; and preventing funds to study or reduce the water level at Lake Powell.

Language is included under General Provisions, Department of the Interior, limiting funds for the National Indian Gaming Commission; providing for expansion of a tribal school demonstration program.

Language is included under General Provisions, Department of the Interior, limiting the use of funds for certain special events on the National Mall.

Language is included under Forest Service, State and private forestry, deriving Forest Legacy funding from the Land and Water Conservation Fund; and requiring House and Senate Appropriations Committee notification before releasing forest legacy project funds.

Language is included under Forest Service, National forest system, allowing 50 percent of the fees collected under the Land and Water Conservation Fund Act to remain available until expended; requiring the fiscal year 2006 budget justification to display unobligated balances available at the start of fiscal year 2005; and permitting the transfer of funds to the Bureau of Land Management for wild horse and burro management and for cadastral surveys.

Language is included under Forest Service, Wildland fire management, allowing the use of funds to repay advances from other accounts; allowing reimbursement of States for certain emergency activities; requiring 50 percent of any unobligated balances remaining at the end of fiscal year 2004, excepting hazardous fuels funding, to be transferred to the Knutson-Vandenberg Fund as repayment for past advances; permitting the use of funds for the Joint Fire Science program; providing for grants and cooperative agreements with local communities; providing for use of funds on adjacent, non-Federal lands for hazard reduction; providing funding for

implementing the Community Forest Restoration Act; providing contract authority for fuel reduction projects; and providing for the transfer of funds between the Department of Interior and the Department of Agriculture.

Language is included under Forest Service, Capital improvement and maintenance, allowing funds to be used for road decommissioning and requiring that no road decommissioning be funded until notice and an opportunity for public comment has been provided.

Language is included under Forest Service, Range betterment fund, providing that six percent of the funds may be used for administrative expenses.

Language is included under Forest Service, Administrative provisions, providing that proceeds from the sale of aircraft may be used to purchase replacement aircraft; allowing funds for certain employment contracts; allowing funds to be used for purchase and alteration of building; allowing for acquisition of certain lands and interests; allowing expenses for certain volunteer activities; providing for the cost of uniforms; providing for debt collections on certain contracts; permitting the transfer of funds for emergency firefighting from other Forest Service accounts under certain circumstances; providing that the first transfer of funds for emergency firefighting shall include land acquisition and Forest Legacy funds; and allowing funds to be used through the Agency for International Development and the Foreign Agricultural Service for work in foreign countries and to support other forestry activities outside of the United States.

Language is included under Forest Service, Administrative provisions, prohibiting the transfer of funds under the Department of Agriculture transfer authority; canceling $40,000,000 in funding from the fiscal year 2002 farm bill; prohibiting the use of funds to implement the Forest Land Enhancement program; prohibiting reprogramming without approval; and limiting funds to be transferred to the USDA Working Capital Fund.

Language is included under Forest Service, Administrative provisions, providing for a Youth Conservation Corps program; providing for matching funds and administrative expenses for the National Forest Foundation and also matching funds for the National Fish and Wildlife Foundation; providing funds for sustainable rural development; providing payments to counties within the Columbia River Gorge National Scenic Area; permitting limited reimbursements to the Office of General Counsel in USDA; allowing the limited use of funds for law enforcement emergencies; allowing the transfer of funds to the Department of the Interior for endangered species consultation; and providing Federal employee status for certain individuals employed under the Older American Act of 1965.

Language is included under Department of Energy, Clean coal technology, deferring certain funding for one year; and providing funding and limitations for the FutureGen program.

Language is included under Department of Energy, Fossil energy research and development, permitting the use of funds from other program accounts for the National Energy Technology Laboratory; specifying certain conditions for the Clean Coal Power Initiative; and limiting the field testing of nuclear explosives for the recovery of oil and gas.

Language is included under Department of Energy, Naval petroleum and oil shale reserves, permitting the use of unobligated balances.

Language is included under the Department of Energy, Energy conservation, providing allocations of grants for weatherization and State energy conservation.

Language is included under Administrative provisions, Department of Energy, providing for vehicle and guard services and uniform allowances; providing for the transfer of funds to other agencies of the Government; limiting programs of price supports and loan guarantees to what is provided in appropriations Acts; providing for retention of revenues by the Secretary of Energy on certain projects; requiring certain contracts be submitted to Congress prior to implementation; prohibiting issuance of procurement documents without appropriations; and permitting the use of contributions and fees for cooperative projects.

Language is included under Indian Health Service, Indian health services, providing that certain contracts and grants may be performed in two fiscal years; exempting certain tribal funding from fiscal year constraints; limiting funds for catastrophic care, loan repayment and certain contracts; capping contract support cost spending; providing for use of collections under Title IV of the Indian Health Care Improvement Act; and permitting the use of Indian Health Care Improvement Fund monies for facilities improvement.

Language is included under Indian Health Service, Indian health facilities, providing that funds may be used to purchase land, modular buildings and trailers; providing for certain purchases and for a demolition fund; providing authority for contracts for small ambulatory facilities; and providing for land purchases for IHS facilities in California subject to advance approval.

Language is included under Indian Health Service, Administrative provisions, providing for payments for telephone service in private residences in the field, purchase of motor vehicles, aircraft and reprints; providing for purchase and erection of portable buildings; providing funds for uniforms; and allowing deobligation and reobligation of funds applied to self-governance funding agreements.

Language is included under Indian Health Service, Administrative provisions, providing that health care may be extended to non-Indians at Indian Health Service facilities and funds are not available for assessments by the Department of Health and Human Services; providing a limitation on personnel ceilings at certain IHS facilities; providing that reimbursements for IHS training provide total costs; allowing purchase of certain lands in Oklahoma.

Language is included under Indian Health Service, Administrative provisions, allowing payment of expenses for meeting attendance; specifying that certain funds shall not be subject to certain travel limitations; prohibiting the expenditure of funds to implement new eligibility regulations; providing that funds be apportioned only in the appropriation structure in this Act; and prohibiting changing the appropriations structure without approval of the Appropriations Committees.

Language is included under Office of Navajo and Hopi Indian Relocation, Salaries and expenses, defining eligible relocatees; prohibiting movement of any single Navajo or Navajo family unless a new

or replacement home is available; limiting relocatees to one new or replacement home; and establishing a priority for relocation of Navajos to those certified eligible who have selected and received homesites on the Navajo reservation or selected a replacement residence off the Navajo reservation.

Language is included under Smithsonian Institution, Salaries and expenses, providing that funds may be used to support American overseas research centers; allowing for advance payments to independent contractors performing research services or participating in official Smithsonian presentations; and permitting the use of certain funds for the Victor Building.

Language is included under Smithsonian Institution, facilities capital, permitting the Smithsonian Institution to select contractors for certain purposes on the basis of contractor qualifications as well as price.

Language is included under Smithsonian Institution, Administrative provisions, precluding any changes to the Smithsonian science program without prior approval of the Board of Regents; limiting the design or expansion of current space or facilities without prior approval of the Committee; limiting the use of funds for the Holt House; limiting reprogramming of funds; and prohibiting purchase of buildings without prior consultation.

Language is included under National Gallery of Art, Salaries and expenses, allowing payment in advance for membership in library, museum, and art associations or societies; providing uniform allowances and for restoration and repair of works of art by contract without advertising; and providing no-year availability of funds for special exhibitions.

Language is included under National Gallery of Art, repair, restoration and renovation of buildings, permitting the Gallery to perform work by contract or otherwise and to select contractors for certain purposes on the basis of contractor qualifications as well as price.

Language is included under National Endowment for the Humanities, Matching grants, allowing obligation of current and prior year funds of gifts, bequests, and devises of money for which equal amounts have not previously been appropriated.

Language is included under National Foundation on the Arts and the Humanities, Administrative provisions, limiting the use of funds for grants and contracts which do not include the text of 18 U.S.C. 1913; requiring certain language in contracts and grants permitting the use of non-appropriated funds for reception expenses; and allowing the chairperson of the NEA to approve small grants under limited circumstances.

Language is included under Commission of Fine Arts, Salaries and expenses, permitting the charging and use of fees for its publications.

Language is included under Advisory Council on Historic Preservation, Salaries and expenses, restricting hiring at Executive Level V or higher.

Language is included under National Capital Planning Commission, Salaries and expenses, allowing certain funds to be used for official representation expenses.

Language is included under Holocaust Memorial Council, providing no-year funding availability for repair and rehabilitation and museums exhibitions.

Language is included under Title III—General Provisions, providing for availability of information on consulting services contracts; prohibiting the use of funds to distribute literature either to promote or oppose legislative proposals on which Congressional action is incomplete; specifying that funds are for one year unless provided otherwise prohibiting the use of funds to provide personal cooks, chauffeurs or other personal servants to any office or employee; prohibiting assessments against programs funded in this bill; and prohibiting the sale of giant sequoia trees in a manner different from 2004.

Language is included under Title III—General Provisions, continuing a limitation on accepting and processing applications for patents and on the patenting of Federal lands; permitting processing of grandfathered applications; and permitting third-party contractors to process grandfathered applications.

Language is included under Title III—General Provisions, limiting the use of funds for contract support costs on Indian contracts.

Language is included under Title III—General Provisions, making reforms in the National Endowment for the Arts, including funding distribution reforms; permitting the National Endowments for the Arts and the Humanities to collect, invest and use private donations; limiting funds for completing or issuing the five-year program under the Forest and Rangeland Renewable Resources Planning Act; limiting the use of funds for any government-wide administrative functions; permiting limits on competition for certain Jobs-in-the-Woods activities; permitting the use of Forest Service road and trail funds for maintenance and forest health; limiting the use of telephone answering machines; clarifying use of the Knutson-Vandenburg reforestation fund.

Language is included under Title III—General Provisions, prohibiting the Forest Service from using projects under the recreation fee demonstration program to supplant existing concessions and permitting the use of Forest land management plans pending completion of required revisions.

Language is included under Title III—General Provisions, limiting leasing and preleasing activities within National Monuments; extending and expanding the pilot program allowing the Forest Service to dispose of certain excess structures and reinvest the proceeds for maintenance and rehabilitation; providing authority for the staff of Congressionally established foundations to use GSA contract airfare rates and Federal government hotel accommodation rates when on official business; providing the Secretary of the Interior and the Secretary of Agriculture the authority to enter into reciprocal agreements with foreign nations concerning the personal liability of firefighters; authorizing a demonstration program for the Cheyenne River Sioux Tribe, which permits the Eagle Butte service unit to pay higher salaries and bonuses to attract health professionals; prohibiting the transfer of funds to other agencies other than provided in this Act; and limiting the use of funds to prepare or issue a permit or lease for oil or gas drilling in the Finger Lakes National Forest, NY.

Language is included under Title III, General Provisions limiting funds on planning, design, and construction to Pennsylvania Avenue in front of the White House; providing contracting and grant authority for hazardous fuel projects in forest-dependent rural communities; providing certain limitation on funds for Federal land takings excluding Everglades National Park Protection and Expansion Act; amending the recreation fee program to restrict certain Forest Service uses.

Language is included under Title III, General Provisions limiting the use of funds for competitive sourcing studies; prohibiting use of funds for certain government-wide activities; requiring display of certain information for government-wide activities in budget justification; providing for a small land exchange on the San Bernardino National Forest, and extending a cooperative hazardous fuels provision for the State of Colorado, the Forest Service and the Bureau of Land Management.

APPROPRIATIONS NOT AUTHORIZED BY LAW

Pursuant to clause 3(f)(1) of rule XIII of the Rules of the House of Representatives, the following table lists the appropriations in the accompanying bill which are not authorized by law:

[Dollars in thousands]

	Last year of authorization	Authorization level	Appropriations in last year of authorization	Appropriations in this bill
National Endowment for the Arts	1993	''Such sums as may be necessary''	$174,460	$120,972
National Endowment for the Humanities.	1993	''Such sums as may be necessary''	177,413	138,499
Office of Navajo & Hopi Indian Relocation.	2000	$30,000	8,000	11,000
U.S. Fish & Wildlife Service				
Resources Management:				
Endangered Species Act Amendments of 1988.	1992	$41,500	35,721	138,590
Marine Mammal Protection Act Amendments of 1994.	1999	$10,296	2,008	3,291
Department of Energy				
Energy Information Administration 1992.	NA	76,300	82,111	85,000
Office of Fossil Energy:				
Coal	1997	''Such sums as may be necessary''	149,629	201,600
Enhanced Oil Recovery	1997	NA	45,937	34,700
Natural Gas	1997	NA	23,614	41,600
Fuel Cells	1997	NA	50,117	74,176
Energy Efficiency and Renewable Energy:				
Transportation R&D	1994	$160,000	176,000	238,356
Buildings, Industry, and other R&D.	1994	$275,000	255,700	372,167

The Committee notes that authorizing legislation for many of these programs is in various stages of the legislative process and these authorizations are expected to be enacted into law later this year.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the following is a statement of general perform-

ance goals and objectives for which this measure authorizes funding:

The Committee on Appropriations considers program performance, including a program's success in developing and attaining outcome-related goals and objectives, in developing funding recommendations.

FULL COMMITTEE VOTES

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

There were no roll call votes by the full Committee.

COMPLIANCE WITH RULE XIII, CL. 3(e) (RAMSEYER RULE)

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

SECTION 3 OF THE ACT OF JUNE 9, 1930 (COMMONLY KNOWN AS THE "KNUTSON-VANDENBERG ACT")

(16 U.S.C. 576b)

SEC. 3. [The Secretary of Agriculture may, when in his] *(a) The Secretary of Agriculture may, when in his or her* judgment such action will be in the public interest, require any purchaser of national-forest timber to make deposits of money, in addition to the payments for the timber, to cover the cost to the United States of (1) planting (including the production or purchase of young trees), (2) sowing with tree seeds (including the collection or purchase of such seeds), (3) cutting, destroying, or otherwise removing undesirable trees or other growth, on the national-forest land cut over by the purchaser, in order to improve the future stand of timber, or (4) protecting and improving the future productivity of the renewable resources of the forest land on such sale area, including sale area improvement operations maintenance and construction, reforestation and wildlife habitat management. [Such deposits] *Each of these 4 purposes shall be of equal priority*.

(b) Amounts deposited under subsection (a) shall be covered into the Treasury and shall constitute a special fund, which is hereby appropriated and made available until expended, to cover the cost to the United States of such tree planting, seed sowing, and forest improvement work, as the Secretary of Agriculture [may direct: *Provided,* That any portion of any deposit found to be in excess of the cost of doing said work shall, upon the determination that it is so in excess, be transferred to miscellaneous receipts forest reserve fund, as a national-forest receipt of the fiscal year in which such transfer is made: *Provided further,* That the Secretary of Agriculture] *may direct. The Secretary of Agriculture* is authorized, upon application of the Secretary of the Interior, to furnish seedlings and/or young trees for replanting of burned-over areas in any national park.

(c) Any portion of the balance at the end of a fiscal year in the special fund established pursuant to this section that the Secretary of Agriculture determines to be in excess of the cost of doing work described in subsection (a) (as well as any portion of the balance in the special fund that the Secretary determined, before October 1, 2004, to be excess of the cost of doing work described in subsection (a), but which has not been transferred by that date) shall be transferred to miscellaneous receipts, National Forest Fund, as a National Forest receipt, but only if the Secretary also determines that—

(1) the excess amounts will not be needed for emergency wildfire suppression during the fiscal year in which the transfer would be made; and

(2) the amount to be transferred to miscellaneous receipts, National Forest Fund, exceeds the outstanding balance of unreimbursed funds transferred from the special fund in prior fiscal years for wildfire suppression.

SECTION 315 OF THE DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 1996

(As contained in section 101(c) of Public Law 104–134)

SEC. 315. RECREATIONAL FEE DEMONSTRATION PROGRAM.—(a) The Secretary of the Interior (acting through the Bureau of Land Management, the National Park Service and the United States Fish and Wildlife Service) and the Secretary of Agriculture (acting through the Forest Service) shall each implement a fee program to demonstrate the feasibility of user–generated cost recovery for the operation and maintenance of recreation areas or sites and habitat enhancement projects on Federal lands.

(b) In carrying out the pilot program established pursuant to this action, the appropriate Secretary shall select from areas under the jurisdiction of each of the four agencies referred to in subsection (a) areas, sites or projects for fee demonstration. For each such demonstration, the Secretary, *subject to subsection (g) but* notwithstanding any other provision of law—

# # # # # # #

(g) The Secretary of Agriculture may not charge or collect fees under this section for the following:

(1) Admission to a unit of the National Forest System (as defined in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a)).

(2) The use, either singly or in any combination, of the following:

(A) Undesignated parking along roads.

(B) Overlook sites or scenic pullouts.

(C) Information offices and centers that only provide general area information and limited services or interpretive exhibits.

(D) Dispersed areas for which Federal expenditures in the form of facilities or services are limited.

SECTION 331 OF THE DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2001

(Public Law 106–291)

SEC. 331. FEDERAL AND STATE COOPERATIVE WATERSHED RESTORATION AND PROTECTION IN COLORADO.—(a) USE OF COLORADO STATE FOREST SERVICE.—[Until September 30, 2004, the] The Secretary of Agriculture, via cooperative agreement or contract (including sole source contract) as appropriate, may permit the Colorado State Forest Service to perform watershed restoration and protection services on National Forest System lands in the State of Colorado when similar and complementary watershed restoration and protection services are being performed by the State Forest Service on adjacent State or private lands. The types of services that may be extended to National Forest System lands include treatment of insect infected trees, reduction of hazardous fuels, and other activities to restore or improve watersheds or fish and wildlife habitat across ownership boundaries.

(b) STATE AS AGENCY.—Except as provided in subsection (c), a cooperative agreement or contract under subsection (a) may authorize the State Forester of Colorado to serve as the agent for the Forest Service in providing all services necessary to facilitate the performance of watershed restoration and protection services under subsection (a). The services to be performed by the Colorado State Forest Service may be conducted with subcontracts utilizing State contract procedures. Subsections (d) and (g) of section 14 of the National Forest Management Act of 1976 (16 U.S.C. 472a) shall not apply to services performed under a cooperative agreement or contract under subsection (a).

(c) RETENTION OF NEPA RESPONSIBILITIES.—With respect to any watershed restoration and protection services on National Forest System lands proposed for performance by the Colorado State Forest Service under subsection (a), any decision required to be made under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) may not be delegated to the State Forester of Colorado or any other officer or employee of the Colorado State Forest Service.

(d) INCLUSION OF COLORADO BLM LANDS.—The authority provided by this section shall also be available to the Secretary of the Interior with respect to public lands in the State of Colorado administered by the Secretary through the Bureau of Land Management.

(e) EXPIRATION OF AUTHORITY.—The authority of the Secretary of Agriculture and the Secretary of the Interior to enter into cooperative agreements and contracts under this section expires September 30, 2009, and the term of any cooperative agreement or contract entered into under this section shall not extend beyond that date.

FIVE-YEAR PROJECTION OF OUTLAYS

In compliance with section 308(a)(1)(B) of the Congressional Budget Act of 1974 (Public Law 93–344), as amended, the following table contains five-year projections associated with the budget authority provided in the accompanying bill:

[In millions]

Budget authority (discretionary)	19,999
Outlays:	
Fiscal year 2005	13,729
Fiscal year 2006	4,193
Fiscal year 2007	1,402
Fiscal year 2008	622
Fiscal year 2009 and future years	257

ASSISTANCE TO STATE AND LOCAL GOVERNMENTS

In accordance with section 308(a)(1)(C) of the Congressional Budget Act of 1974 (Public Law 93–344), as amended, the financial assistance to State and local governments is as follows:

[In millions]

New budget authority	2,355
Fiscal year 2005 outlays resulting therefrom	1,541

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2004
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2005
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF THE INTERIOR					
Bureau of Land Management					
Management of lands and resources	839,848	837,462	840,401	+553	+2,939
Wildland fire management:					
Preparedness	274,303	283,018	262,644	-11,659	-20,374
Fire suppression operations	192,903	221,523	221,523	+28,620	---
Borrowing repayment (emergency)	98,416	---	---	-98,416	---
Other operations	217,971	238,558	258,932	+40,961	+20,374
Subtotal	783,593	743,099	743,099	-40,494	---
Central hazardous materials fund	9,856	9,855	9,855	-1	---
Construction	13,804	6,476	15,000	+1,196	+8,524
Land acquisition	18,370	24,000	4,500	-13,870	-19,500
Oregon and California grant lands	105,357	116,058	111,557	+6,200	-4,501
Range improvements (indefinite)	10,000	10,000	10,000	---	---
Service charges, deposits, & forfeitures (indefinite)	19,490	24,490	24,490	+5,000	---
Offsetting fee collections	-19,490	-24,490	-24,490	-5,000	---
Miscellaneous trust funds (indefinite)	12,405	12,405	12,405	---	---
Total, Bureau of Land Management	1,793,233	1,759,355	1,746,817	-46,416	-12,538
United States Fish and Wildlife Service					
Resource management	956,483	950,987	970,494	+14,011	+19,507
Construction	59,808	22,111	48,400	-11,408	+26,289

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2004
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2005
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
Land acquisition	43,091	45,041	12,500	-30,591	-32,541
Landowner incentive program	29,630	50,000	15,000	-14,630	-35,000
Private stewardship grants	7,408	10,000	5,000	-2,408	-5,000
Cooperative endangered species conservation fund	81,596	90,000	81,596	---	-8,404
National wildlife refuge fund	14,237	14,414	14,414	+177	---
North American wetlands conservation fund	37,531	54,000	38,000	+469	-16,000
Neotropical migratory birds conservation fund	3,951	---	4,400	+449	+4,400
Multinational species conservation fund	5,532	9,500	5,900	+368	-3,600
State wildlife grants	69,138	80,000	67,500	-1,638	-12,500
Total, United States Fish and Wildlife Service	1,308,405	1,326,053	1,263,204	-45,201	-62,849
National Park Service					
Operation of the national park system	1,609,560	1,686,067	1,686,067	+76,507	---
United States Park Police	77,888	81,204	81,204	+3,316	---
National recreation and preservation	61,776	37,736	53,877	-7,899	+16,141
Urban park and recreation fund	301	---	---	-301	---
Historic preservation fund	73,583	77,533	71,533	-2,050	-6,000
Construction	329,879	329,880	297,628	-32,251	-32,252
Land and water conservation fund (rescission of contract authority)	-30,000	-30,000	-30,000	---	---
Land acquisition and state assistance	135,594	178,124	107,500	-28,094	-70,624
Total, National Park Service (net)	2,258,581	2,360,544	2,267,809	+9,228	-92,735
Appropriations	(2,288,581)	(2,390,544)	(2,297,809)	(+9,228)	(-92,735)
Rescission	(-30,000)	(-30,000)	(-30,000)	---	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2004
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2005
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
United States Geological Survey					
Surveys, investigations, and research	937,985	919,788	944,498	+6,513	+24,710
Minerals Management Service					
Royalty and offshore minerals management	263,510	275,305	275,305	+11,795	---
Use of receipts	-100,230	-103,730	-103,730	-3,500	---
Oil spill research	7,017	7,105	7,105	+88	---
Total, Minerals Management Service	170,297	178,680	178,680	+8,383	---
Office of Surface Mining Reclamation and Enforcement					
Regulation and technology	105,113	108,805	108,805	+3,692	---
Receipts from performance bond forfeitures (indefinite)	271	100	100	-171	---
Subtotal	105,384	108,905	108,905	+3,521	---
Abandoned mine reclamation fund (definite, trust fund)	190,591	190,863	194,106	+3,515	+3,243
Legislative proposal	---	53,000	---	---	-53,000
Subtotal	190,591	243,863	194,106	+3,515	-49,757
Total, Office of Surface Mining Reclamation and Enforcement	295,975	352,768	303,011	+7,036	-49,757

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2004
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2005
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
Bureau of Indian Affairs					
Operation of Indian programs	1,892,706	1,929,477	1,935,033	+42,327	+5,556
Construction	346,825	283,126	348,626	+1,801	+65,500
Indian land and water claim settlements and miscellaneous payments to Indians	54,866	34,771	44,771	-10,095	+10,000
Indian guaranteed loan program account	6,417	6,421	6,421	+4	---
Total, Bureau of Indian Affairs	2,300,814	2,253,795	2,334,851	+34,037	+81,056
Departmental Offices					
Insular Affairs:					
Assistance to Territories	48,024	45,215	47,215	-809	+2,000
Northern Marianas	27,720	27,720	27,720	---	---
Subtotal	75,744	72,935	74,935	-809	+2,000
Compact of Free Association	4,379	3,941	3,499	-880	-442
Mandatory payments	2,000	2,000	2,000	---	---
Subtotal	6,379	5,941	5,499	-880	-442
Total, Insular Affairs	82,123	78,876	80,434	-1,689	+1,558

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2004
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2005
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
Departmental management	81,599	99,103	93,051	+11,452	-6,052
By transfer from Central Hazardous Material Fund	---	---	-13,500	-13,500	-13,500
Subtotal, Departmental management	81,599	99,103	79,551	-2,048	-19,552
Working capital fund (cancellation)	-20,000	---	---	+20,000	---
Payments in lieu of taxes	224,696	226,000	226,000	+1,304	---
Financial management system migration project	11,555	---	---	-11,555	---
Office of the Solicitor	49,753	53,453	51,356	+1,603	-2,097
Office of Inspector General	38,271	39,400	37,655	-616	-1,745
Office of Special Trustee for American Indians					
Federal trust programs	187,305	247,666	196,267	+8,962	-51,399
Indian land consolidation	21,709	70,000	42,000	+20,291	-28,000
Total, Office of Special Trustee for American Indians	209,014	317,666	238,267	+29,253	-79,399
Natural resource damage assessment fund	5,564	5,818	5,818	+254	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2004
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2005
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
Miscellaneous appropriations (P.L. 108-199)	99	---	---	-99	---
Total, Departmental Offices	682,674	820,316	719,081	+36,407	-101,235
Total, title I, Department of the Interior:					
New budget (obligational) authority (net)	9,747,964	9,971,299	9,757,951	+9,987	-213,348
Appropriations	(9,679,548)	(10,001,299)	(9,787,951)	(+108,403)	(-213,348)
Emergency appropriations	(98,416)	---	---	(-98,416)	---
Rescissions	(-30,000)	(-30,000)	(-30,000)	---	---
TITLE II - RELATED AGENCIES					
DEPARTMENT OF AGRICULTURE					
Forest Service					
Forest and rangeland research	266,387	280,654	280,654	+14,267	---
State and private forestry	304,344	294,388	282,446	-21,898	-11,942
Emergency appropriations (P.L. 108-199)	24,853	---	---	-24,853	---
National forest system	1,365,877	1,655,837	1,399,599	+33,722	-256,238
Wildland fire management:					
Preparedness	671,621	666,227	693,627	+22,006	+27,400
Fire suppression operations	597,130	685,400	658,000	+60,870	-27,400
Borrowing repayment (emergency)	299,224	---	---	-299,224	---
Other operations	354,213	77,259	383,238	+29,025	+305,979
Emergency appropriations (P.L. 108-199)	24,853	---	---	-24,853	---
Subtotal	1,947,041	1,428,886	1,734,865	-212,176	+305,979

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2004
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2005
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
Capital improvement and maintenance	555,227	501,059	522,940	-32,287	+21,881
Land acquisition	66,363	66,885	15,500	-50,863	-51,385
Acquisition of lands for national forests, special acts	1,056	1,069	1,069	+13	---
Acquisition of lands to complete land exchanges (indefinite)	231	234	234	+3	---
Range betterment fund (indefinite)	2,963	3,064	3,064	+101	---
Gifts, donations and bequests for forest and rangeland research	90	65	65	-25	---
Management of national forest lands for subsistence uses	5,467	5,962	5,962	+495	---
Total, Forest Service	4,539,899	4,238,103	4,246,398	-293,501	+8,295
DEPARTMENT OF ENERGY					
Clean coal technology:					
Deferral	-97,000	---	-237,000	-140,000	-237,000
Rescission	-88,000	-237,000	---	+88,000	+237,000
Fossil energy research and development	672,770	635,799	601,875	-70,895	-33,924
Naval petroleum and oil shale reserves	17,995	18,000	18,000	+5	---
Elk Hills School lands fund	---	36,000	---	---	-36,000
Advance appropriations from previous years	36,000	36,000	36,000	---	---
Advance appropriations, FY 2005	36,000	---	---	-36,000	---
Advance appropriations, FY 2006	---	---	36,000	+36,000	+36,000
Energy conservation	877,985	584,733	656,071	-221,914	+71,338
Economic regulation	1,034	---	---	-1,034	---
Strategic petroleum reserve	170,949	172,100	172,100	+1,151	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2004
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2005
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
Northeast home heating oil reserve	4,939	5,000	5,000	+61	---
Energy Information Administration	81,100	85,000	85,000	+3,900	---
Total, Department of Energy:					
New budget (obligational) authority (net)	1,713,772	1,335,632	1,373,046	-340,726	+37,414
Appropriations	(1,826,772)	(1,536,632)	(1,538,046)	(-288,726)	(+1,414)
Advance appropriations	(72,000)	(36,000)	(72,000)	---	(+36,000)
Rescissions	(-88,000)	(-237,000)	---	(+88,000)	(+237,000)
Deferral	(-97,000)	---	(-237,000)	(-140,000)	(-237,000)
DEPARTMENT OF HEALTH AND HUMAN SERVICES					
Indian Health Service					
Indian health services:					
Non-contract services	2,051,294	2,115,739	2,131,237	+79,943	+15,498
Contract care	479,070	479,085	479,085	+15	---
Catastrophic health emergency fund	---	18,000	18,000	+18,000	---
Total, Indian health services	2,530,364	2,612,824	2,628,322	+97,958	+15,498
Indian health facilities	391,351	354,448	405,048	+13,697	+50,600
Total, Indian Health Service	2,921,715	2,967,272	3,033,370	+111,655	+66,098

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2004
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2005
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
OTHER RELATED AGENCIES					
Office of Navajo and Hopi Indian Relocation					
Salaries and expenses	13,366	11,000	11,000	-2,366	---
Institute of American Indian and Alaska Native Culture and Arts Development					
Payment to the Institute	6,173	6,000	6,000	-173	---
Smithsonian Institution					
Salaries and expenses	488,653	499,125	496,925	+8,272	-2,200
Facilities capital	107,626	128,900	122,900	+15,274	-6,000
Total, Smithsonian Institution	596,279	628,025	619,825	+23,546	-8,200
National Gallery of Art					
Salaries and expenses	86,768	93,000	93,000	+6,232	---
Repair, restoration and renovation of buildings	11,457	11,100	11,100	-357	---
Total, National Gallery of Art	98,225	104,100	104,100	+5,875	---
John F. Kennedy Center for the Performing Arts					
Operations and maintenance	16,356	17,152	17,152	+796	---

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	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
Construction	15,803	16,334	10,000	-5,803	-6,334
Total, John F. Kennedy Center for the Performing Arts	32,159	33,486	27,152	-5,007	-6,334
Woodrow Wilson International Center for Scholars					
Salaries and expenses	8,498	8,987	8,987	+489	---
National Foundation on the Arts and the Humanities					
National Endowment for the Arts					
Grants and administration 1/	120,972	139,400	120,972	---	-18,428
National Endowment for the Humanities					
Grants and administration	119,386	145,878	122,377	+2,991	-23,501
Matching grants	15,924	16,122	16,122	+198	---
Total, National Endowment for the Humanities	135,310	162,000	138,499	+3,189	-23,501
Total, National Foundation on the Arts and the Humanities	256,282	301,400	259,471	+3,189	-41,929
Commission of Fine Arts					
Salaries and expenses	1,405	1,793	1,793	+388	---

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	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
National Capital Arts and Cultural Affairs					
Grants	6,914	5,000	7,000	+86	+2,000
Advisory Council on Historic Preservation					
Salaries and expenses	3,951	4,600	4,600	+649	---
National Capital Planning Commission					
Salaries and expenses	7,635	8,155	7,999	+364	-156
United States Holocaust Memorial Museum					
Holocaust Memorial Museum	39,505	41,433	41,433	+1,928	---
Presidio Trust					
Presidio trust fund	20,445	20,000	20,000	-445	---
Total, title II, related agencies:					
New budget (obligational) authority (net)	10,266,223	9,714,986	9,772,174	-494,049	+57,188
Appropriations	(10,030,293)	(9,915,986)	(9,937,174)	(-93,119)	(+21,188)
Emergency appropriations	(348,930)	---	---	(-348,930)	---
Advance appropriations	(72,000)	(36,000)	(72,000)	---	(+36,000)
Rescissions	(-88,000)	(-237,000)	---	(+88,000)	(+237,000)
Deferral	(-97,000)	---	(-237,000)	(-140,000)	(-237,000)

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	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
Grand total:					
New budget (obligational) authority (net)...	20,014,187	19,686,285	19,530,125	-484,062	-156,160
Appropriations.....	(19,709,841)	(19,917,285)	(19,725,125)	(+15,284)	(-192,160)
Emergency appropriations.....	(447,346)	---	---	(-447,346)	---
Advance appropriations.....	(72,000)	(36,000)	(72,000)	---	(+36,000)
Rescissions.....	(-118,000)	(-267,000)	(-30,000)	(+88,000)	(+237,000)
Deferral.....	(-97,000)	---	(-237,000)	(-140,000)	(-237,000)

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	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF THE INTERIOR					
Bureau of Land Management	1,793,233	1,759,355	1,746,817	-46,416	-12,538
United States Fish and Wildlife Service	1,308,405	1,326,053	1,263,204	-45,201	-62,849
National Park Service	2,258,581	2,360,544	2,267,809	+9,228	-92,735
United States Geological Survey	937,985	919,788	944,498	+6,513	+24,710
Minerals Management Service	170,297	178,680	178,680	+8,383	---
Office of Surface Mining Reclamation and Enforcement	295,975	352,768	303,011	+7,036	-49,757
Bureau of Indian Affairs	2,300,814	2,253,795	2,334,851	+34,037	+81,056
Departmental Offices	682,674	820,316	719,081	+36,407	-101,235
Total, Title I - Department of the Interior	9,747,964	9,971,299	9,757,951	+9,987	-213,348
TITLE II - RELATED AGENCIES					
Forest Service	4,539,899	4,238,103	4,246,398	-293,501	+8,295
Department of Energy	1,713,772	1,335,632	1,373,046	-340,726	+37,414
Indian Health Service	2,921,715	2,967,272	3,033,370	+111,655	+66,098
Office of Navajo and Hopi Indian Relocation	13,366	11,000	11,000	-2,366	---
Institute of American Indian and Alaska Native Culture and Arts Development	6,173	6,000	6,000	-173	---
Smithsonian Institution	596,279	628,025	619,825	+23,546	-8,200
National Gallery of Art	98,225	104,100	104,100	+5,875	---
John F. Kennedy Center for the Performing Arts	32,159	33,486	27,152	-5,007	-6,334
Woodrow Wilson International Center for Scholars	8,498	8,987	8,987	+489	---
National Endowment for the Arts	120,972	139,400	120,972	---	-18,428
National Endowment for the Humanities	135,310	162,000	138,499	+3,189	-23,501
Commission of Fine Arts	1,405	1,793	1,793	+388	---
National Capital Arts and Cultural Affairs	6,914	5,000	7,000	+86	+2,000

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Advisory Council on Historic Preservation.....	3,951	4,600	4,600	+649	---
National Capital Planning Commission.....	7,635	8,155	7,999	+364	-156
United States Holocaust Memorial Museum.....	39,505	41,433	41,433	+1,928	---
Presidio Trust.....	20,445	20,000	20,000	-445	---
Total, Title II - Related Agencies.....	10,266,223	9,714,986	9,772,174	-494,049	+57,188
Grand total.....	20,014,187	19,686,285	19,530,125	-484,062	-156,160

MINORITY VIEWS OF DAVID OBEY AND NORMAN DICKS

This Interior appropriations bill demonstrates the fact that the Majority party Budget Resolution passed by the House is at war with the Administration's fiscal pretensions in a fundamental way. Notwithstanding the damage which is caused by this reality, the Minority appreciates the cooperative manner in which the fiscal year 2005 Interior Appropriations bill has been handled. We have been consulted throughout the process and many of our priorities are reflected in the bill. In particular, we are strongly supportive of the decision to include $500 million of emergency fire funding for both the 2004 and 2005 budget seasons. In addition, we appreciate the Chairman's assurance that additional funds will be sought to make sure our parks, refuges and forests are adequately staffed. We also appreciate that many of the irresponsible cuts proposed by the President in high-priority areas such as Indian schools and health facilities were rejected. This substantive approach to the Committee's work is laudable.

The Minority, however, remains concerned that the Interior bill is inadequate in a number of areas. This is largely because the allocation provided to the Subcommittee is simply insufficient to address the Subcommittee's many responsibilities. Quite simply:

- Bad Budget Resolutions result in bad 302(a) allocations of discretionary funding to the Committee;
- Bad 302(a) allocations lead to bad 302(b) allocations to the Subcommittees;
- Bad 302(b) allocations to the Subcommittees lead to disappointing bills.

The House Majority passed a Budget Resolution that gave priority to tax cuts for wealthy Americans over making critical investments that benefit American families. Now the Appropriations Committee is faced with the reality of providing the services that our citizens expect without adequate resources. The Interior bill is a poster child for this reality. The bill is $257 million below last year and $220 million below the President's request. This means inadequate services in our national parks, refuges and forests; inadequate funding to protect open spaces and wildlife for future generations; inadequate investments in energy research; and inadequate support for this country's arts and humanities.

Beyond the funding shortfalls, we do not agree with the Majority in several policy areas of the bill. In particular, we fundamentally disagree with the ideologically-driven opposition to land acquisition. This bill rejects every one of the 75 land acquisition projects requested by the President. Unfortunately, our amendment to restore land acquisition funding to the level requested by the Administration was rejected during Full Committee consideration of the bill. Nor do we agree with the low priority that the Majority places on conservation related grant programs at the Department of the

Interior. Supporting State and local efforts to preserve precious open spaces and wildlife are entirely appropriate and part of a healthy conservation partnership.

We are also disappointed that the House Majority has broken the bi-partisan promise on conservation. We are still adding up the damage, but it looks like funding for programs covered by the Conservation Trust Fund is $850 million below the $1.7 billion that was promised four years ago. That means:

- Less for preserving open spaces and critical historic lands from development,
- Less for support of wildlife programs,
- Less for preservation of wetlands,
- Less for historic preservation, and
- Less for assistance to state and local governments under the PILT program to replace lost revenue from lands already owned by the federal government.

The Republican Leadership of this Committee was forced to recognize that the President submitted a pretend budget that finances worthwhile increases with unrealistic cuts. A responsible Congress is not going to cut funding for Indian schools construction by $66 million. The House is not going to cut funding for Indian hospitals and clinics construction by $53 million, and we are not going to terminate $240 million of on-going energy research programs. The Committee did the right thing in restoring these irresponsible cuts. To live within the Republican Budget Resolution, almost $700 million of the Administration's "let's pretend" initiatives had to be cut, including:

- $50 million of increases championed by the First Lady for cultural programs at the National Endowments for the Arts and the Humanities and at the National Park Service.
- $170 million more for land acquisition at our parks, wildlife refuges and forests.
- The Interior Secretary's proposed increases for state wildlife grants and for other conservation grant programs.
- The Forest Service Chief's proposal to expand the Forest Legacy program.
- The Energy Secretary's FutureGen proposal for a state of the art clean and efficient coal-powered electricity plant has great potential and should be funded at levels adequate to fully develop this concept.

As the bill moves forward in the legislative process in the House and later in the Senate and the Conference Committee, we intend to support efforts to address many of the shortcomings in the bill. In particular, we intend to support efforts to more adequately fund the arts and the humanities, to provide additional resources for the operational costs of our parks and refuges, and to provide additional funds for conservation of open spaces and wildlife.

DAVID OBEY.
NORMAN D. DICKS.

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