

No. 12

July 10, 2001

H.R. 2217 – Department of the Interior and Related Agencies Appropriations Bill, FY 2002

Calendar No. 78

Reported on June 29, 2001 by the Committee on Appropriations by a vote of 26-0. S. Rept. 107-36.

NOTEWORTHY

- H.R. 2217 contains \$18.66 billion for Interior and Related Agencies, an amount which is \$114 million less than the 2001 appropriations (including emergencies) and \$591 million more than the Administration's request. [See chart of major items on p. 8 of this Notice.]
- Oil and gas leasing and other mineral leasing activities, the timber and range programs, and oil production from the naval petroleum reserves are estimated to generate income to the United States of \$10.21 billion in FY 2002, \$516 million less than in FY 2001.
- The Committee provides \$9.37 billion for Department of the Interior programs, \$206.1 million more than the President's request, and provides \$9.29 billion for Related Agencies, \$384.8 million more than the President's request.
- H.R. 2217 bans the use of funds to complete some forest management plans until the Department of Agriculture issues revised planning regulations.
- The Committee, as it has for the past three fiscal years, admonishes that none of the funds contained in the bill may be used to implement the unratified 1997 Kyoto Protocol.
- Both versions of the Interior Appropriations bills continue the automatic renewal of grazing permits and leases that expire or are transferred until the permit renewal process is completed.
- The House passed H.R. 2217 on June 21 by a vote of 376-32.

HIGHLIGHTS

H.R. 2217 provides funding for all of the agencies and bureaus of the Department of the Interior (except the Bureau of Reclamation), as well as for the following other agencies: Forest Service (an agency of the USDA); a number of programs under the Department of Energy, including the Strategic Petroleum Reserve account; Indian Health Service (under the Department of Health and Human Services); and a variety of cultural programs and agencies, including the Smithsonian Institution, National Gallery of Art, and the National Foundation on the Arts and Humanities.

Among the **substantial revisions to the Administration's request** are funds for the Bureau of Land Management (\$87.6 million more than requested); Fish and Wildlife Service (\$179.9 million more than requested); National Park Service (\$222.9 million less than requested); Bureau of Indian Affairs (\$26.8 million more than requested); Forest Service (\$83.4 million more than requested); U.S. Geological Survey (\$79.1 million more than requested); Indian Health Service (\$44.7 million more than requested); and the Department of Energy's programs provided for in this bill (\$236.4 million more than requested).

The Committee continues to admonish agencies funded by the Interior Appropriations bill not to ask for or use funds to implement the **Kyoto Protocol on Climate Change** and to fully justify any requests for additional funds for climate change activities.

Title VIII of the Interior and Related Agencies Appropriations Act of 2001 created a separate **conservation spending category** within the Budget Act. H.R. 2217 includes \$1.3 billion for programs that fall within that category, which is \$94.3 million above the President's request. An allocation of funds within this category can be found on pages 5-6 of the Senate Committee Report. The category includes funds for federal land acquisition, Stateside Grants, State and other conservation programs, and Urban and Historic Preservation Programs, among other programs.

The Committee fully funds the Administration's request for **wildland fire preparedness** and provides an additional \$658 million for wildland fire operations, including \$209 million for hazardous fuels reduction. The Committee expresses its belief that reduction of fuel loads on the National Forests and in areas adjacent to communities in the wildland-urban interface is critical for protecting the health of the nation's forests and protecting the health and safety of the public. The Committee also provides \$50.4 million for State fire assistance and \$8.3 million for volunteer fire assistance in addition to amounts within the State and Private Forestry account.

**BILL
PROVISIONS**

**Title I: Department of
the Interior**

The Committee provides \$9.37 billion for the Interior Department in FY 2002, \$206.1 million more than the Administration's request and \$58.6 million more than the amount appropriated for FY 2001.

Bureau of Land Management (BLM): The Committee recommends an appropriation of \$1.86 billion for BLM, an increase of \$87.6 million over the Administration's request, but \$285.1 million less than Congress appropriated for FY 2001. The Administration requested \$47.7 million for land acquisition, but the bill provides \$45.7 million, which is \$10.9 million below the FY 2001 amount. The Committee includes \$180.6 million for land resource management, \$37.8 million for wildlife and fisheries management, \$64.5 million for recreation management, and \$91.9 million for energy and minerals management. The Committee also provides \$659.4 million for Wildland Fire Management, and \$220 million for Payments in Lieu of Taxes.

Fish and Wildlife Service: The Committee provides \$1.27 billion for the Service, \$179.9 million more than the Administration's request and \$61.9 million more than the appropriation for FY 2001. The Committee provides \$845.7 million for resource management, which is \$39 million more than the Administration's request and \$38.9 million more than the amount appropriated for FY 2001. Included in this amount is \$399.7 million for Refuges and Wildlife and \$105.1 million for Fisheries, \$20.6 million more than the Administration's request. In addition, H.R. 2217 provides \$108.4 million for land acquisition, which is \$56 million less than the budget request.

National Park Service: The Committee provides \$2.29 billion for the National Park Service for FY 2002, \$222.95 million less than the Administration's request and \$161.2 million more than the appropriation for FY 2001. The Committee provides \$1.47 billion for operation of the National Park System, \$2.6 million more than the Administration's request and \$86.9 million more than the FY 2001 appropriation. This includes \$318 million for resource stewardship, \$298.3 million for visitor services, \$478.7 million for maintenance, and \$271.5 million for park support.

For Park Service Land Acquisition and State Assistance, the Committee provides \$287 million, which is \$71.9 million less than the FY 2001 appropriation and \$270 million less than the budget request.

U.S. Geological Survey: The Committee recommends an appropriation for surveys, investigations, and research of \$892.5 million, \$79.1 million more than the Administration's request but \$9.7 million more than FY 2001.

Minerals Management Service (MMS): The Committee recommends \$158.1 million for the MMS, \$2.6 million more than the Administration's request, and \$18.8 million above the amount enacted for FY 2001. It is estimated that the MMS will collect and distribute \$7.9 billion from over 80,000 Federal and Indian leases in FY 2002, or \$1.7 billion more than the estimate for FY 2001.

Office of Surface Mining: The Committee allows \$305.6 million, \$36.6 million more than the Administration's request and \$2.7 million more than the FY 2001 appropriation. This includes \$102.1 million for regulation and technology and \$203.2 million for the Abandoned Mine Reclamation Fund.

Native American Programs

Bureau of Indian Affairs: The Committee provides \$2.23 billion, which is \$26.8 million more than the Administration's request, and \$92.8 million more than the amount appropriated for FY 2001. The Committee recommends \$1.42 billion for the Tribal Budget System and \$389.1 million for Bureau of Indian Affairs operations.

Indian Health Service (in Title II): H.R. 2217 provides \$2.75 billion for the Indian Health Service, which is under the Department of Health and Human Services. The amount is \$44.7 million more than the budget request, and \$122.7 million more than the FY 2001 appropriation. The Committee's recommendation includes \$1.86 billion for clinical services (an amount which is the same as the request), and \$99.7 million for preventive health.

Other Native American Programs (Title II): The bill provides \$15.1 million for the Office of Navajo and Hopi Indian Relocation and \$4.5 million for payment to the Institute of American Indian and Alaska Native Culture and Arts Development.

Title II: Related Agencies

For Title II, Related Agencies, the Committee provides \$9.29 billion, \$115.2 million less than the FY 2001 appropriation and \$384.8 million more than the budget request.

U.S. Forest Service (Department of Agriculture): For the Forest Service, the Committee provides \$3.82 billion, \$577.9 million less than the FY 2001 appropriation, and \$83.5 million more than the budget request. For specific programs, the Committee recommendation includes:

- For the National Forest System, the Committee recommends \$1.32 billion, \$10.3 million more than the budget estimate and \$19.4 million more than the FY 2001 appropriation. Of that, the Committee recommends \$235.7 million for Recreation, Heritage, and Wilderness, \$5.9 million more than the FY 2001 appropriation and \$538,000 more than the budget request. For Forest Products, the Committee provides \$266.3 million, an increase of \$11 million from the FY 2001 appropriation, and the same as the budget request. The Committee provides \$131.9 million for

Wildlife, Fish, and Rare Plant Habitat, \$3.2 million more than the FY 2001 appropriation and \$200,000 more than the budget request.

- The Committee provides \$128.9 million for Land Acquisition, \$22 million less than the FY 2001 appropriation and \$2 million less than the budget estimate.
- For Capital Improvement and Maintenance (which includes facilities, roads, and trails), the Committee provides \$541.3 million, an increase of \$23.9 million from the FY 2001 appropriation, and \$17.6 million more than requested. For Road Maintenance and Capital Improvement, the Committee provides \$242.2 million, \$7.2 million more than the comparable FY 2001 amount, and \$4.3 million more than the Administration's request. The Committee provides \$178.6 million for facilities under this account, and \$59.5 million for trails.
- The bill provides \$242.8 million for Forest and Rangeland Research, \$13.7 million more than FY 2001 and \$7.8 million more than the budget request.
- The Committee provides \$287.3 million for State and Private Forestry, \$49.5 million more than the budget request and \$8.3 million less than the FY 2001 appropriation.
- The Committee provides \$1.28 billion for Wildland Fire Management, \$599.7 million less than the FY 2001 appropriation and \$245,000 more than the budget request.

Department of Energy

For the Department of Energy, the Committee provides \$1.74 billion, \$285.4 million more than FY 2001 and \$236.4 million more than the budget request.

Fossil Energy R&D: The Committee provides \$570.4 million for fossil energy research and development, which is \$121.4 million more than the budget request and \$137.9 million more than the FY 2001 appropriation. The Committee recommendation includes:

For Coal and Power Systems – \$244.3 million, \$84.5 million more than the budget request and \$77.8 million less than the FY 2001 appropriation.

For Natural Gas Technologies – \$43.1 million, \$22 million more than the budget request and \$2 million less than the FY 2001 appropriation.

For Petroleum– Oil Technology – \$50 million, \$14.5 million more than the budget request and \$9.9 million less than the FY 2001 appropriation.

Energy Conservation: H.R. 2217 provides \$870.8 million for energy conservation, an increase of \$57.4 million from the FY 2001 appropriation and \$115 million more than the budget request. [For a complete description of allocations for energy conservation, see pp. 124-125 of the S. Rept. 107-36.]

Strategic Petroleum Reserve: The Committee recommends \$169 million for operation of the Strategic Petroleum Reserve, the same as the budget request and \$8.4 million above the FY 2001 appropriation. The Committee does not recommend an appropriation for the acquisition of crude oil for the reserve.

Cultural Programs

National Endowment for the Arts: The Committee recommends an appropriation of \$98.2 million for grants and administration of the National Endowment for the Arts, \$449,000 above the FY 2001 appropriation, the same as the budget request.

National Endowment for the Humanities: The Committee recommends an appropriation of \$109.9 million, \$5.5 million above the FY 2001 appropriation and \$5 million more than the request.

Smithsonian Institution: The Committee recommends \$494.1 million for the Smithsonian, the same as the budget request, but \$40.2 million more than FY 2001.

Title III: General Provisions

The Committee has included 33 provisions that are described beginning on page 86 of the Committee Report and page 239 of the bill text. In addition to the usual provisions such as Buy American, the Mining Patent Moratorium, and the prohibition against posting “clothing optional” signs at Cape Canaveral National Seashore, the bill contains specific directions regarding management and spending.

ADMINISTRATION POSITION

No Administration position on the Senate version of H.R. 2217 had been published at press time, but one was anticipated. A Statement of Administration Policy (SAP) issued for the House version of H.R. 2217 objected to provisions related to pay raises, funding for Department of Energy Programs, and the use of firefighting funds, but it did not threaten a veto.

COST

The Committee, in consultation with the Congressional Budget Office, estimates the bill would result in outlays of \$11.53 billion in FY 2002, \$4.65 billion in FY 2003, \$1.52 billion in FY 2004, \$593 million in FY 2005, and \$233 million in FY 2006. The bill is within the Committee's allocation of \$17.151 billion for discretionary budget authority and \$16.63 billion allocation for outlays.

**POSSIBLE
AMENDMENTS**

An amendment may be offered to prohibit the use of federal funds to conduct OCS Lease Sale 181 in the Eastern Gulf of Mexico Lease Sale Planning Area this year. Similar language is contained in the House version.

Other amendments can be anticipated.

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Department of the Interior and Related Agencies Appropriations, FY 2002

(Dollars in thousands; selected items only)

Item	FY 2001 Level	Budget Estimate	House Allowance	Senate Committee
Title I, Department of the Interior				
Bureau of Land Management	\$2,144,182	\$1,771,538	\$1,872,422	\$1,859,084
U.S. Fish and Wildlife Service	\$1,209,310	\$1,091,265	\$1,335,516	\$1,271,165
National Park Service	\$2,133,519	\$2,517,691	\$2,284,685	\$2,294,741
United States Geological Survey	\$882,800	\$813,376	\$900,489	\$892,474
Minerals Management Service	\$139,221	\$155,473	\$155,972	\$158,051
Office of Surface Mining Reclamation and Enforcement	\$302,846	\$268,958	\$306,729	\$305,590
Bureau of Indian Affairs	\$2,137,613	\$2,203,553	\$2,213,848	\$2,230,389
Departmental Offices	\$352,519	\$345,270	\$341,902	\$361,688
Total, Title I, Department of the Interior	\$9,314,582	\$9,167,124	\$9,411,563	\$9,373,182
Title II, Related Agencies				
Forest Service (USDA)	\$4,393,491	\$3,732,125	\$3,914,063	\$3,815,574
Department of Energy	\$1,453,644	\$1,502,680	\$1,796,680	\$1,739,070
Indian Health Service	\$2,628,766	\$2,706,809	\$2,759,809	\$2,751,468
Smithsonian Institution	\$453,854	\$494,100	\$494,100	\$494,092
National Gallery of Art	\$75,485	\$80,449	\$83,187	\$83,187
National Foundation on the Arts and the Humanities	\$249,616	\$250,622	\$265,637	\$267,637

Grand Total, Fiscal Year 2002	\$18,778,020	\$18,072,635	\$18,863,855	\$18,663,534
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