

**House Report 108-195 - DEPARTMENT OF THE INTERIOR AND
RELATED AGENCIES APPROPRIATION BILL, 2004**

**ADDITIONAL VIEWS OF DAVID OBEY AND NORMAN
DICKS**

We appreciate that the FY 2004 Interior Appropriations bill reported by the Committee includes important increases in certain areas. The \$335 million increase over the FY 2003 base funding for the National Fire Plan is critically important. These funds will improve this nation's ability to both fight and prevent catastrophic forest fires. Likewise, the \$243 million increase for Indian health, education and trust reform efforts, while still less than is needed, is to be commended. Funding to address the most urgent needs within Indian Country represents a shared priority of all members of the Committee. Beyond these two specific areas, the bill also has made a commendable effort to provide funding to at least partially offset the uncontrollable costs, principally pay and rent, for the agencies under its jurisdiction.

Beyond funding, we also endorse a number of policy initiatives in this bill. The limitation in section 335 of the bill on the Administration's poorly designed competitive sourcing programs, in particular those at the National Park Service and the U.S. Forest Service, will stop an irrational and costly process until it can be redesigned and further justified to the Congress. Section 137 attempts to address the longstanding problems created by the Cobell v. Norton individual Indian trust accounts court case by encouraging a settlement process which we hope will direct scarce resources away from lawyers and accountants to the benefit of Native American peoples through a responsible and responsive system of Indian trust management. While this language is controversial and may require further amendment after consultation with the authorizing Committees of both the House and the Senate, the effort to move the process towards settlement and away from an enormously costly and unproductive litigation process is clearly the right policy and should be encouraged.

Unfortunately, despite the positive aspects of this Interior bill, it is our view that the FY 2004 appropriations bill reported by the Committee remains critically flawed in many areas. These failings, which are discussed in more detail later in these remarks, include, principally:

A wholesale retreat from the Committee's previous commitment to adequately fund conservation programs to protect public lands and cultural artifacts, to preserve endangered and threatened species, and to assist States in their own conservation and recreation programs. These conservation

programs are funded at a level \$208 million below the current year and \$569 million below the level authorized in the conservation trust agreement less than three years ago; Failure to provide adequate funds to address funding shortfalls for the FY 2002 and FY 2003 firefighting seasons. The bill fails, for instance, to repay any of the \$373 million borrowed from other Forest Service and Interior Department programs during the fiscal year 2002 fire seasons; A continuing policy of freezing funding for the National Endowment for the Arts at levels 30 percent less than provided a decade ago, despite repeated votes on the floor of the House in support of increased funding; and Rejection of the president's request to increase funding for the Department of Energy's weatherization program, which is critical in helping poor families reduce their energy costs. This program is funded at a level \$63 million below the president's request of \$288 million.

CONSERVATION FUNDING SHORTFALL

Our greatest concern with the bill as reported is that it completely abandons the conservation trust agreement which the leadership of the House and Senate and the leadership of this Committee voted for 3 years ago as a part of the FY 2001 Interior Appropriations Act. That agreement was reached and enacted into law in response to the 315 Members of the House who voted for the CARA legislation (H.R. 701) during the 106th Congress as a statement of commitment to preserving the great lands and places of America, to saving endangered and threatened species, and to helping States and local communities with their conservation and recreation programs through creative partnerships. While it is true that no Congress may bind a future Congress, we believe the conservation trust agreements which was included in the 2001 bill represented a promise by the Congress and this Committee that conservation programs would be given their highest priority. Unfortunately, the FY 2004 Interior bill reported by the Committee instead

gives conservation spending its lowest priority. If anyone doubts this evaluation of the Committee bill, the numbers speak for themselves:

Conservation spending- The Committee bill funds conservation related programs in FY 2004 at a level of \$991 million--\$569 million below the \$1,560 million authorized for FY 2004, \$208 million below 2003 and approximately \$200 million below the president's 2004 request. (See conservation spending table below.)

Federal land acquisition- Federal land acquisition programs, a critical part of our conservation commitment, are funded at only \$100 million, the lowest level in two decades. This is \$213 million below the 2003 level and \$87 million below the president's request. Members may be tempted to think of

this as an abstract argument about vast lands in the undeveloped West or about places which only a few people care about. But it is very real. It is the nine acre tract in the middle of Valley Forge, which will be developed next year if we don't buy it; it is Yellowstone and Grant Teton; it is the Great Smoky Mountains and the Blue Ridge Parkway. It is the national park, wildlife refuge or forest in each Member's Congressional District.

In honesty this cut is no surprise. The Chairman of the Interior Subcommittee has clearly stated his opposition to Federal ownership of land. But we do not believe that most Members of the House agree with that policy. We urge Members during the amendment process on the floor to reject the implicit policy of the bill as currently drafted that the Federal government largely abandon its efforts to preserve the great spaces of America for our children and our grandchildren.

Forestry Legacy- The retreat from preserving public land does not stop with our national parks and refuges. 93 Members of the House wrote the Committee in support of the Forest Legacy program which helps States preserve forest lands threatened by development. These 93 Members asked for an increase from \$68 million to \$150 million. This bill instead funds Forest Legacy grants to States at \$45 million, a level almost 30 percent lower than last year and \$41 million below the president's budget.

North American Wetlands Conservation Fund- 225 Members of the House wrote this Committee and encouraged us to increase funding for the North American Wetlands Conservation program. In response the bill funds this small but important program at a level of \$25 million, 35 percent below the current year and less than half of the president's request. Instead of increasing this program modestly as requested by 225 Members of both parties, the Committee bill cuts it by a third. This doesn't make any sense.

Statewide assistance- The National Park Service's Stateside assistance grants which support state recreation and conservation programs are funded at a level of \$98 million, \$63 million below the president's request.

Urban parks- The urban parks program receives no funding despite requests by 104 Members that it be restored.

The shortfalls in funding for conservation are displayed in more detail on the following table. This table shows all conservation funding in the bill based on the definitions established by the Committee in the FY 2001 Interior Appropriations Act. The first section of the table displays the subset of these programs which are financed from the Land and Water Conservation Fund (LWCF). This fund was created in 1964 to channel receipts from the then newly authorized oil and gas leases on the Outer Continental Shelf into conservation programs with a guarantee that at least \$900 million be spent each year on Federal land acquisition and state recreation and conservation assistance programs as defined in the 1964 Act. Because the LWCF programs

have never been fully funded, the Land and Water Conservation Fund has accumulated an unexpended balance of \$13.2 billion:

CONSERVATION SPENDING--FY 2004 COMMITTEE BILL

[In thousands of dollars]

Subcategory/appropriation account				FY 2000	FY 2001
FY 2002	FY 2003	FY 2004	Committee	Committee	03
Lands and Water Conservation Fund					
Federal Land Acquisition:					
BLM Federal Land Acquisition					
49,920	33,233	14,000	-19,233	15,500	47,265
FWS Federal Land Acquisition					
99,135	72,893	23,058	-49,835	50,513	121,188
NPS Federal Land Acquisition					
130,117	73,984	33,654	-40,330	78,700	124,840
FS Federal land Acquisition					
149,742	132,945	29,288	-103,657	79,835	150,872
Subtotal, Federal Land Acquisition					
428,914	313,055	100,000	-213,055	224,548	444,165
NPS Stateside LWCF Grants					
144,000	97,364	97,500	136	21,000	90,301
Subtotal, Federal and State LWCF					
572,914	410,419	197,500	-212,919	245,548	534,466
State and Other Conservation Programs					
State Wildlife Grants					
85,000	64,577	75,000	10,423	0	49,890
FWS Incentive Grant Programs					
0	39,740	40,000	260	0	0
FWS Stewardship Grants Program					
0	9,935	10,000	65	0	0
FWS Coop. Endangered Species Conserv. Fund					
96,235	80,473	86,614	6,141	23,000	104,694
FWS North American Wetlands Conserv. Fund					
43,500	38,309	24,560	-13,749	14,957	39,912
FWS Neotropical Migratory bird fund					
3,000	2,981	5,000	2,019	0	0
FWS Multinational species fund					
4,000	4,768	5,000	232	2,391	3,243
USGS State Planning Partnerships					
25,000	19,976	19,976	0	24,945	24,945
Cooperatrive Conservation Init., BLM, FWS, NPS:					
BLM Challenge Cost Share					
4,968	13,882	16,882	3,000	0	0
FWS Challenge Cost Share					
4,968	6,831	9,831	3,000	0	0
NPS Challenge Cost Share					
6,980	11,902	14,902	3,000	0	0
FS, Forest Legacy					
65,000	68,380	45,575	-22,805	30,896	59,868
FS, inventory and monitoring NFS					
					19,956
Subtotal, State and Other Conserv.					
338,651	361,754	353,340	-8,414	96,189	302,508

Urban and Historic Preservation Programs					
NPS Historic Preservation Fund				74,793	94,239
75,500	68,552	71,000	2,448		
NPS Urban Parks & Recreation Recovery Grants				2,000	29,934
30,000	298	305	7		
FS Urban and Community Forestry				30,896	35,642
36,000	35,999	36,000	1		
BLM Youth Conservation Corps				1,000	1,000
1,000	1,000	1,000	0		
FWS Youth Conservation Corps				1,000	1,000
2,000	2,000	2,000	0		
NPS Youth Conservation Corps				2,000	2,000
2,000	2,000	2,000	0		
FS Youth Conservation Corps				2,000	2,000
2,000	2,000	2,000	0		
Subtotal, Urban & Historic				113,689	165,815
147,500	111,849	114,305	2,456		
Payments in Lieu of Taxes--BLM Increase					64,980
65,000	74,610	90,000	15,390		
Federal Infrastructure Improvement Programs					
BLM--Mgmt. of Lands & Resources increase				0	24,945
28,000	31,422	29,913	-1,509		
FWS--Resource Management increase				0	24,945
29,000	45,542	52,664	7,122		
NPS--Construction increase				0	49,890
66,851	85,538	61,025	-22,513		
FS--Capital Improvement and Maint. increase				0	49,890
61,000	79,882	91,905	12,023		
Subtotal, Fed. Infrastructure Improvement				0	149,670
184,851	240,384	235,507	-4,877		
Total, Conservation Spending Category, comm.				455,426	1,217,439
1,308,916	1,199,016	990,652	-208,364		
Total, Conservation Spending Category authorization					1,200,000
1,320,000	1,440,000	1,560,000			
Committee vs. authorization					17,439
-11,084	-240,984	569,348			

FISCAL YEAR 2002 AND 2003 FIREFIGHTING FUNDING SHORTFALLS

During Committee consideration of the bill, an amendment was offered by Mr. Dicks to add \$550 million for the additional cost of fighting forest fires during the FY 2003 fire season. The Committee was informed by the U.S. Forest Service in early June that these costs would likely exceed currently available appropriations for firefighting by this amount, thus triggering another round of disruptive borrowing of funds from other Department of Interior and Forest Service programs. During the debate on the amendment, the Chairman of the Committee expressed support for the additional amounts in 2003 but asked that consideration be postponed until it could be considered in the context of a FY 2003 Supplemental. Given these assurances, the amendment was withdrawn but we wish to make clear that we consider enactment of this supplemental to be the highest priority in

order to avoid another disastrous round of borrowing to pay emergency firefighting costs.

SUPPORT OF THE NATIONAL ENDOWMENTS FOR THE ARTS AND THE HUMANITIES

We are pleased that the Committee bill includes a \$10 million increase for the president's 'We the People' initiative at the National Endowment for the Humanities to improve knowledge of U.S. history and civics. While not the full \$25 million requested by the president, we appreciate that the Committee has chosen to begin this important educational effort and to provide the NEH with its largest increase in its history. At the same time, however, we were dismayed that the Committee failed to provide even a modest programmatic increase for the National Endowment for the Arts, despite roll call votes in the House on June 15, 2000, June 21, 2001, and July 17, 2002 in favor of such increases. We believe that the NEA has implemented all of the reforms requested by the Congress, that its leadership is strong and responsible, and that the programs of the NEA are widely valued by the people of this country. There is no longer any excuse for keeping funding at the NEA at a level 30 percent below the FY 1994 level. We encourage Members to support efforts on the floor to provide a modest real increase for the NEA and to more adequately fund NEH's new 'We the People' program.

WEATHERIZATION

We have been pleased to see the president's leadership in making the Department of Energy's weatherization program a priority and for his commitment to increasing the program in each of the three budgets which he has presented to the Congress. His request to increase funding for weatherization in FY 2004 to \$288 million from its current funding level of \$223 million would have permitted an additional 25,000 poor and elderly families to be served. It is estimated that each home weatherized will generate \$275 in annual saving and \$4,650 of life-cycle savings per household. These savings are critical for families living near or below the federal poverty level. Given these savings and given the strong support from the president, we do not understand why the Committee has chosen to fund this program at a level \$63 million below the president's FY 2004 budget request.

CONCLUSION

We believe that the shortfalls in funding which we have enumerated represented a serious retreat from the priorities which Congress has supported in the past and which in many cases the president has supported in his FY 2004 budget request. We do not have an easy answer for how to fix these problems, but we do not believe the bill as reported by the

Appropriations Committee represents the true will of the House. During floor consideration of the Interior bill, we, as well as other Members of the House, expect to offer amendments to more adequately fund conservation programs, to increase support for the arts and the humanities and to assist more poor and elderly families with the weatherization program. The cost will be offset by an amendment offered unsuccessfully in Committee that would scale back the tax cut going to high-income individuals, those with adjusted gross income above \$1 million, by \$3,000 per year. This means that the tax cut enacted earlier this year would be reduced from \$88,000 to \$85,000 for these very high-income families. Surely this represents a reasonable realignment of priorities. We urge Members of both parties to think of your own values and those of your constituents when you consider these amendments. The House of Representatives is not a parliamentary system where Members are required to vote the party line. Each of us has our own election certificate and a duty to our own constituents which comes above party loyalty. We urge all Members to cast their votes based on what they truly see as the best interest of their constituents.

Dave Obey.

Norm Dicks.

