Legislative Bulletin......July 28, 2011

# H.R. 2584 — FY 2012 Interior, Environment, and Related Appropriations Act

#### **BY THE NUMBERS:**

In Millions of Dollars

	FY11	FY12 Request	FY12 Committee	Cmte v. Request	Cmte v. FY11
Appropriations	29,559	31,291	27,465	-3,818	-2,086
Emergency Approps	0	0	0	0	0
Total	29,559	31,291	27,465	-3,818	-2,086

#### **Excluding Emergency Appropriations, the Committee Bill is:**

- > \$3.8 billion or 12.2% less than the request
- > \$2.1 billion or 7.1% less than last year

<u>Spending Discussion</u>: The bill provides a spending level of \$29.6 billion, \$2.1 billion (7.1%) *less* than last year. The House Appropriations Committee approved 302(b) allocations for the twelve spending bills that total \$1.019 trillion—a reduction of \$30.4 billion or 2.9% compared to last year. The RSC budget resolution (see <a href="here">here</a> for more information), would lead to a discretionary spending total of \$978 billion.

<u>Order of Business</u>: H.R. 2584 is being considered under an open rule. The bill is being considered for amendment under the five-minute rule.

### **Funding Summaries:**

#### In Thousands

	FY 2011	FY 2012	FY 2012	Cmte Vs.	Cmte Vs.	Cmte Vs.	Cmte Vs.
	Enacted	Request	Cmte	FY 2011	Request	FY 2011	Request
I. Department of Interior							
Bureau of Land Management	1,088,686	1,085,094	1,024,422	-64,264	-60,672	-5.9%	-5.5%
Management of Lands & Resources	265,223	251,310	246,615	-18,608	-4,695	-7.0%	-1.9%
Wildlife and Fisheries.	51,029	50,327	50,784	-245	457	-0.5%	0.9%
Energy and Minerals	90,451	74,836	111,786	21,335	36,950	23.6%	49.4%
Oregon & California Grant Lands	111,334	112,043	112,043		709		0.6%
Realty and Ownership Management	97,900	61,294	61,294	-36,606		-37.4%	
Recreation Management	68,817	76,757	67,574	-1,243	-9,183	-1.8%	-12.0%
Resource Protection and Maintenance.	87,139	104,207	99,207	12,068	5,000	13.8%	4.8%
Transportation and Facilities Maintenance	72,355	71,234	68,234	-4,121	-3,000	-5.7%	-4.2%
Land and Resources Information Systems	16,697	15,852	15,852	-845		-5.1%	
Workforce and Organizational Support	156,937	157,482	155,213	-1,724	-2,269	-1.1%	-1.4%
Mining Law Administration	950,779	919,475	903,923	-46,856	-15,552	-4.9%	-1.7%
Construction	4,617	3,576	3,576	-1,041		-22.5%	
Range Improvements	10,000	10,000	10,000				
Threatened and Endangered Species	22,159	21,668	21,668	-491		-2.2%	
U.S. Fish & Wildlife Service	1,503,238	1,694,705	1,192,615	-310,623	-502,090	-20.7%	-29.6%
Resource Management	1,244,861	1,271,867	1,099,055	-145,806	-172,812	-11.7%	-13.6%
Construction	20,804	23,088	11,804	-9,000	-11,284	-43.3%	-48.9%
Land Acquisition	54,890	140,000	15,047	-39,843	-124,953	-72.6%	-89.3%
Cooperative Endangered Species Fund	59,880	100,000	2,854	-57,026	-97,146	-95.2%	-97.1%
North American Wetlands Conservation Fund	37,425	50,000	20,000	-17,425	-30,000	-46.6%	-60.0%
Multinational Species Conservation Fund	9,980	9,750	7,875	-2,105	-1,875	-21.1%	-19.2%
State and Tribal Wildlife Grants	61,876	95,000	22,000	-39,876	-73,000	-64.4%	-76.8%
National Park Service	2,611,142	2,891,585	2,479,430	-131,712	-412,135	-5.0%	-14.3%
Operations	2,250,050	2,296,877	2,240,152	-9,898	-56,725	-0.4%	-2.5%
National Recreation & Preservation	57,870	51,567	49,363	-8,507	-2,204	-14.7%	-4.3%
Historic Preservation Fund	54,391	61,000	49,500	-4,891	-11,500	-9.0%	-18.9%
Construction	184,646	152,121	152,121	-32,525		-17.6%	
Land Acquisition and State Assistance	94,810	360,000	18,294	-76,516	-341,706	-80.7%	-94.9%
U.S. Geological Survey	1,083,672	1,117,854	1,053,552	-30,120	-64,302	-2.8%	-5.8%
Minerals Management Service	225,743	136,188	153,528	-72,215	17,340	-32.0%	12.7%
Office of Surface Mining Reclamation	162,543	145,912	150,493	-12,000	4,851	-7.4%	3.3%
Bureau of Indian Affairs	2,594,012	2,500,653	2,529,651	-64,361	28,998	-2.5%	1.2%
Insular Affairs	101,489	87,171	85,865	-15,624	-1,306	-15.4%	-1.5%
Wildland Fire Management	778,935	821,521	666,072	-112,863	-155,449	-14.5%	-18.9%
II. EPA							
Science and Technology	813,480	825,596	754,611	-58,869	-70,985	-7.2%	-8.6%
Environmental Programs and Management	2,756,470	2,876,634	2,498,433	-258,037	-378,201	-9.4%	-13.1%
Office of Inspector General	44,701	45,997	41,099	-3,602	-4,898	-8.1%	-10.6%
Buildings and Facilities	36,428	41,969	36,428		-5,541		-13.2%
Hazardous Substance Superfund	1,280,908	1,236,231	1,224,296	-56,613	-11,936	-4.4%	-1.0%
Leaking Underground Storage Tank Program	112,875	112,481	105,669	-7,206	-6,812	-6.4%	-6.1%
Oil Spill Response.	18,342	23,662	18,274	-68	-5,388	-0.4%	-22.7%
State and Tribal Assistance Grants	2,654,680	2,659,041	1,608,000	-1,046,680	-1,051,041	-39.4%	-39.5%
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III. Related Agencies							
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Forest Service (USDA)	4,685,044	4,933,245	4,512,947	-172,097	-420,298	-3.7%	-8.5%
National Forest System	1,542,248	1,704,526	1,546,463	4,215	-158,063	0.2%	-9.3%
Capital Improvement and Maintenance	459,644	337,927	366,088	-93,556	28,161	-20.4%	8.3%
Land Acquisition	32,934	90,000	12,500	-20,434	-77,500	-62.0%	-86.1%
Wildland Fire Management.	2,168,042	1,707,062	2,005,099	-162,943	298,037	-7.5%	17.5%
Wildland Fire Suppression Contingency Reserve Fund	290,418	315,886	290,418		-25,468		-8.1%
Indian Health Services	4,069,220	4,623,808	4,461,581	392,361	-162,227	9.6%	-3.5%
Council on Environmental Quality	3,153	3,444	2,661	-492	-783	-15.6%	-22.7%
Chemical Safety and Hazard Investigation Board	10,777	11,147	10,000	-777	-1,147	-7.2%	-10.3%
Navajo & Hopi Relocation	7,984	9,570	7,530	-454	-2,040	-5.7%	-21.3%
Inst of Amer Ind & Alas Nat Culture & Arts	8,283	9,225	7,900	-383	-1,325	-4.6%	-14.4%
Smithsonian	759,639	861,530	751,721	-7,918	-109,809	-1.0%	-12.7%
National Gallery of Art	158,650	138,000	126,123	-32,527	-11,877	-20.5%	-8.6%
Kennedy Center	36,347	36,850	36,105	-242	-745	-0.7%	-2.0%
Woodrow Wilson Center	11,203	11,005	10,000	-1,203	-1,005	-10.7%	-9.1%
NEA	154,690	146,255	135,000	-19,690	-11,255	-12.7%	-7.7%
NEH	154,690	146,255	135,000	-19,690	-11,255	-12.7%	-7.7%
Commission of Fine Arts	2,289	2,400	2,234	-55	-166	-2.4%	-6.9%
Advisory Council on Historic Preservation	5,896	6,108	5,498	-398	-610	-6.8%	-10.0%
National Capital Planning Commission	8,490	8,154	8,133	-357	-21	-4.2%	-0.3%
Holocaust Memorial	49,024	52,694	50,524	-1,500	-2,170	-3.1%	-4.1%
Presidio Trust	14,970	12,000	12,000	-2,970		-19.8%	
Dwight D. Eisenhower Memorial Commission		89,768	30,000	30,000	-59,768	NA	-66.6%

#### **Items of Note:**

**Environmental Protection Agency (EPA):** \$8.7 billion—\$1.5 billion or 17.7% below last year, and \$1.8 billion or 20.0% below the President's request.

**National Endowment for the Arts (NEA):** \$135 million—\$20.0 million or 12.9% below last year, and \$11.3 million or 7.7% below the President's request.

**National Endowment for the Humanities (NEH):** \$135 million—\$20.0 million or 12.9% below last year, and \$11.3 million or 7.7% below the President's request.

When combined, the NEA and NEH would receive \$20 million more than FY 2006, the last spending plan passed before the Democrat takeover of Congress.

**National Park Service:** \$2.479 billion—\$131.7 million or 5.0% below last year, and \$412.1 million or 14.3% below the President's request.

**Indian Health Service:** \$4.5 billion—\$392.3 million or 9.6% above last year, and \$162 million or 3.5% below the President's request.

**Eliminates Neotropical Migratory Conservation:** The legislation provides no funding for this program, which is \$4 million below last year. The program is meant to aid the conservation of neotropical migratory birds in the U.S., but also *Latin America and the Caribbean*. The President proposed \$5 million for this program.

Eliminates "National Capital Arts and Cultural Affairs" Subsidy: This elimination saves \$3.0 million compared to last year. According to the committee report, "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. As requested, no funding is proposed for this non-competitive grants program administered by the Commission of Fine Arts, a reduction of \$2,994,000 from the fiscal year 2011 enacted level."

Woodrow Wilson Center: \$10 million—\$1 million less than the request and \$1.2 million less than last year. The Woodrow Wilson International Center for Scholars was established by Congress in 1968 as a memorial to former President Woodrow Wilson—who many conservatives, and some liberals (see here for example), would rank as one of the very worst Presidents in U.S. history. The taxpayer subsidy goes to what is essentially a think tank. The Center does not merely spend taxpayer funds on projects duplicative of those found at countless institutes of higher education and policy research centers, but also honored the Foreign Minister of Turkey with their annual Public Service award shortly after Turkey supported an anti-Israel flotilla. The RSC Spending Reduction Act entirely eliminates this program.

**EPA Regulations on Carbon Dioxide Emissions:** The legislation prohibits the EPA from regulating carbon dioxide emissions from new motor vehicles or their engines after model year 2016.

**ACORN:** The legislation prohibits any funds from going to the Association of Community Organizations for Reform Now (ACORN) or any of its affiliates.

**EPA Regulations on Lead:** The legislation prohibits funds made available by the bill from being used to implement or enforce regulations commonly known as the "Lead; Renovation, Repair, and Painting Rule", until the Administrator of the Environmental Protection Agency has approved a commercially available lead test kit.

**Regulation of Farm Dust:** The legislation prohibits funding for the EPA to regulate certain levels of particulate matter in the air – including farm dust – under the Clean Air Act. For more information, see here.

**Earmarks**: According to the Committee Report:

"Neither the bill nor the report contains any congressional earmarks, limited tax benefits, or limited tariff benefits as defined by clause 9 of rule XXI."

<u>Committee Action</u>: H.R. 2584 was reported out of the House Appropriations Committee as an original measure on July 19, 2011.

**Cost to Taxpayers**: The bill appropriates a total of \$27.5 billion in FY 2012.

<u>Does the Bill Expand the Size and Scope of the Federal Government?</u>: No. The bill cuts spending by \$2.1 billion compared to last year.

## <u>Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?</u>: No CBO score is available listing any possible mandates.

#### **Constitutional Authority**: The Committee Report states:

"Pursuant to section 6(e) of the rules of the Committee on Appropriations, the following statement is submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill: The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United

States 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."

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