after the date of receipt of the request, the Secretary shall—

(1) review the initial appraisal of the agency;

(2) review the results and commentary from the second appraisal;

(3) determine a new base cabin user fee in an amount that is—

(A) equal to the base cabin user fee determined by the initial or the second appraisal; or

(B) within the range of values, if any, between the initial and second appraisals; and

(4) notify the cabin owner of the amount of the new base cabin user fee.

SEC. 611. RIGHT OF APPEAL AND JUDICIAL REVIEW.

(a) RIGHT OF APPEAL.—Notwithstanding any action of a cabin owner to exercise rights in accordance with section 610, the Secretary shall by regulation grant the cabin owner the right to an administrative appeal of the determination of a new base cabin user fee.

(b) JUDICIAL REVIEW.—A cabin owner that is adversely affected by a final decision of the Secretary under this title may bring a civil action in United States district court.

SEC. 612. CONSISTENCY WITH OTHER LAW AND RIGHTS.

(a) CONSISTENCY WITH RIGHTS OF THE UNITED STATES.—Nothing in this title limits or restricts any right, title, or interest of the United States in or to any land or resource.

(b) SPECIAL RULE FOR ALASKA.—In determining a cabin user fee in the State of Alaska, the Secretary shall not establish or impose a cabin user fee or a condition affecting a cabin user fee that is inconsistent with 1303(d) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3193(d)).

SEC. 613. REGULATIONS.

Not later than 2 years after the date of enactment of this title, the Secretary shall promulgate regulations to carry out this title.

SEC. 614. TRANSITION PROVISIONS.

(a) ASSESSMENT OF ANNUAL FEES.—For the period of time determined under subsection (b), the Secretary shall charge each cabin owner an annual fee as follows:

(1) LOTS NOT APPRAISED SINCE SEPTEMBER 30, 1995.—For a lot that has not been appraised since September 30, 1995, the annual fee shall be equal to the amount of the annual fee in effect on the date of enactment of this title, adjusted annually to reflect changes in the Implicit Price Deflator-Gross National Product Index.

(2) LOTS APPRAISED ON OR AFTER SEPTEMBER 30, 1995.—

(A) IN GENERAL.—Except as provided in subparagraph (B), for a lot that has been appraised on or after September 30, 1995, the annual fee shall be equal to the amount of the fee in effect on the date of enactment of this title, adjusted annually to reflect changes in the Implicit Price Deflator-Gross National Product Index.

(B) APPRAISALS RESULTING IN BASE FEE INCREASE.—

(i) IN GENERAL.—Except as provided in clause (ii), for a lot that has been appraised on or after September 30, 1995, for which the appraisal resulted in an increase of the base fee by an amount greater than $3,000, the annual fee shall be equal to the sum of $3,000 plus the amount of the annual fee in effect on October 1, 1996, adjusted annually to reflect the percentage change in the Implicit Price Deflator-Gross National Product Index.

(ii) FEES PAID AFTER REQUEST OF NEW APPRAISAL OR PEER REVIEW.—If—

(I) the cabin owner of a lot described in clause (i) requests a new appraisal or peer review under subsection (c); and

(II) the base cabin user fee established as a result of the appraisal or peer review is determined to be an amount that is 90 percent or more of the fee in effect for the lot as determined by an appraisal conducted on or after September 30, 1995;

the Secretary shall charge the cabin owner, in addition to the annual fee that would otherwise have been due under section 609, the difference between the base cabin user fee determined through the conduct of the new appraisal or peer review and the annual fee that would otherwise have been due under section 609, to be assessed retroactively for each year beginning with the year in which the previous appraisal was conducted, and to be paid in 3 equal annual installments.

(b) TERM.—

(1) LOTS NOT APPRAISED SINCE SEPTEMBER 30, 1995.—For a lot that has not been appraised since September 30, 1995, the Secretary shall charge fees in accordance with subsection (a)(2)(A) until—

(A) a base cabin user fee is determined in accordance with—

(i) this title; or

(ii) regulations and policies in effect on the date of enactment of this title; and

(B) the right of the cabin owner to a second appraisal under section 610 is exhausted.

(2) LOTS APPRAISED ON OR AFTER SEPTEMBER 30, 1995.—For a lot that has been appraised on or after September 30, 1995, the Secretary shall charge fees under subsection (a)(2) until—

(A) the cabin owner requests a new appraisal or peer review, and a base cabin user fee is established, under subsection (c); or

(B) in the absence of a request for a peer review or a new appraisal under subsection (c), the date that is 2 years after the date on which the Forest Service promulgates regulations and policies and develops appraisal guidelines under this title.

(c) REQUEST FOR NEW APPRAISAL UNDER NEW LAW.—

(1) IN GENERAL.—Not later than 2 years after the promulgation of final regulations and policies and the development of appraisal guidelines in accordance with section 606(a)(5), cabin owners that are subject to appraisals completed after September 30, 1995, but before the date of promulgation of final regulations under section 613, may request, in accordance with paragraph (2), that the Secretary—

(A) conduct a new appraisal and determine a new base cabin user fee in accordance with this title; or

(B) commission a peer review of the existing appraisals in accordance with paragraph (4).

(2) APPRAISAL GROUPINGS BY TYPICAL LOT.—A request for a new appraisal or for a peer review of existing appraisals under paragraph (1) shall be made by a majority of the cabin owners in a group of cabins represented in the appraisal process by a typical lot.

(3) CONDUCT OF NEW APPRAISAL.—On receipt of a request for an appraisal and fee determination in accordance with paragraph (2), the Secretary shall conduct the new appraisal and fee determination in accordance with this title.

(4) PEER REVIEW OF EXISTING APPRAISALS.—

(A) IN GENERAL.—On receipt of a request for peer review in accordance with paragraph (2), the Secretary shall obtain from an independent professional appraisal organization a review of the appraisal (including any report on the appraisal) that was used to establish the estimated fee simple value of the lots within the subject grouping.

(B) INCONSISTENCY.—If peer review described in subparagraph (A) results in a determination that an appraisal or appraisal report includes provisions or procedures that were implemented or conducted in a manner inconsistent with this title, the Secretary shall, as appropriate and in accordance with this title—

(i) revise an existing base cabin user fee; or

(ii) subject to an agreement with the cabin owners, conduct a new appraisal and fee determination.

(5) PAYMENT OF COSTS.—Cabin owners and the Secretary shall share, in equal proportion, the payment of all reasonable costs of any new appraisal or peer review.

(d) ASSUMPTION OF NEW BASE CABIN USER FEE.—In the absence of a request under subsection (c) for a new appraisal and fee determination from a cabin owner whose cabin user fee was determined as a result of an appraisal conducted after September 30, 1995, but before the date of promulgation of final regulations under section 613, the Secretary may consider the base cabin user fee resulting from the appraisal conducted between September 30, 1995 and the date of promulgation of the final regulations under section 613 to be the base cabin user fee that complies with this section.

TITLE VII—TREATMENT OF CERTAIN FUNDS FOR MINER BENEFITS

SEC. 701. (a) REALLOCATION OF INTEREST.—Notwithstanding any other provision of law, interest credited to the fund established by section 401 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1231) for fiscal years 1992 through 1995 not transferred to the Combined Fund identified in section 402(h)(2) of such Act prior to the date of enactment of this Act shall be transferred to such Combined Fund—

(1) in such amounts as estimated by the trustees of such Fund to offset the amount of any deficit in net assets in the Combined Fund through August 31, 2001;

(2) in the amount of $2,200,000 for the purpose of the Combined Fund providing a refund of any premium (as described in section 9704(a) of the Internal Revenue Code of 1988), on a proportional basis, to those signatory operators or any related persons to such operators (as defined in section 9701(c) of the Internal Revenue Code of 1988) who have been denied such refunds as the result of final judgments or settlements if prior to the date of enactment of this Act such signatory operator (or any related persons to such operator)—

(A) had all of its beneficiary assignments made under section 9706 of the Internal Revenue Code of 1986 voided by the Commissioner of the Social Security Administration;

(B) was subject to a final judgment or final settlement of litigation adverse to a claim by such operator that the assignment of beneficiaries under section 9706 of the Internal Revenue Code of 1986 was unconstitutional as applied to it; and

(C) paid to the Combined Fund any premium amount that had not been refunded; and

(3) in such amounts as necessary for the purpose of the Combined Fund providing a monthly refund of any premium (as described in section 9704(a) of the Internal Revenue Code of 1986) paid by an assigned operator (as defined by section 9701(c)(5) of the Internal Revenue Code of 1986) commencing with the first monthly premium due date after the date of enactment of this Act and ending August 31, 2001, if according to the records of the Combined Fund such operator (or any related persons of such operator)—

(A) was not a signatory to the 1981 or later National Bituminous Coal Wage Agreement or any ''me too'' agreement related to such Coal Wage Agreement;

(B) reported credit hours to the UMWA 1974 Pension Plan on fewer than ten classified mine workers in every month during its last year of operations under the National Bituminous Coal Wage Agreement of 1978 or any ''me too'' agreement related to such Coal Wage Agreement;

(C) has had not more than 60 beneficiaries, including eligible dependents of retired miners, assigned to it under section 9706 of the Internal Revenue Code of 1986 not including beneficiary assignments relieved by the Social Security Administration;

(D) was assessed premiums by the Combined Fund in October 1999, made payments pursuant to that assessment and has no delinquency as of September 30, 2000; and

(E) is not directly engaged in the production or sale of coal and has no related person engaged in the production of coal as of September 30, 2000.

(b) SEPARABILITY CLAUSE.—If any provision of this title or the application thereof to any person or circumstances is held invalid, the remainder of the title and the application of such provision to other persons or circumstances shall not be affected thereby.

TITLE VIII—LAND CONSERVATION, PRESERVATION AND INFRASTRUCTURE IMPROVEMENT

For activities authorized by law for the acquisition, conservation, and maintenance of Federal and non-Federal lands and resources, and for Payments in Lieu of Taxes, in addition to the amounts provided under previous titles of this Act, $686,000,000, to remain available until expended, of which $179,000,000 is for the acquisition of lands or interests in lands; and of which $50,000,000 is for ''National Park Service, Land Acquisition and State Assistance'' for the state assistance program; and of which $20,000,000 is for ''Forest Service, National Forest System'' for inventory and monitoring activities and planning; and of which $78,000,000 is for ''United States Fish and Wildlife Service, Cooperative Endangered Species Fund''; and of which $20,000,000 is for ''United States Fish and Wildlife Service, North American Wetlands Conservation Fund''; and of which $20,000,000 is for ''United States Geological Survey, Surveys, Investigations, and Research'' for science and cooperative programs; and of which $30,000,000 is for ''Forest Service, State and Private Forestry'' for the Forest Legacy program; and of which $50,000,000 is for ''United States Fish and Wildlife Service, State Wildlife Grants''; and of which $20,000,000 is for ''National Park Service, Urban Park and Recreation Fund''; and of which $15,000,000 is for ''National Park Service, Historic Preservation Fund'' for grants to states and Indian tribes; and of which $4,000,000 is for ''Forest Service, State and Private Forestry'' for urban and community forestry programs; and of which $50,000,000 is for ''Bureau of Land Management, Payments in Lieu of Taxes''; and of which $150,000,000 is for ''Federal Infrastructure Improvement'' for the deferred maintenance needs of the Federal land management agencies: Provided, That of the funds provided under this heading for the acquisition of lands or interests in lands, $130,000,000 shall be available to the Department of the Interior and $49,000,000 shall be available to the Department of Agriculture, Forest Service: Provided further, That none of the funds provided under this heading for the acquisition of lands or interests in lands shall be available until the House Committee on Appropriations and the Senate Committee on Appropriations provide to the Secretaries, in writing, a list of specific acquisitions to be undertaken with such funds: Provided further, That of the funds provided under this heading for ''Federal Infrastructure Improvement'' for the deferred maintenance needs of the Federal land management agencies, $25,000,000 shall be for the Bureau of Land Management, $25,000,000 shall be for the United States Fish and Wildlife Service, $50,000,000 shall be for the National Park Service and $50,000,000 shall be for the Forest Service.

SEC. 801. (a) CATEGORIES.—Section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(c)) is amended—

(1) in paragraph (6), by—

(A) in subparagraph (B), by striking ''and'' after the semicolon;

(B) in subparagraph (C), by inserting ''and'' after the semicolon; and

(C) adding at the end the following:

''(D) for the conservation spending category: $1,760,000,000, in new budget authority and $1,232,000,000 in outlays;'';

(2) in paragraph (7), by—

(A) in subparagraph (A), by striking ''and'' after the semicolon;

(B) in subparagraph (B), by striking the period and inserting ''; and''; and

(C) adding at the end the following:

''(C) for the conservation spending category: $1,920,000,000, in new budget authority and $1,872,000,000 in outlays;''; and

(3) by inserting after paragraph (7) the following:

''(8) with respect to fiscal year 2004 for the conservation spending category: $2,080,000,000, in new budget authority and $2,032,000,000 in outlays;

''(9) with respect to fiscal year 2005 for the conservation spending category: $2,240,000,000, in new budget authority and $2,192,000,000 in outlays;

''(10) with respect to fiscal year 2006 for the conservation spending category: $2,400,000,000, in new budget authority and $2,352,000,000 in outlays;

''(11) with respect to each fiscal year 2002 through 2006 for the Federal and State Land and Water Conservation Fund sub-category of the conservation spending category: $540,000,000 in new budget authority and the outlays flowing therefrom;

''(12) with respect to each fiscal year 2002 through 2006 for the State and Other Conservation sub-category of the conservation spending category: $300,000,000 in new budget authority and the outlays flowing therefrom;

''(13) with respect to each fiscal year 2002 through 2006 for the Urban and Historic Preservation sub-category of the conservation spending category: $160,000,000 in new budget authority and the outlays flowing therefrom;

''(14) with respect to each fiscal year 2002 through 2006 for the Payments in Lieu of Taxes sub-category of the conservation spending category: $50,000,000 in new budget authority and the outlays flowing therefrom;

''(15) with respect to each fiscal year 2002 through 2006 for the Federal Deferred Maintenance sub-category of the conservation spending category: $150,000,000 in new budget authority and the outlays flowing therefrom;

''(16) with respect to fiscal year 2002 for the Coastal Assistance sub-category of the conservation spending category: $440,000,000 in new budget authority and the outlays flowing therefrom; with respect to fiscal year 2003 for the Coastal Assistance sub-category of the conservation spending category: $480,000,000 in new budget authority and the outlays flowing therefrom; with respect to fiscal year 2004 for the Coastal Assistance sub-category of the conservation spending category: $520,000,000 in new budget authority and the outlays flowing therefrom; with respect to fiscal year 2005 for the Coastal Assistance sub-category of the conservation spending category: $560,000,000 in new budget authority and the outlays flowing therefrom; and with respect to fiscal year 2006 for the Coastal Assistance sub-category of the conservation spending category: $600,000,000 in new budget authority and the outlays flowing therefrom;''.

(b) ADDITION TO DISCRETIONARY SPENDING LIMITS.—Section 251(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)) is amended by adding at the end the following:

''(H) CONSERVATION SPENDING.—(i) If a bill or resolution making appropriations for any fiscal year appropriates an amount for the conservation spending category that is less than the limit for the conservation spending category as specified in subsection (c), then the adjustment for new budget authority and outlays for the following fiscal year for that category shall be the amount of new budget authority and outlays that equals the difference between the amount appropriated and the amount of that category specified in subsection (c).

''(ii) If a bill or resolution making appropriations for any fiscal year appropriates an amount for any conservation spending sub-category that is less than the limit for that conservation spending sub-category as specified in subsections (c)(11)–(c)(16), then the adjustment for new budget authority for the following fiscal year for that sub-category shall be the amount of new budget authority that equals the difference between the amount appropriated and the amount of that sub-category specified in subsection (c)(11)–(c)(16).

''(iii) The total amount provided for any conservation activity within the conservation spending category may not exceed any authorized ceiling for that activity.''.

(c) CATEGORIES DEFINED.—Section 250(c)(4) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)(4)) is amended by adding at the end the following:

''(E) The term 'conservation spending category' means discretionary appropriations for conservation activities in the following budget accounts or portions thereof providing appropriations to preserve and protect lands, habitat, wildlife, and other natural resources, to provide recreational opportunities, and for related purposes:

''(i) 14–5033 Bureau of Land Management Land Acquisition.

''(ii) 14–5020 Fish and Wildlife Service Land Acquisition.

''(iii) 14–5035 National Park Service Land Acquisition and State Assistance.

''(iv) 12–9923 Forest Service Land Acquisition.

''(v) 14–5143 Fish and Wildlife Service Cooperative Endangered Species Conservation Fund.

''(vi) 14–5241 Fish and Wildlife Service North American Wetlands Conservation Fund.

''(vii) 14–1694 Fish and Wildlife Service State Wildlife Grants.

''(viii) 14–0804 United States Geological Survey Surveys, Investigations, and Research, the State Planning Partnership programs: Community/Federal Information Partnership, Urban Dynamics, and Decision Support for Resource Management.

''(ix) 12–1105 Forest Service State and Private Forestry, the Forest Legacy Program, Urban and Community Forestry, and Smart Growth Partnerships.

''(x) 14–1031 National Park Service Urban Park and Recreation Recovery program.

''(xi) 14–5140 National Park Service Historic Preservation Fund.

''(xii) Youth Conservation Corps.

''(xiii) 14–1114 Bureau of Land Management Payments in Lieu of Taxes.

''(xiv) Federal Infrastructure Improvement (as established in title VIII of the Department of the Interior and Related Agencies Appropriations Act, 2001).

''(xv) 13–1460 NOAA Procurement Acquisition and Construction, the National Marine Sanctuaries and the National Estuarine Research Reserve Systems.

''(xvi) 13–1450 NOAA Operations, Research, and Facilities, the Coastal Zone Management Act programs, the National Marine Sanctuaries, the National Estuarine Research Reserve Systems, and Coral Restoration programs.

''(xvii) 13–1451 NOAA Pacific Coastal Salmon Recovery.

''(F) The term 'Federal and State Land and Water Conservation Fund sub-category' means discretionary appropriations for activities in the accounts described in (E)(i)–(E)(iv) or portions thereof.

''(G) The term 'State and Other Conservation sub-category' means discretionary appropriations for activities in the accounts described in (E)(v)–(E)(ix), with the exception of Urban and Community Forestry as described in (E)(ix), or portions thereof.

''(H) The term 'Urban and Historic Preservation sub-category' means discretionary appropriations for activities in the accounts described in (E)(ix)–(E)(xii), with the exception of Forest Legacy and Smart Growth Partnerships as described in (E)(ix), or portions thereof.

''(I) The term 'Payments in Lieu of Taxes sub-category' means discretionary appropriations for activities in the account described in (E)(xiii) or portions thereof.

''(J) The term 'Federal Deferred Maintenance sub-category' means discretionary appropriations for activities in the account described in (E)(xiv) or portions thereof.

''(K) The term 'Coastal Assistance sub-category' means discretionary appropriations for activities in the accounts described in (E)(xv)–(E)(xvii) or portions thereof.''.

TITLE IX

DEPARTMENT OF THE TREASURY

BUREAU OF THE PUBLIC DEBT

GIFTS TO THE UNITED STATES FOR REDUCTION OF THE PUBLIC DEBT

For deposit of an additional amount into the account established under section 3113(d) of title 31, United States Code, to reduce the public debt, $5,000,000,000.

This Act may be cited as the ''Department of the Interior and Related Agencies Appropriations Act, 2001''.

And the Senate agree to the same.

RALPH REGULA,
JIM KOLBE,
JOE SKEEN,
CHARLES H. TAYLOR,
GEORGE R. NETHERCUTT, Jr.,
ZACK WAMP,
JACK KINGSTON,
JOHN E. PETERSON,
BILL YOUNG,
NORMAN DICKS,
JOHN P. MURTHA,
JAMES P. MORAN,
BUD CRAMER,
MAURICE D. HINCHEY,
DAVID R. OBEY,

Managers on the part of the House.

SLADE GORTON,
TED STEVENS,
THAD COCHRAN,
PETE V. DOMENICI,
CONRAD BURNS,
ROBERT F. BENNETT,
JUDD GREGG,
BEN NIGHTHORSE CAMPBELL,
ROBERT C. BYRD,
PATRICK LEAHY,
FRITZ HOLLINGS,
HARRY REID,
BYRON L. DORGAN,
HERB KOHL,
DIANNE FEINSTEIN,

Managers on the part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4578), making appropriations for the Department of the Interior and Related Agencies for the fiscal year ending September 30, 2001, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

The conference agreement on H.R. 4578 incorporates some of the provisions of both the House and the Senate versions of the bill. Report language and allocations set forth in either House Report 106–646 or Senate Report 106–312 that are not changed by the conference are approved by the committee of conference. The statement of the managers, while repeating some report language for emphasis, does not negate the language referenced above unless expressly provided herein.

TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

The conference agreement provides $709,733,000 for management of lands and resources instead of $670,571,000 as proposed by the House and $689,133,000 as proposed by the Senate.

Increases above the House for land resources include $1,500,000 for noxious weeds, $500,000 for the national laboratory grazing study, $500,000 for Montana State University weed program, $750,000 for Idaho weed control, $50,000 for petroglyphs protection and $4,000,000 for the horse and burro program.

Increases above the House for wildlife and fisheries include $900,000 for Yukon River salmon and $500,000 for the National Fish and Wildlife Foundation.

Increases above the House for threatened and endangered species include $2,000,000 for the sagebrush and prairie grasslands.

Increases above the House for recreation management include $1,000,000 for Missouri River activities associated with the Lewis and Clark Bicentennial celebration, $500,000 for the Missouri River undaunted stewardship program and $8,000,000 for public land treasures.

The managers have provided an additional $8,000,000 for public land treasures under recreation resources management, of which $5,000,000 is for National conservation areas and $3,000,000 is for National historic trails and scenic rivers. These funds should be allocated to the appropriate activities and subactivities as proposed in the Bureau's budget request.

Increases above the House for energy and minerals include $1,000,000 for the minerals at risk program, $700,000 for the development of a mining claim information system in Alaska, and $500,000 for a coalbed methane EIS in Montana.

Increases above the House for realty and ownership management include $847,000 for uncontrollable costs, $145,000 for rights of way backlog, $650,000 for the Montana cadastral project, $300,000 for the Utah geographic reference project, and $2,400,000 for Alaska conveyance.

Increases above the House for resources protection and maintenance include $130,000 for additional personnel, $10,000,000 for updating land management plans, and a $750,000 addition to the base program.

Increases above the House level for transportation and facilities maintenance include an increase of $1,540,000 for deferred maintenance.

Increases above the House level for mining law administration include $799,000 for uncontrollable costs and $163,000 for program delivery.

The managers have provided a total increase of $19,000,000 for land use planning. At the request of the Bureau, the managers have agreed to place the entire amount in the land use planning subactivity instead of distributing these funds across numerous subactivities as was presented in the budget request. This should allow for a simpler accounting, fund distribution, and management of these funds within the Bureau. However, the managers expect the Bureau to inform the House and Senate Committees on Appropriations prior to making any significant changes from the land use priorities presented in the budget request. It is expected that these funds will be allocated primarily to those plans at greatest risk of legal challenge.

Instead of $500,000 within available funds for the Montana Bureau of Mines and Geology, Montana Tech University to perform an assessment of coal bed methane (CBM) development on water resources in the Powder River Basin as proposed by the Senate, the managers have included an additional $500,000 to prepare an EIS for future CBM and conventional oil and gas development in the Montana portion of the Powder River Basin. The managers expect that this EIS will address the impacts of CBM development on water resources in the Basin and that the agency will contract with entities such as Montana Tech University who have existing agreements with the agency for work of this nature.

The managers have provided $500,000 for the Undaunted Stewardship program, which will allow for local input and participation in grants to protect historic sites along the Lewis and Clark Trail. This program is designed to provide educational courses, develop best management practices, and establish conservation easements. This program is to be cooperatively administered by the Bureau and Montana State University.

The managers have provided an additional $9,000,000 for the implementation of the Bureau's new horse and burro strategy to achieve appropriate management levels of wild horse and burro populations on all herd management areas by 2005. This is the first time the Bureau has developed a scientific strategy with detailed program cost analysis based on extensive use of a wild horse and burro population model. This population model has been validated by the university community and the Biological Resources Division of the U.S. Geological Survey. The Managers direct that as part of the Bureau's annual budget request to the Congress, the Bureau provide an annual report on its progress towards achieving appropriate management levels.

The managers have clarified language contained in House report 106–646 dealing with wilderness reinventory efforts by the Bureau. The House language was meant to apply only to the State of Utah where the Bureau has already completed its wilderness reinventory. The managers urge the Bureau to brief the Congress, as appropriate, prior to commencing any new large-scale wilderness inventory in Utah.

The managers are pleased with the work the land managing agencies are doing in the area of bat conservation. The managers understand that the North American Strategic Plan for Bat Conservation is on the verge of completion. The managers recommend that the land management agencies cooperatively review this plan and are encouraged to develop implementation strategies when it is finalized. In addition, the agencies should continue to develop and implement cooperative cost-sharing bat conservation efforts with the States, Mexico and Canada, as well as non-governmental partners. Lastly, the agencies are encouraged to fund jointly a Federal bat coordinator position to help oversee the vast array of Federal and non-Federal bat conservation projects.

The managers encourage the Bureau to work with the Waste Management Education and Research Consortium (WERC) at New Mexico State University in addressing the problem of abandoned mine sites in the western United States. WERC can assist the Bureau by helping to establish a science-based inventory of abandoned mine sites and recommend priorities for remediation.

The managers encourage the BLM to conduct a full investigation, including review of documents and evidence provided by the Voisin family to determine if the government transferred the ownership of Last Island, Louisiana while the property was owned by ancestors of the Voisin family. Should the BLM determine that the property was transferred inappropriately, the report shall include recommendations for the resolution of this issue.

WILDLAND FIRE MANAGEMENT

The conference agreement provides $625,513,000 for wildland fire management instead of $292,197,000 as proposed by the House and $292,679,000 as proposed by the Senate.

Changes to the House included increases of $132,834,000 for preparedness and $482,000 for an Alaska rural fire suppression program. The managers have also included a contingent emergency appropriation of $200,000,000 as an emergency contingency reserve to ensure adequate funding is available to fund critical fire programs in fiscal year 2001.

The managers recognize that the severity of the 2000 fire season is attributable to a variety of factors including unusual weather conditions and accumulated wildland fuels that overwhelmed available Federal agency resources. To prepare better for fires in 2001 and beyond, the managers propose significant improvements to preparedness, fuels treatments, and other aspects of fire management. For the Department of the Interior, the managers provide a total of $979,253,000 in both emergency and non-emergency funds for: the Department's revised calculation for normal year readiness and certain one-time improvements to preparedness capability; a greatly expanded fuels treatment program that places primary emphasis on community protection; stabilization and rehabilitation of burned areas; and community assistance programs that may be used to develop local capability and homeowner education. The following discussion includes instructions pertaining to both the title I wildfire funds as well as title IV wildfire funds.

The managers have provided $625,513,000 in Title I for wildland fire management, of which $315,406,000 in non-emergency funds for preparedness, an increase of $133,316,000 over the budget request. The conference agreement includes a $200,000,000 emergency contingency reserve, to ensure that adequate funds are immediately available to fund these critical programs in FY 2001. The managers have included in title IV for wildland fire management an emergency appropriation of $353,740,000 which includes $116,611,000 for wildfire suppression, $142,129,000 for hazardous fuels, $85,000,000 for emergency stabilization and rehabilitation, and $10,000,000 for a new rural fire assistance program. The managers strongly believe that this FY 2001 funding will only be of value in increasing the Nation's firefighting capability and ability to protect communities if it is sustained in future years.

The managers direct the Departments of the Interior and Agriculture to continue to work together to formulate complementary budget requests that reflect the same principles and budget organization. In addition, the managers expect the agencies to seek the advice of governors and local and tribal government representatives in setting priorities for fuels treatments, burned area rehabilitation, and public outreach and education.

WILDLAND FIRE PREPAREDNESS

For wildland fire preparedness, the managers provide $315,406,000 as a non-emergency appropriation in title I, $132,834,000 above the Senate, including: $254,838,000 for readiness and program management, $8,000,000 for fire sciences, $30,000,000 for deferred maintenance and capital improvement, $22,086,000 for one-time capital investments, and $482,000 for a rural Alaska fire suppression program.

The managers understand that the increased scope and intensity of the 1999 and 2000 fire seasons, as well as the increased frequency and severity of fires over the preceding decade, have led Federal fire managers to reassess the assumptions underlying an average fire season. Based on actual experience, especially over the past two years, Federal fire managers have concluded that the variables used to determine the optimal level of preparedness need to be revised. Numerous variables, including changing assumptions about fire personnel, deployment strategies and other factors affecting cost calculations underlie the recommendations in the agencies' recent report to the President. For example, the duration of the average fire season has steadily increased—by two to three months—over the past several years. The expanded fire season increases the duration of the season for which fire employees are paid and results in increased personnel costs.

The managers support the conclusions of wildfire managers that initial attack capability should be increased to address the number and severity of wildfires that have burned the landscape over the past few years. To address this revised assumption, the managers support full funding for: eight new hotshot crews that will be used for both initial attack on small fires and extended attack on larger fires; twenty new smokejumpers that serve as the primary initial attack force in remote areas; and additional air resources.

Recent experience dictates the need to increase staffing for engines from the current level of five days a week to seven days a week to combat the increasingly volatile fire season. Fire managers have also concluded that more of the firefighting workforce should be permanent seasonal, an employment status that entitles workers to benefits not earned by temporary employees. The managers support the recommendation to convert more than 1,000 positions to permanent seasonal status, as a retention incentive to ensure that a sustained cadre of professional firefighters is available when needed. This increase in overall readiness costs should prove beneficial in the long run to the government's ability to address fire readiness, overall program management, and reduce overall costs by putting out wildfires when they are small.

It is the managers' understanding that readiness and program management cost calculations have increased due to changes in resource objectives such as protection of newly discovered cultural artifacts and new land ownership patterns. In recent years costs associated with human settlement into the urban-wildland interface have risen faster than models could accurately describe and are underrepresented in average cost calculations. The managers also understand that additional wildfire management personnel will require additional equipment and appropriate work environments, and that work conditions must emphasize firefighter and public safety. Therefore, the managers have included within the preparedness activity sufficient resources to provide the equipment, office, and storage space necessary to provide safe and efficient operations. Additional funds provided under this appropriation for facilities are to be used to fund the highest priority health and safety needs, as identified in the Department's five-year plan for deferred maintenance and capital improvements.

The managers support an acceleration of research activities and expanded emphasis for the Joint Fire Science Program and have provided an additional $4,000,000 respectively to the Departments of the Interior and Agriculture to support the recommendations regarding scientific support for fuels treatments and other science needs beyond hazardous fuels. These funds are in addition to the $4,000,000 provided for each agency as part of the Administration's original budget request. Additional funds should be used for such efforts as increased rapid response projects to ensure necessary resources are available for testing and evaluation of post-fire rehabilitation, assessment of post-fire and fire behavior effects, use of aircraft-based remote sensing operations, implementation of protocols for evaluating post-fire stabilization and rehabilitation, and the development of effective means for collecting and disseminating information about treatment techniques. The managers expect the increased funds to be made available to the Joint Fire Science activities of the Departments for the direct benefit of fire management programs, including burned area rehabilitation.

One means of directly benefiting wildfire management programs is to address locally and regionally important science and technology needs associated with wildfire management and suppression, fuels management, and post-fire rehabilitation without requiring national-level requests for proposals. Thus, the managers expect the Joint Fire Sciences Governing Board to make a significant portion of the increased funds directly available to the fire management programs of the Agriculture and Interior Departments to fund projects that directly address locally and regionally important science and technology needs associated with fire management and suppression, fuels management, and post-fire rehabilitation. The managers further expect the Departments to ensure that these programs are implemented within existing structures without new program management or other overhead activities that might reduce the direct benefit of funds provided.

The January 1998 Joint Fire Science Plan developed by the two Departments and submitted to the Congress included provisions for a Stakeholder Advisory Group of technical experts from land management organizations, private industry, academia, other Federal agencies, and the public to formulate recommendations for program priorities and advise the Joint Fire Science Program Governing Board. This Group is to be established under the provisions of the Federal Advisory Committee Act. The managers are concerned that nearly three years have passed without establishment of this group. The managers direct the Secretaries to establish the group by December 31, 2000.

WILDLAND FIRE OPERATIONS

For wildland fire operations, the managers provide $468,847,000 of which $353,740,000 is funded in title IV as an emergency appropriation. This funding level includes $153,447,000 to cover costs of the ten-year average of suppression, $195,400,000 for hazardous fuels reduction, and $85,000,000 for rehabilitation of burned areas.

The managers encourage continued emphasis on safety as a priority in the suppression program. Funding provided under this appropriation is expected to provide for the most efficient and safe strategy for the protection of life, property, and resources. Funding is included to cover the projected 10–year average of suppression expenditures for the Department.

The managers have provided $195,000,000 for hazardous fuels management activities. These funds are to support activities on Federal lands and adjacent non-Federal lands, which reduce the risks and consequences of wildfire, both in and around communities and in wildland areas. Treatment methods include application of prescribed fire, mechanical removal, mulching, and application of chemicals. In many areas a combination of these methods will be necessary over a period of several years to reduce risks and to maintain healthy and viable forests and rangelands. The increased funding included in this appropriation will expand the existing fuels management program to reduce