

REMOVAL OF NAME OF MEMBER  
AS COSPONSOR OF H.R. 1472

Mrs. CAPITO. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 1472.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

REMOVAL OF NAME OF MEMBER  
AS COSPONSOR OF H.R. 2022

Mr. OWENS. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 2022.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

GENERAL LEAVE

Mr. TAYLOR of North Carolina. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2691, and that I may include tabular and extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

DEPARTMENT OF THE INTERIOR  
AND RELATED AGENCIES APPROPRIATIONS ACT, 2004

The SPEAKER pro tempore. Pursuant to House Resolution 319 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2691.

□ 1725

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2691) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2004, and for other purposes, with Mr. LATOURETTE in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from North Carolina (Mr. TAYLOR) and the gentleman from Washington (Mr. DICKS) each will control 30 minutes.

The Chair recognizes the gentleman from North Carolina (Mr. TAYLOR).

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, today we bring before the House for fiscal year 2004 appropriations a bill for the Department of the Interior and related agencies. This is a good bill that balances many competing needs and stays within the 302(b) allocations for budget authority.

Mr. Chairman, this bill is fiscally responsible, providing about \$100 million more than the budget request but nearly \$200 million less than the fiscal year 2003 level. The bill takes care of our public lands, the national parks, wildlife refuges, forests, and lands managed by the Bureau of Land Management. It has been increased not as much as some would like; and I pledge that in conference, we will try to increase that as much as possible.

The bill focuses on conservation initiatives, including operation and maintenance of Federal lands, stateside grants for land preservation and recreation, State wildlife grants, habitat improvements on both public and private lands, eradication of invasive species, and protection of endangered species.

We hear arguments that we are not doing enough for the conservation program in this bill. I disagree. There is nearly \$1 billion in the bill for programs in the conservation spending category. But more to the point, there are a great number of critically important conservation programs in this bill that have never been included in the conservation spending category but are equally important.

□ 1730

We provide increases of \$73 million for national parks, \$30 million for national wildlife refuges, and \$93 million for wildlife restoration and forest health. I would argue that most of the funding in this bill is for conservation activities.

Some Members will argue that we need to buy more Federal lands. What we really need is to do a better job of taking care of lands we have and this bill does that.

Fire fighting needs are addressed in this bill. In addition to providing the necessary funding for suppressing wildfires, we continue support for the National Fire Plan with the investment of \$2.5 billion. We support preparedness activities so that we have the people and equipment in place to handle wildfires. We provide funding increases for hazardous fuels reduction, State fire assistance, and forest health programs. I am proud of the balance we

have achieved in these critical programs that are important to all Americans.

The bill ensures that energy research programs are adequately funded and that we maintain a proper mix between research on improvements to existing technologies and longer-term higher-risk research on new technologies. We need to keep all of our options open and not fall into the trap of picking winners and losers.

When it comes to energy research, ultimately the consumer and not the government will determine what energy technologies will be successful in the marketplace.

The bill provides for the continued construction of critically needed schools and hospitals for the American Indians and Alaskan Natives. It is included in a resolution to the contentious litigation between the United States and the American Indians dealing with the individual Indian trust monies. This bill provides prompt, fair, and reasonable resolution of those long-standing claims. This lawsuit has been diverting scarce resources away from critical programs that benefit the Indian people. We need to stop spending hundreds of millions of dollars, if not billions, on litigation support and redirect those funds to Indian education, health, wildlife, law enforcement and other important Indian programs.

My good friend, the gentleman from California (Mr. POMBO), chairman of the Committee on Resources, will move to strike this provision on jurisdictional grounds. He has committed to resolving this conflict through the authorizing process. Mr. Chairman, if we do not do this, we will literally be spending perhaps \$2.4 billion in continuous accounting measures that will do nothing to solve this problem. It will be taken away from Indian health and education.

Finally, the bill takes care of our cultural agencies and provides the funding needed to ensure that the Smithsonian Institution maintains its responsibility for providing quality visitor services and world-renowned research. It provides the administration's request for the National Gallery of Art and for the National Endowment for the Arts.

The Interior and Related Agencies Appropriations bill for fiscal year 2004 is a bill that I believe strikes an appropriate balance among competing funding needs, and I ask for support for the bill.

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2003  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004 (H.R. 2691)  
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>TITLE I - DEPARTMENT OF THE INTERIOR</b>					
<b>Bureau of Land Management</b>					
Management of lands and resources.....	820,344	828,079	834,088	+13,744	+6,009
Wildland fire management:					
Preparedness.....	275,411	282,725	302,725	+27,314	+20,000
Fire suppression operations.....	159,309	195,310	170,310	+11,001	-25,000
Other operations.....	215,433	220,690	225,690	+10,257	+5,000
Other appropriations (P.L. 108-7).....	189,000	---	---	-189,000	---
Subtotal.....	839,153	698,725	698,725	-140,428	---
Central hazardous materials fund.....	9,913	9,978	9,978	+65	---
Construction.....	11,898	10,976	10,976	-922	---
Land acquisition.....	33,233	23,686	14,000	-19,233	-9,686
Oregon and California grant lands.....	104,947	106,672	106,672	+1,725	---
Range improvements (indefinite).....	10,000	10,000	10,000	---	---
Service charges, deposits, & forfeitures (indefinite). Offsetting fee collections.....	7,900 -7,900	20,490 -20,490	20,490 -20,490	+12,590 -12,590	---
Miscellaneous trust funds (indefinite).....	12,405	12,405	12,405	---	---
Total, Bureau of Land Management.....	1,841,893	1,700,521	1,696,844	-145,049	-3,677
<b>United States Fish and Wildlife Service</b>					
Resource management.....	911,464	941,526	959,901	+48,437	+18,375
Construction.....	54,073	35,393	52,718	-1,355	+17,325
Land acquisition.....	72,893	40,737	23,058	-49,835	-17,679
Landowner incentive program.....	39,740	40,000	40,000	+260	---
Rescission.....	-40,000	---	---	+40,000	---
Subtotal.....	-260	40,000	40,000	+40,260	---
Private stewardship grants.....	9,935	10,000	10,000	+65	---
Rescission.....	-10,000	---	---	+10,000	---
Subtotal.....	-65	10,000	10,000	+10,065	---
Cooperative endangered species conservation fund.....	80,473	86,614	86,614	+6,141	---
National wildlife refuge fund.....	14,320	14,414	14,414	+94	---
North American wetlands conservation fund.....	38,309	49,560	24,560	-13,749	-25,000
Neotropical migratory birds conservation fund.....	2,981	---	5,000	+2,019	+5,000
Multinational species conservation fund.....	4,768	7,000	5,000	+232	-2,000
State wildlife grants.....	64,577	59,983	75,000	+10,423	+15,017
Total, United States Fish and Wildlife Service.. Appropriations..... Rescission.....	1,243,533 (1,293,533) (-50,000)	1,285,227 (1,285,227) ---	1,296,265 (1,296,265) ---	+52,732 (+2,732) (+50,000)	+11,038 (+11,038) ---
<b>National Park Service</b>					
Operation of the national park system.....	1,564,331	1,631,882	1,636,882	+72,551	+5,000
United States Park Police.....	77,921	78,859	78,859	+938	---
National recreation and preservation.....	61,268	47,936	54,924	-6,344	+6,988
Urban park and recreation fund.....	298	305	305	+7	---
Historic preservation fund.....	68,552	67,000	71,000	+2,448	+4,000
Construction.....	325,712	327,257	303,199	-22,513	-24,058
Land and water conservation fund (rescission of contract authority).....	-30,000	-30,000	-30,000	---	---
Land acquisition and state assistance.....	171,348	238,634	131,154	-40,194	-107,480
Total, National Park Service (net)..... Appropriations..... Rescission.....	2,239,430 (2,269,430) (-30,000)	2,361,873 (2,391,873) (-30,000)	2,246,323 (2,276,323) (-30,000)	+6,893 (+6,893) ---	-115,550 (-115,550) ---
<b>United States Geological Survey</b>					
Surveys, investigations, and research.....	919,272	895,505	935,660	+16,388	+40,155

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2003  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004 (H.R. 2691)  
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
<b>Minerals Management Service</b>					
Royalty and offshore minerals management.....	264,477	264,446	264,446	-31	---
Use of receipts.....	-100,230	-100,230	-100,230	---	---
Oil spill research.....	6,065	7,105	7,105	+1,040	---
<b>Total, Minerals Management Service.....</b>	<b>170,312</b>	<b>171,321</b>	<b>171,321</b>	<b>+1,009</b>	<b>---</b>
<b>Office of Surface Mining Reclamation and Enforcement</b>					
Regulation and technology.....	104,408	106,424	106,424	+2,016	---
Receipts from performance bond forfeitures (indefinite).....	273	275	275	+2	---
<b>Subtotal.....</b>	<b>104,681</b>	<b>106,699</b>	<b>106,699</b>	<b>+2,018</b>	<b>---</b>
Abandoned mine reclamation fund (definite, trust fund)	190,498	174,469	194,469	+3,971	+20,000
<b>Total, Office of Surface Mining Reclamation and Enforcement.....</b>	<b>295,179</b>	<b>281,168</b>	<b>301,168</b>	<b>+5,989</b>	<b>+20,000</b>
<b>Bureau of Indian Affairs</b>					
Operation of Indian programs.....	1,845,246	1,889,735	1,902,106	+56,860	+12,371
Construction.....	345,988	345,154	345,154	-834	---
Indian land and water claim settlements and miscellaneous payments to Indians.....	60,552	51,375	55,583	-4,969	+4,208
Indian guaranteed loan program account.....	5,457	6,497	6,497	+1,040	---
(Limitation on guaranteed loans).....	---	(94,568)	(94,568)	(+94,568)	---
<b>Total, Bureau of Indian Affairs.....</b>	<b>2,257,243</b>	<b>2,292,761</b>	<b>2,309,340</b>	<b>+52,097</b>	<b>+16,579</b>
<b>Departmental Offices</b>					
<b>Insular Affairs:</b>					
Assistance to Territories.....	48,183	43,623	46,623	-1,560	+3,000
Northern Marianas.....	27,720	27,720	27,720	---	---
<b>Subtotal.....</b>	<b>75,903</b>	<b>71,343</b>	<b>74,343</b>	<b>-1,560</b>	<b>+3,000</b>
Compact of Free Association.....	8,926	4,125	4,354	-4,572	+229
Mandatory payments.....	12,000	12,000	12,000	---	---
<b>Subtotal.....</b>	<b>20,926</b>	<b>16,125</b>	<b>16,354</b>	<b>-4,572</b>	<b>+229</b>
<b>Total, Insular Affairs.....</b>	<b>96,829</b>	<b>87,468</b>	<b>90,697</b>	<b>-6,132</b>	<b>+3,229</b>
Departmental management.....	71,957	97,140	79,027	+7,070	-18,113
Working capital fund.....	---	---	-20,000	-20,000	-20,000
Financial management system migration project.....	---	---	---	---	---
Rescission.....	---	---	---	---	---
Office of the Solicitor.....	47,462	50,374	50,374	+2,912	---
Office of Inspector General.....	36,003	39,049	39,049	+3,046	---
<b>Office of Special Trustee for American Indians</b>					
Federal trust programs.....	140,359	274,641	219,641	+79,282	-55,000
Indian land consolidation.....	7,928	20,980	20,980	+13,052	---
<b>Total, Office of Special Trustee for American Indians.....</b>	<b>148,287</b>	<b>295,621</b>	<b>240,621</b>	<b>+92,334</b>	<b>-55,000</b>

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2003  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004 (H.R. 2691)  
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
Natural resource damage assessment fund.....	5,501	5,633	5,633	+132	---
Payments in lieu of taxes.....	218,570	200,000	225,000	+6,430	+25,000
<b>Total, Departmental Offices.....</b>	<b>624,609</b>	<b>775,285</b>	<b>710,401</b>	<b>+85,792</b>	<b>-64,884</b>
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Total, title I, Department of the Interior:					
New budget (obligational) authority (net)...	9,591,471	9,763,661	9,667,322	+75,851	-96,339
Appropriations.....	(9,671,471)	(9,793,661)	(9,697,322)	(+25,851)	(-96,339)
Rescissions.....	(-80,000)	(-30,000)	(-30,000)	(+50,000)	---
(Limitation on guaranteed loans).....	---	(94,568)	(94,568)	(+94,568)	---
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TITLE II - RELATED AGENCIES					
DEPARTMENT OF AGRICULTURE					
Forest Service					
Forest and rangeland research.....	250,049	252,170	267,230	+17,181	+15,060
State and private forestry.....	284,712	315,823	290,758	+6,046	-25,065
National forest system.....	1,353,444	1,369,573	1,400,792	+47,348	+31,219
Wildland fire management:					
Preparedness.....	677,996	609,747	698,000	+20,004	+88,253
Fire suppression operations.....	351,964	604,580	520,000	+168,036	-84,580
Other operations.....	341,008	327,448	406,632	+65,624	+79,184
Other appropriations (P.L. 108-7).....	636,000	---	---	-636,000	---
<b>Subtotal.....</b>	<b>2,006,968</b>	<b>1,541,775</b>	<b>1,624,632</b>	<b>-382,336</b>	<b>+82,857</b>
Capital improvement and maintenance.....	548,450	524,571	560,473	+12,023	+35,902
Land acquisition.....	132,945	44,130	29,288	-103,657	-14,842
Acquisition of lands for national forests, special acts.....	1,062	1,069	1,069	+7	---
Acquisition of lands to complete land exchanges (indefinite).....	232	234	234	+2	---
Range betterment fund (indefinite).....	3,380	3,000	3,000	-380	---
Gifts, donations and bequests for forest and rangeland research.....	91	92	92	+1	---
Management of national forest lands for subsistence uses.....	5,506	5,535	5,535	+29	---
<b>Total, Forest Service.....</b>	<b>4,586,839</b>	<b>4,057,972</b>	<b>4,183,103</b>	<b>-403,736</b>	<b>+125,131</b>
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DEPARTMENT OF ENERGY					
Clean coal technology:					
Deferral.....	-87,000	---	-86,000	+1,000	-86,000
Fossil energy research and development.....	620,837	514,305	609,290	-11,547	+94,985
SPR petroleum account (by transfer).....	---	(5,000)	---	---	(-5,000)
Naval petroleum and oil shale reserves.....	17,715	16,500	20,500	+2,785	+4,000
Elk Hills School lands fund.....	---	36,000	---	---	-36,000
Advance appropriations, FY 2005.....	36,000	---	36,000	---	+36,000
Energy conservation.....	891,769	875,793	879,487	-12,282	+3,694
Economic regulation.....	1,477	1,047	1,047	-430	---
Strategic petroleum reserve.....	171,732	175,081	175,081	+3,349	---
SPR petroleum account.....	6,954	---	---	-6,954	---
Rescission.....	-5,000	---	---	+5,000	---
(Transfer out).....	---	(-5,000)	---	---	(+5,000)
<b>Subtotal.....</b>	<b>1,954</b>	<b>---</b>	<b>---</b>	<b>-1,954</b>	<b>---</b>

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2003  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004 (H.R. 2691)  
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
Northeast home heating oil reserve.....	5,961	5,000	5,000	-961	---
Energy Information Administration.....	80,087	80,111	82,111	+2,024	+2,000
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Total, Department of Energy:					
New budget (obligational) authority (net)...	1,740,532	1,703,837	1,722,516	-18,016	+18,679
Appropriations.....	(1,796,532)	(1,703,837)	(1,772,516)	(-24,016)	(+68,679)
Advance appropriations.....	(36,000)	---	(36,000)	---	(+36,000)
Rescissions.....	(-5,000)	---	---	(+5,000)	---
Deferral.....	(-87,000)	---	(-86,000)	(+1,000)	(-86,000)
(Transfer out).....	---	(-5,000)	---	---	(+5,000)
(By transfer).....	---	(5,000)	---	---	(-5,000)
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DEPARTMENT OF HEALTH AND HUMAN SERVICES					
Indian Health Service					
Indian health services.....	2,475,916	2,502,393	2,556,082	+80,166	+53,689
Indian health facilities.....	373,745	387,269	392,560	+18,815	+5,291
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Total, Indian Health Service.....	2,849,661	2,889,662	2,948,642	+98,981	+58,980
=====					
OTHER RELATED AGENCIES					
Office of Navajo and Hopi Indian Relocation					
Salaries and expenses.....	14,397	13,532	13,532	-865	---
Institute of American Indian and Alaska Native Culture and Arts Development					
Payment to the Institute.....	5,454	5,250	5,250	-204	---
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Smithsonian Institution					
Salaries and expenses.....	460,196	476,553	489,748	+29,552	+13,195
Rescission.....	-14,100	---	---	+14,100	---
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Subtotal.....	446,096	476,553	489,748	+43,652	+13,195
Repair, restoration and alteration of facilities.....	82,883	---	---	-82,883	---
Construction.....	15,896	---	---	-15,896	---
Facilities capital.....	---	89,970	93,970	+93,970	+4,000
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Total, Smithsonian Institution.....	544,875	566,523	583,718	+38,843	+17,195
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National Gallery of Art					
Salaries and expenses.....	76,717	88,849	88,849	+12,132	---
Repair, restoration and renovation of buildings.....	16,125	11,600	11,600	-4,525	---
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Total, National Gallery of Art.....	92,842	100,449	100,449	+7,607	---
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John F. Kennedy Center for the Performing Arts					
Operations and maintenance.....	16,204	16,560	16,560	+356	---
Construction.....	17,486	16,000	16,000	-1,486	---
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Total, John F. Kennedy Center for the Performing Arts.....	33,690	32,560	32,560	-1,130	---
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Woodrow Wilson International Center for Scholars					
Salaries and expenses.....	8,433	8,604	8,604	+171	---
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National Foundation on the Arts and the Humanities					
National Endowment for the Arts					
Grants and administration 1/.....	115,732	117,480	117,480	+1,748	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2003  
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2004 (H.R. 2691)  
(Amounts in thousands)

	FY 2003 Enacted	FY 2004 Request	Bill	Bill vs. Enacted	Bill vs. Request
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National Endowment for the Humanities					
Grants and administration.....	108,919	135,878	120,878	+11,959	-15,000
Matching grants.....	16,017	16,122	16,122	+105	---
Total, National Endowment for the Humanities....	124,936	152,000	137,000	+12,064	-15,000
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Total, National Foundation on the Arts and the Humanities.....	240,668	269,480	254,480	+13,812	-15,000
=====					
Commission of Fine Arts					
Salaries and expenses.....	1,216	1,422	1,422	+206	---
National Capital Arts and Cultural Affairs					
Grants.....	6,954	5,000	7,000	+46	+2,000
Advisory Council on Historic Preservation					
Salaries and expenses.....	3,643	4,100	4,100	+457	---
National Capital Planning Commission					
Salaries and expenses.....	7,206	8,230	7,730	+524	-500
United States Holocaust Memorial Museum					
Holocaust Memorial Museum.....	38,412	39,997	39,997	+1,585	---
Presidio Trust					
Presidio trust fund.....	21,188	20,700	20,700	-488	---
=====					
Total, title II, related agencies:					
New budget (obligational) authority (net)...	10,196,010	9,727,318	9,933,803	-262,207	+206,485
Appropriations.....	(10,266,110)	(9,727,318)	(9,983,803)	(-282,307)	(+256,485)
Advance appropriations.....	(36,000)	---	(36,000)	---	(+36,000)
Rescissions.....	(-19,100)	---	---	(+19,100)	---
Deferral.....	(-87,000)	---	(-86,000)	(+1,000)	(-86,000)
(Transfer out).....	---	(-5,000)	---	---	(+5,000)
(By transfer).....	---	(5,000)	---	---	(-5,000)
=====					
Grand total:					
New budget (obligational) authority (net)...	19,787,481	19,490,979	19,601,125	-186,356	+110,146
Appropriations.....	(19,937,581)	(19,520,979)	(19,681,125)	(-256,456)	(+160,146)
Advance appropriations.....	(36,000)	---	(36,000)	---	(+36,000)
Rescissions.....	(-99,100)	(-30,000)	(-30,000)	(+69,100)	---
Deferral.....	(-87,000)	---	(-86,000)	(+1,000)	(-86,000)
(Transfer out).....	---	(-5,000)	---	---	(+5,000)
(By transfer).....	---	(5,000)	---	---	(-5,000)
(Limitation on guaranteed loans).....	---	(94,568)	(94,568)	(+94,568)	---
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1/ Challenge America Arts Fund was requested by the President as a separate account.

Mr. Chairman, I reserve the balance of my time.

Mr. DICKS. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I want to again thank our new chairman, the gentleman from North Carolina (Mr. TAYLOR), for the way he has approached the process this year. He and the staff have worked with us and tried to craft a balanced bill within a limited allocation. And I want to also commend the staff of the committee, Debbie Weatherly, Chris Topic, Loretta Bowman, Joel Kaplan, Greg Kanadle, Mike Stevens and Lesley Turner. We have a very collegial working relationship, and it is something that, I think, the House would be proud of.

During committee consideration, I offered two important amendments that I felt would have significantly improved this bill. The first amendment sought to add money for wildland fire accounts in an attempt to lessen the massive borrowing to fight forest fires. I was extremely pleased that the administration came forward last week with a \$289 million request as part of an emergency supplemental, and I plan to strongly support those funds being provided as quickly as possible.

The second amendment that I offered related to the conservation funding and the shortfall in the Conservation Trust Fund. The amendment was not adopted, and the Committee on Rules would not allow a similar amendment to be offered by the gentleman from Wisconsin (Mr. OBEY) on the House floor today. I find that unfortunate because the issue of the Conservation Trust Fund is enormously important to the gentleman from Wisconsin (Mr. OBEY) and I, as co-authors of the trust fund with the former chairman, the gentleman from Ohio (Mr. REGULA).

We reached a deal in 2000 as a compromise to the CARA legislation that would have created a new \$3 billion mandatory program and instead created this trust fund to elevate funding levels for critical programs without a new entitlement.

The new trust fund raised conservation spending for key programs in this bill from \$514 million up to \$1.2 billion and added built-in increases that would have brought conservation spending in this bill to \$2 billion in 2006. I was pleased that the committee stuck to its word for the first 2 years of the agreement.

This year, however, the interior bill falls \$569 million short. The shortfall impacts each and every program under the trust fund: both Federal and State programs under Land and Water Conservation Fund; the Forest Legacy Program; Cooperative Endangered Species; the North American Wetlands Conservation Fund; State Wildlife Grants, Historic Preservation, Payments in Lieu of Taxes; and the Urban Parks Program.

Most of these programs are either below the President's request or below last year, despite the fact that the

trust funds provided for increases. And while I am deeply disappointed in the funding levels for conservation programs, there are other aspects of this bill that I strongly support.

The bill provides \$115 million above the President's request for the National Fire Plan, which I strongly support. It includes money to continue two national environmental restoration projects by the National Park Service, the Everglades Restoration Project in Florida and the Elwha River Recovery Project in the State of Washington.

Additionally, the bill contains important language related to the Everglades that protects the Federal interest and ensures that the State of Florida is meeting its obligations to improve the quality of water entering the Everglades.

The bill also contains language relating to competitive sourcing that I believe is necessary to ensure that Congress has a clear understanding of what the administration's intentions are in this area. This committee recently learned that both the National Park Service and the U.S. Forest Service had plans to spend several million dollars on these activities without following standard reprogramming guidelines and without clear direction from Congress.

I consider this bill a work in progress and am hopeful that we can work together on areas of this bill that I believe still need improvement.

At the appropriate time, I intend to offer an amendment with my colleague, the gentlewoman from New York (Ms. SLAUGHTER), to increase money for the National Endowment for the Arts and the National Endowment for the Humanities. We were successful with a similar amendment last year, and I hope this year we can again come together and show the full support of the House for the two endowments.

Mr. Chairman, I reserve the balance of my time.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. SHERWOOD), a valued member of the committee.

Mr. SHERWOOD. Mr. Chairman, I rise in strong support of the interior appropriations bill, and I want to commend the gentleman from North Carolina (Chairman TAYLOR) for putting together a balanced and fiscally responsible bill that meets the natural resources, recreational, energy and cultural needs of all Americans.

This bill does its part to contain Federal spending in that it adheres to the 302(b) budget allocation and provides nearly \$200 million less than what was contained in the FY 2003 bill. At the same time, it sets priorities with increases in national parks operations and backlog maintenance, the national wildlife refuges and the national forest system. It provides funds for the weatherization program and increases the administration's request for the

abandoned landmines program that is so important to Pennsylvania.

The bill provides \$2.5 billion, with a B, for the National Fire Plan and includes substantial increases for fire fighting readiness, hazardous fuels reduction and State and community assistance.

I am particularly pleased that the bill provides \$33 million dollars for Forest Service forest health initiatives, including funds to control and manage adelgids in the East.

The bill also contains language I support regarding the operation of the Northeast Home Heating Oil Reserve. I feel that the reserve has not been responsive enough to winter heating needs in the Northeast and may too narrowly define supply disruptions. The bill's report language will direct the committee on the circumstances and the various scenarios on which the reserve will be used.

To those who say the bill does not contain enough money for conservation and land acquisition, I would point out that the bill contains \$1 billion for programs funded under the conservation spending category as well as other programs in the National Parks Wildlife Refuges, Federal forests and other areas that are important conservation efforts but do not technically fall under the conservation category.

In regard to land acquisition, we already own one-third of the United States. We need to manage that better before we buy new things. This is a balanced and responsible bill, and I commend the chairman for his leadership and urge my colleagues to give it their full support.

Mr. DICKS. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY), the ranking Democratic member of the full committee.

Mr. OBEY. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, I am simply going to repeat most of what I said about 40 minutes ago with the sure understanding that almost nobody was listening the first time and perhaps I might catch some more ears this time.

I would very much like to vote for this bill. It has, through the years, been one of my favorite bills in this place; but I am not able to and still keep my word to this institution.

As I said earlier to the House, in 1964 when the country decided that we were going to begin offshore oil drilling, an agreement was made to put about \$900 million dollars a year of that revenue into preservation of key pieces of land around the country with the Federal Government and the States both participating in protecting that land.

The problem is over the years that commitment was not kept and gradually about a \$13 billion surplus was built up in that funds. That is why 3 years ago 315 Members of this House passed what was known as the CARA legislation. And what that was was an attempt to make that prior understanding finally a reality by turning

funding for a number of those conservation programs into entitlements.

I opposed that. I thought we ought to be able to make conservation a high priority without turning it into an entitlement superior on claims to the Treasury on items like education or health care for that matter. I did not think they were superior. I thought they should be considered equal. And folks who had those beliefs, folks who had my beliefs essentially won the debate or at least we won the argument, and we shook hands on an agreement. And under that agreement, the gentleman from Washington (Mr. DICKS), myself, and the gentleman from Ohio (Mr. REGULA) on the minority side of the aisle, at that time serving as chairman of this subcommittee, agreed that we would double funding for those conservation programs and then over time have increments that would raise funding to \$2.4 billion.

We did that in order to stave off an entitlement; and for the first 2 years this committee stuck to the agreement. But in the omnibus appropriations bill last year, the committee backed away from that agreement; and this bill takes us some \$570 million below that agreement; and that is why I cannot support the bill as it stands.

We tried in the rule to have the rule defeated so that we would have an opportunity to add that \$570 million to the bill and to pay for it by reducing by \$3,000 the tax cut that is scheduled to go to people who make over a million dollars a year in this country. We would have reduced that tax cut from \$88,000 to \$85,000, making hardly a dent in it. I think most people in that bracket would have gladly said, look, the national parks and national forests are a high priority. By all means, make those changes. But the House did not do it; and so in my view at this point, this bill cannot be repaired as far as I am concerned because I believe, above all else, in keeping my word.

□ 1745

I promised people on the other side of the debate 3 years ago that if the Committee on Appropriations did not stick to the deal that I would change my position and instead support making these programs an entitlement, and so from this point on that is where I stand on this issue.

I must say I am deeply distressed that my committee saw fit not to keep the agreement they entered into 3 years ago. That was not an authorization agreement that was entered into 3 years ago. That was an appropriations agreement. And the Committee on Appropriations, as one of the great committees of this House, ought to keep its word. It has not on this bill, and that is why, regardless of other changes in the bill, I cannot vote for this bill as it presently stands.

I recognize some people have other considerations, but I believe it is important that we keep our word to each other and that we keep our word to the

American people. This bill is going to be seriously short; and, as a result, we will lose our ability to preserve and set aside forever key pieces of land in places such as Yellowstone, Grand Teton, nine key acres in Valley Forge. It is a shame, but that is what this House has come to on this issue.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. BOEHLERT).

(Mr. BOEHLERT asked and was given permission to revise and extend his remarks.)

Mr. BOEHLERT. Mr. Chairman, I rise in support of this bill. Overall, this is a reasonable bill, given the budgetary constraints. It could have been an even better bill if my colleagues on the other side of the aisle had not decided that it was more important to make a political statement, to score political points than to make progress.

As was mentioned earlier in the debate on the rule, I was prepared to offer an amendment that would have moved \$95 million from fossil fuel research and development, money that the administration did not request, into a range of conservation accounts.

The impact of my amendment would have been to free up more money for such popular and important programs as the Federal and State Land and Water Conservation Fund, State wildlife conservation programs, historic preservation, forest legacy, and urban parks and recreation. This money is desperately needed for these important programs, and the amendment was backed by just about every single environmental and sportsmen's group. So this was an amendment that would have done some real good for the American people, real people.

But my colleagues on the other side of the aisle decided they did not want the amendment to pass. Why not? Was it because they opposed putting more money into conservation programs? No. Was it because they thought the amendment would cause any harm to the public? No. Was it because they thought the amendment was bad for the environment? No.

The only reason this amendment was being vociferously opposed is because that seemed like a way to score political points. They did not want anything to pass that would demonstrate Republican support for conservation and the environment. What a sad commentary on the state of American politics.

So, instead of a good debate on conservation that would have led to an increase in spending for programs that benefit the American people, we are going to have a pathetic and pointless debate about a make-believe proposal that would reduce the tax cut. My colleagues know and I know that is going nowhere.

I hasten to remind my friends on the other side of the aisle that the tax cut battle is over. The bill was passed by the Congress, signed by the President.

Here are the choices we face. Either go with the Boehlert amendment, adding \$95 million to very important programs in the area of conservation and protecting the environment, or do nothing. The other side opted to do nothing because they wanted to have a political advertisement. We all know about the obscene cost of political advertising, but \$95 million per statement is pretty darn expensive, and the American people are the losers. Sad day.

Mr. DICKS. Mr. Chairman, I yield 4 minutes to the gentleman from New York (Mr. HINCHEY), a member of the subcommittee.

Mr. HINCHEY. Mr. Chairman, I am a bit mystified by the statement that was just made by my friend and colleague from New York. The Democrat party is not in the majority in this House. We do not control the agenda. That is controlled by the Republican party, and there is no reason why an amendment that a Republican Member wants to bring forward should not be brought forward and everybody has an opportunity to vote on it. I am sure I would have voted for it if the gentleman had brought it out here.

It is not too late. Let us bring the amendment out here, discuss it. If the amendment has merit, then it will pass. I do not see any reason why it is not going to be brought forward. It is your amendment. You are in control of the House. You bring it forward.

I want to thank the gentleman from Washington (Mr. DICKS), the ranking member, for yielding me the time; and I appreciate his leadership and hard work on this bill.

I also want to express my appreciation to the gentleman from North Carolina (Mr. TAYLOR), our chairman, for his hard work. I have enjoyed working with our chairman on the process that put this bill together. We had a good series of hearings earlier this year that led to some spirited discussions among the members of the subcommittee, and I want to thank the professional staff on both sides for all the good work that they have done.

There are some very good initiatives in this bill. Very importantly, the subcommittee's vigorous oversight of Everglades restoration is reflected here.

Despite admonishments from me and several subcommittee members, including the chairman and the chairman of the full committee, the State of Florida enacted legislation earlier this year that casts considerable doubt on the commitment to Everglades restoration. The provisions contained in this bill will ensure that the Federal interest in restoration is maintained by protecting the water quality that is crucial to the healthy functioning of the Everglades ecosystem.

The increased funding for Indian health and education in the bill is commendable, as is the subcommittee's concern with the administration's rush to contract out jobs within the Park Service and the Forest Service. A good job was done there.

Again, to the gentleman from North Carolina's (Mr. TAYLOR) credit, the bill restores some of the most egregious cuts proposed by the administration, such as those that would have crippled the important scientific research at both the Forest Service and the Geological Survey.

I recognize that the gentleman from North Carolina (Mr. TAYLOR) is working with an insufficient allocation that is the direct result of the Republican tax cuts, and that is a problem that has devilled this process throughout. My colleagues cannot take \$3 trillion out of the Treasury and then expect to have enough money to meet the needs of the country, and this is what we are facing throughout this appropriations process, and it is unfortunately reflected in this bill as well.

Arts funding is still frozen at 30 percent below what it was 10 years ago, and energy research lacks the necessary resource and vision to put us on a path to energy independence. But beyond the low allocation, even more troubling is the ideologically driven opposition to conservation funding that permeates the bill, particularly land acquisition. This bill completely walks away from our responsibilities to protect and conserve lands.

The tilt of this bill towards the notion that the Federal Government somehow owns too much land runs counter to the desire of the American people to preserve open space and natural resources. While I certainly agree that we should take care of what we already own, we have got an obligation to protect the best of what remains, sensitive and threatened forests, coastal lands, mountains, plains and wetlands that provide ecological, scenic and recreational values of national significance.

Federal land acquisition programs in this bill are funded at \$100 million. This is \$213 million below last year's level, more than a 50 percent cut, and even \$87 million below the President's request. The lack of land acquisition funding in this bill means lands that could otherwise be protected may now be lost forever.

These cuts are incredibly shortsighted. The demand for open space and protected areas will only continue to grow as our population swells and land development pressures increase.

So the bill contains a number of important provisions, but so far as the land acquisition and conservation measures are concerned it is inadequate.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 30 seconds to the gentleman from New York (Mr. BOEHLERT).

Mr. BOEHLERT. Mr. Chairman, the gentleman in the aisle makes a good point. We have worked well together across the center aisle, Republicans and Democrats. We have to work across the center aisle. We have worked well over the years. This time that cooperation stopped at the center

aisle because a conscious decision was made not to go forward with a \$95 million add-on which we could embrace warmly but rather to go forward with nothing because they want a partisan statement.

Mr. HINCHEY. Mr. Chairman, if the gentleman would yield, that would be a mistake; and I urge my colleague to bring that amendment out here so we could debate it. Bring it out.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio (Mr. REGULA) former chairman and valued member of the subcommittee.

(Mr. REGULA asked and was given permission to revise and extend his remarks.)

Mr. REGULA. Mr. Chairman, I thank the chairman of the subcommittee for yielding me the time.

I want to express my strong support for the fiscal year 2004 Interior appropriations bill. As a member of the Subcommittee on Interior and Related Agencies, I believe this is a balanced bill that addresses many of our most urgent needs. I want to express my appreciation to the gentleman from North Carolina (Mr. TAYLOR) and his staff for their hard work in putting together a good bill under very tight budget constraints.

Mr. Chairman, this bill addresses a number of important national priorities. It provides funding increases for our four land management agencies, the National Park Service, the Fish and Wildlife Service, the Forest Service and the Bureau of Land Management, which provide wonderful recreation opportunities for the American people.

To improve the visitor experience, the bill provides focused funding to address the continuing backlog of maintenance on these public lands, including \$682 million for our national parks and a restoration of \$47 million for our national forests.

During my past tenure as chairman of the committee, I made reducing of the maintenance backlog a top priority. We created the Recreational Fee Demonstration Program, which allows the land management agencies to raise additional revenues to further address their maintenance needs. Most of the fee stays at the site where it is collected and is used for maintenance and other enhancements to the visitor's experience.

This demo program, which would be extended under this bill, continues to be a success. We have collected over \$1 billion thus far, which was put most largely into maintenance and enhancing the visitor's experience. It has provided a real benefit for those Americans who have visited our parks, forests and other public lands.

The bill restores deep cuts made in the President's budget to the U.S. Geological Survey and further provides a \$16 million increase over the fiscal year 2003 level. This funding will enable USGS scientists to better understand

the Earth's processes and allow them to provide first-rate scientific data to those responsible for managing and conserving our natural resources.

In particular, I want to highlight funding included for the America View program which allows universities to collect remote sensing data and analyze it for both educational and land planning purposes.

This bill continues our strong support in Congress for the restoration of the Everglades, providing \$68 million toward this project. However, I remain concerned that recent actions taken by the Florida legislature undermine the Federal-State commitment, and it is a Federal-State commitment, to restoration. It is my understanding that we will consider an amendment to condition Federal funding on assurances that the State of Florida is meeting its prior commitments to improve water quality. I ask my colleagues to support this amendment when it is considered.

I am pleased that the committee has worked to restore a number of serious cuts in the President's budget for important programs at the Department of Energy. The bill specifically restores funding for fuel cell research in fossil energy to current enacted levels. This will allow the Solid State Energy Conversion Alliance initiative, which is developing standardized fuel cell components that would be used in many different types of fuel cell applications, to continue to move forward.

I also appreciate the committee's efforts to restore cuts in the President's budget to the Industries of the Future program within Energy Conservation, particularly those relating to steel and metal-casting.

□ 1800

These programs support technological advances that make our domestic industries more energy efficient and, as a result, more competitive in the global marketplace.

The bill continues our commitment in Congress to implement the National Fire Plan, which is very timely given the serious situation in the West. It provides \$115 million above the President's request, including substantive increases for readiness, hazard fuels reduction and forest health. These are commonsense measures that will help us both prevent and more adequately contain wildfires.

Lastly, I am encouraged by the committee's work to develop a coordinated national plan for the acquisition of Federal lands. I believe the Federal Government needs to focus less on acquiring new lands and more on taking care of the property and facilities it already has. Under this bill, the Secretaries of Interior and Agriculture would develop a plan outlining clear acreage goals and conservation objectives for lands acquisition. I believe this reevaluation will provide for better and more focused use of limited funding resources.

Mr. Chairman, this is a very balanced bill that Chairman TAYLOR has produced in the subcommittee, and it

funds many important national priorities. I urge its expeditious consideration and passage.

Mr. DICKS. Mr. Chairman, I yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER), a valued member of the House and a person who is very interested in environmental issues in the Pacific Northwest.

Mr. BLUMENAUER. Mr. Chairman, I appreciate the gentleman's yielding me this time. I have great sympathy for the hard work that the subcommittee has done, both the chairman and ranking member; but I appreciate also what the gentleman from Washington (Mr. DICKS) said about this being a work in progress, and I sincerely hope that it will be.

I heard the gentleman from New York (Mr. BOEHLERT) talk about his concern that there was not great enthusiasm for an amendment that would restore approximately \$90 million for Conservation Trust Fund activities. Mr. Chairman, I can understand the reticence on behalf of a number of Members of this Chamber to embrace that, but we had an agreement.

A bill passed overwhelmingly under the leadership of the gentleman from Florida (Mr. YOUNG) and the gentleman from California (Mr. GEORGE MILLER) that passed by a veto-proof margin through the House and had tremendous momentum in the Senate. There was an agreement. The gentleman from Ohio (Mr. REGULA), I was pleased to see here, was part of this artful effort to put together an agreement that solved the problem in the short term. Now we have seen this agreement shattered.

Because of the continuing resolution and what is in the bill that is before us today, we would shortchange what that agreement was overwhelmingly supported by this Chamber by almost \$1 billion. I do not think that there are very many people here who are going to embrace with great enthusiasm a 10 percent solution when we have massive unfunded commitments to the state-side portion of that.

In my community, where the committee has visited the Columbia River Gorge, there is priceless land in a conservation area where there are willing sellers that want to complete the deal, but there is not money available. There is underfunding in the arts. And I am convinced that there will be action in this work in progress that will bring people together and the will of this body will be heard, I think in a bipartisan majority, that hopefully will restore that funding for the arts.

Mr. Chairman, it is not any lack of interest in true bipartisanship. I think the agreement that the gentleman from Ohio (Mr. REGULA), the gentleman from Washington (Mr. DICKS), the gentleman from Florida (Mr. YOUNG), and the gentleman from Wisconsin (Mr. OBEY) were a part of was a classic example of that bipartisanship. It is time to reach back, restore it in this work in progress.

Now, one specific that I would make reference to. I will be offering in the

course of the debate on this bill an amendment that would reduce water-intensive agriculture in the one wildlife refuge in the United States where there is unregulated agriculture practicing on leased land dealing with the Klamath basin. I hope we will be able as a Chamber to come forward to solve that problem. But in the meantime, I commend the subcommittee for its hard work and look forward to this work in progress solving the CARA problem.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield myself 1 minute to enter into a colloquy with the gentleman from Pennsylvania.

Mr. SHERWOOD. Mr. Chairman, will the gentleman yield?

Mr. TAYLOR of North Carolina. I yield to the gentleman from Pennsylvania.

Mr. SHERWOOD. Mr. Chairman, regarding funding for the U.S. Geological Survey's Minerals Assessment Team, there was confusion regarding whether this important activity was included in the bill. I have been informed that when the gentleman restored the mineral program, it also included the restoration of the Mineral Information Team Commodity reports.

Minerals and mineral products accounted for over \$370 billion to the economy in 2002. This survey is the only institution, either public or private, that provides these important resource assessments, and I would ask the chairman if this is his understanding regarding the restoration of this important program.

Mr. TAYLOR of North Carolina. Mr. Chairman, reclaiming my time, the gentleman, as usual, is correct in his assessment of the situation. It has been restored.

Mr. DICKS. Mr. Chairman, I yield 2½ minutes to the gentleman from New Jersey (Mr. ROTHMAN), a valued member of the Committee on Appropriations to engage in a colloquy with the chairman of the subcommittee.

Mr. ROTHMAN. Mr. Chairman, I thank the ranking member for yielding me this time, and I would like to address my remarks to the distinguished chairman of the subcommittee.

Mr. Chairman, I rise to discuss an important issue regarding the Fish and Wildlife Service's ongoing work in the Hackensack Meadowlands area of New Jersey. The Fish and Wildlife Service has termed the 8,400-acre Hackensack Meadowlands an "aquatic resource of national importance," an area 10 times the size of Central Park in New York City, located in the most densely populated area of the most densely populated State in the Nation, New Jersey, just a handful of miles from the Empire State Building. The Meadowlands is home to 65 species of nesting birds and 50 species of fish and shellfish.

During the last 2 fiscal years, Mr. Chairman, Congress has directed the service to assist the U.S. Army Corps of Engineers in its ongoing feasibility study of preparing alternative ap-

proaches to preserving the meadowlands. In fiscal year 2003, the committee provided \$180,000 for the service's New Jersey field office for such purposes. I want to thank both Chairman TAYLOR and Ranking Member DICKS for their past and continuing support of this important project.

To continue the service's coordination with the Army Corps as well as its development of a comprehensive restoration plan that will recommend long-term management options for the Hackensack Meadowlands, an additional \$50,000 is needed in fiscal year 2004 so that the New Jersey field office can complete the hiring of a field biologist and an environmental toxicologist.

As the interior bill moves to conference with the Senate, I ask that the distinguished chairman consider the funding requirement for this important effort.

Mr. TAYLOR of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. ROTHMAN. I yield to the gentleman from North Carolina.

Mr. TAYLOR of North Carolina. Mr. Chairman, I thank the gentleman from New Jersey for his leadership on this program. The Hackensack Meadowlands are indeed an important resource and a reasonable priority for the service.

I am advised that the unanticipated budgetary delays have hindered the prompt hiring of the personnel the gentleman mentioned. I will look forward to working with the gentleman as we move forward towards conference to ensure that the service has the resources it needs to continue its consultative role on the Army Corps' meadowlands ecosystem restoration study.

Mr. ROTHMAN. Reclaiming my time, Mr. Chairman, I want to thank the gentleman from North Carolina (Mr. TAYLOR) and my distinguished ranking member for all their help on this issue and look forward to their continuing support on this issue.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 2 minutes to the gentlewoman from Kentucky (Mrs. NORTHUP).

Mrs. NORTHUP. Mr. Chairman, I want to enter into a colloquy with the chairman of the subcommittee.

Mr. Chairman, UPS's primary hub is located in my district. The United Parcel Service, known as UPS around the world, employs 22,000 people in my district. It just completed a \$1 billion expansion and is the largest taxpayer in the State of Kentucky. In 2001, UPS supported approximately 7.1 million packages from overseas and exported 11.4 million packages going overseas. A significant portion of this volume is under the jurisdiction of the U.S. Fish and Wildlife Service.

Considering the volume of products under their jurisdiction, it is only logical to designate Louisville, Kentucky, as the port of entry for international trade in Fish and Wildlife resources in the coming year. That designation only

reflects the fact that in modern day Fish and Wildlife jurisdiction has to be not only at our ports but also at the primary designations at our airports.

Mr. Chairman, I know that right now there is \$700,000 in the budget that is for Atlanta; but I am eager to see that moved, as the Senate has done, to Louisville.

Mr. TAYLOR of North Carolina. Mr. Chairman, will the gentlewoman yield?

Mrs. NORTHUP. I yield to the gentleman from North Carolina.

Mr. TAYLOR of North Carolina. Mr. Chairman, I would say to the gentlewoman from Kentucky that I know she has worked long and hard on this project, and it will be my intent to see that it is funded, working with her and the Senate.

Mrs. NORTHUP. Reclaiming my time, Mr. Chairman, I thank the chairman very much.

Mr. DICKS. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Chairman, I want to thank the ranking member for yielding me this time, and I rise to engage the chairman of the subcommittee in a colloquy regarding American Indians and homeland security.

Mr. Chairman, I am concerned that as we move forward with the interior appropriations bill it is important to highlight the fact that no funds have been appropriated for tribal homeland security initiatives. Since the September 11 attacks, we have had allocated significant funds to secure the homeland against future terrorist attacks; however, Indian country has been excluded from all homeland security plans.

I would ask that my colleagues recognize that tribes need to be included in the national strategy for homeland security. This is of particular importance for those tribes that are required to help protect the Nation's borders.

Mr. TAYLOR of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. PALLONE. I yield to the gentleman from North Carolina.

Mr. TAYLOR of North Carolina. Mr. Chairman, I wish to assure the gentleman that I agree with his assessment of the situation. I am not sure that the interior bill is the appropriate place to provide this funding, but I will work with the gentleman to address these needs in future appropriations bills.

Mr. PALLONE. Reclaiming my time, Mr. Chairman, I want to thank the chairman for his consideration.

Mr. TAYLOR of North Carolina. Mr. Chairman, I reserve the balance of my time.

Mr. DICKS. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts (Mr. OLVER), our distinguished colleague and member of the Committee on Appropriations.

Mr. OLVER. Mr. Chairman, I thank the gentleman for yielding me this time.

First of all, I want to thank the chairman, the gentleman from North

Carolina (Mr. TAYLOR), and the ranking member, the gentleman from Washington (Mr. DICKS), for their very hard work in bringing forward this bill. And I particularly thank both the staffs, the majority led by Deb Weatherly and the minority led by Mike Stephens, because the work of bringing forward the bill, the difficult work, is really done by them.

I appreciate very much that the bill includes important increases in many areas. For instance, there is a \$335 million increase over the fiscal 2003 base funding for the National Fire Plan, which is critically important to the Nation's ability to both fight and prevent catastrophic forest fires. And I think it is very commendable that we have a \$240-some million increase for Indian health education and trust reform, while that still is probably a good deal less than is needed.

Unfortunately, despite the positive aspects, and those are only a couple of them, the 2004 appropriations bill remains flawed in key areas. These failings include, first, 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. Second, the 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 and is funded at a level \$63 million below the President's request.

□ 1815

But most particularly, I regret the 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 which is \$208 million below the current year and \$569 million below the level authorized in the Conservation Trust Agreement reached less than 3 years ago. These conservation programs include, and I will just mention a couple, the Forest Legacy Program, where 93 Members of the House wrote the committee in support of the Forest Legacy Program. These 93 Members asked for an increase from \$68 million to \$158 million. Instead, this bill funds Forest Legacy grants to the States at \$45 million, which is a level 30 percent less, lower, than last year.

Secondly, the North American Wetlands Conservation Fund where 225 Members of the House wrote the committee and encouraged us to increase funding for the Wetlands Conservation Program. Instead, that level is less than half the President's request. Instead of increasing the program modestly, we have in fact cut it by a third.

The Stateside Assistance Program which is funded at \$98 million, about a 40 percent reduction from the Presi-

dent's request, and the Urban Parks Program where no funding is provided. The Urban Parks Program has been in place for 30 years, and it was zeroed out. It was part of the same CARA agreement made 3 years ago which is not being maintained under this bill.

I certainly hope I will be able to vote for this legislation after the final conference report. It is my intent to do so if some of these failings have been corrected along the way.

Mr. DICKS. Mr. Chairman, I yield 5 minutes to the gentleman from California (Mr. GEORGE MILLER), one of the leading environmental advocates in the House of Representatives.

Mr. GEORGE MILLER of California. Mr. Chairman, I thank the gentleman for yielding me this time, and I thank him for all of his work on this bill and to the chairman of the committee for all of their time and effort to bring this bill to the floor.

But I do want to say how disappointed I am with this legislation in terms of its treatment of the conservation spending and the conservation accounts. As previous speakers have noted, these accounts were created based upon a bipartisan agreement and an agreement to fund them when we had under consideration the CARA legislation, which was really designed to redeem the promise that this government made to the people of this country that, in exchange for offshore oil drilling, we would create an account, the Land and Water Conservation Account, and those monies would be used for the acquisition and protection of public and local lands, stateside land and water conservation for State and local governments to acquire land and communities to acquire land, and the Federal account for Federal lands.

That was the agreement. There were overwhelming votes in the committee on a bipartisan basis; there were overwhelming votes on the floor of the House. The Committee on Appropriations responded with the funding of these accounts, and now we see that those accounts were savaged. This was a promise. This was an account that was created for the acquisition of these lands, both federally and locally. That account has several billion dollars in it in surplus, and yet we see what happens; those accounts were taken down from \$450 million on the Federal side and \$450 million on the state side.

It is just unacceptable, because what do these Federal dollars do at the local level? They attract corporate money, they attract foundation money, local people make contributions. The fastest-growing organizations in the environmental movement are land trusts where communities come together to try to protect the natural assets of their communities, to protect the values in their communities, to create open space so that people can enjoy a quality of life. That is what those Federal dollars do. They are all matched at the local level.

Now we see instead of \$450 million, we are going to have around \$100 million. It is breaking a promise. It is breaking a promise with the people of this country. We tried to offer, the gentleman from Wisconsin (Mr. OBEY) and the gentleman from Washington (Mr. DICKS) were going to offer an amendment; but it would not be made in order to restore the funding for those accounts. And those accounts should be restored in toto.

Maybe what we should do is we should object to every suspension bill where a Member of the Republican Party is asking to acquire additional land. I sit on the Committee on Resources; and we pass bill after bill where Members of the other party want to acquire land, another 10 acres, another 20 acres, move the boundary east, west, add to this national park, add to this wilderness area. Why do they do that? Because the communities they represent want this done. They are responding to the desires of their constituents. And now instead of \$450 million being available, there will be \$100 million. If the Republicans dislike the program this much, they should not put in any more requests. There should at least be enough money in this bill to fund the Republican requests for land acquisition. That ought to be the minimum.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. GEORGE MILLER of California. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I ask the gentleman if it is true that the President of the United States when he ran for President said we were going to have full funding of the Land and Water Conservation Fund, \$450 million for Federal, \$450 million for state-side, and now we are down at \$197 million for both programs?

Mr. GEORGE MILLER of California. Mr. Chairman, that was his promise during the campaign, and it was his promise after he was elected. He was asked by the supporters of CARA in the campaign. I hate to say this, but he endorsed the bill and the concept and the money before the Democratic nominee did. He was out there saying this is important. Why? Because he understands this is community-driven. This is the best in our Federal system. Local people have these needs; they have raised local money. The Federal Government provides a catalyst from an account that was set aside specifically for that purpose. The gentleman has done an incredible job on these conservation accounts over the last several years, but now all of a sudden it looks like they just got in the car and drove over the cliff on this one.

We will see who puts in the requests for the dollars. So no more Federal land, and yet bill after bill is passed out of the Committee on Resources, and then the Committee on Appropriations is supposed to fund it.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I was a member of the Subcommittee on the Interior, was not a member of this agreement that Members are talking about being made. No Congress can bind another Congress to an agreement because each Congress changes.

I would point out that given our funds, we have done a great deal in the area of conservation spending. We are putting in more than \$1 billion in this program. In addition, we have spending categories that were not even established in 2001, and there are many billions of dollars in this bill that address conservation. Neither this administration nor this committee has failed in our effort to address the question of conservation. We have, however, tried to balance the bill given the fact that we have a deficit this year.

I am sure the gentleman will soon be addressing us and criticizing us in a few months about the deficit. This is the only time we can address it in our appropriations area.

Mr. Chairman, I yield 3 minutes to the gentleman from Maryland (Mr. GILCHREST) for a colloquy.

Mr. GILCHREST. Mr. Chairman, I rise to engage the gentleman from North Carolina (Mr. TAYLOR), the chairman of the subcommittee, in a colloquy regarding the eradication and control of exotic, invasive nutria through a partnership of Federal and State agencies and private organizations in Maryland.

I would like to thank the chairman for including funding for the Maryland Nutria Eradication and Control Act within the national wildlife refuge operations and maintenance budget. In the Chesapeake Bay, both the Blackwater National Wildlife Refuge and the Chesapeake Bay field office are partners in the Nutria Eradication and Control Project management team with other Federal agencies, the State of Maryland, and private landowners around the refuge. It covers over 60,000 acres of marsh, and it has been a 5-year program.

Funds made available for this project have been authorized by Public Laws 105-322 and 108-16, which specify that, "In the State of Maryland, the Secretary shall require that the program consist of management, research, and public education activities carried out in accordance with the document published by the United States Fish and Wildlife Service entitled 'Eradication Strategies for Nutria in the Chesapeake and Delaware Bay Watersheds,'" dated March 2002.

This strategy describes a comprehensive approach to nutria eradication on the Blackwater National Wildlife Refuge and the surrounding areas. We have lost over 7,000 acres of marshland up to this point from this invasive species.

In the past few years, Maryland nutria eradication funds were appro-

priated and administered through the Partners for Fish and Wildlife Program, and this ensured that the project funding was not limited to use on the refuge. The refuge receives separate funds directly for use on the refuge system.

The interior appropriations bill we are considering today includes generous funds for the current nutria project for this year, but the funds are entirely within the budget of the Blackwater National Wildlife Refuge. It is vital that funds be applied to the entire project so that USDA trappers can be compensated and the Fish and Wildlife Service can procure and maintain the necessary equipment and facilities on the refuge and continue to support the Nutria Eradication and Control Project.

Is it the understanding of the chairman that the service, through the Blackwater National Wildlife Refuge, should continue to support the Nutria Eradication and Control Project in Maryland, as authorized, throughout the 60,000 acres impacted by nutria as well as on the refuge itself?

Mr. TAYLOR of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. GILCHREST. I yield to the gentleman from North Carolina.

Mr. TAYLOR of North Carolina. Mr. Chairman, I thank the gentleman for his interest in the Chesapeake Bay and his leadership in addressing the threat posed by invasive species to our public. The committee intends that the funds appropriated for the Nutria Eradication and Control Project in Maryland be applied to the eradication strategy, as authorized, and not to be limited to activities within the boundaries of the refuge.

Mr. GILCHREST. Mr. Chairman, I thank the gentleman for his attention to this issue.

Mr. DICKS. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. HALL).

(Mr. HALL asked and was given permission to revise and extend his remarks.)

Mr. HALL. Mr. Chairman, with the House scheduled to consider the interior appropriations bill for 2004, I wanted to take a minute to urge my colleagues to consider for a moment the important research and development programs administered by the Department of Energy that are funded in this bill.

R&D in areas such as clean coal technology, fuel cells, highly-efficient gas turbines, and integrated gasification combined cycle power plants ensure that power plants can run cleaner and more efficiently, allowing us to meet ever-increasing demands on power generators. Equally important are enhanced recovery technologies for oil and natural gas which enable us to continue to fuel our cars and heat our homes.

Mr. Chairman, I believe that dollar for dollar, these programs may be the very best investment this country can

make to sustain and strengthen our Nation's economy, bar none. As the ranking member of the Committee on Science, I congratulate the Subcommittee on the Interior and Related Agencies for increasing the fossil energy funding by \$99 million over the President's request. However, as much as this increase is, it is still below the levels appropriated last year. I remain concerned about the folks at OMB. I urge my colleagues to support the bill as reported out of the Committee on Appropriations.

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Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 1 minute to the gentleman from Oregon (Mr. WALDEN).

Mr. WALDEN of Oregon. Mr. Chairman, I would like to engage the gentleman from North Carolina in a colloquy regarding the Steens Mountain Cooperative Management Protection Act of 2000 as it relates to access to private inholdings.

Mr. Chairman, I am concerned that the Bureau of Land Management needs to be reminded of its responsibilities to provide for the continuation of normal and generally used modes of access to private inholdings. This is especially important now because the Bureau of Land Management is in the process of finalizing its land management plans for the Steens Mountain Cooperative Management and Protection Area. I ask for the gentleman's assistance in this matter.

Mr. TAYLOR of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. WALDEN of Oregon. I yield to the gentleman from North Carolina.

Mr. TAYLOR of North Carolina. Let me assure the gentleman that I will convey his concerns to the Department of the Interior. I agree with his assessment of the situation relating to access to private inholdings.

Mr. WALDEN of Oregon. Mr. Chairman, I believe that management concerns should be addressed through acquisition exchanges and ask for the gentleman's help in this area as well.

Mr. TAYLOR of North Carolina. Within the current budget constraints we will do our best to address the gentleman's concerns.

Mr. WALDEN of Oregon. Mr. Chairman, I appreciate that and thank the gentleman for his work.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield myself such time as I may consume.

We have a lot of concerns about all legislation that comes before Congress. There is never enough money, we feel, to spend all the money for all the needs that we have. This year we have a deficit. We have a balanced bill in this Interior bill. We think it addresses adequately all concerns within our ability to spend. I want to thank the gentleman from Washington (Mr. DICKS) and the committee, both the majority and the minority, for the work that they have done on this.

I urge my colleagues to support this bill.

Mr. FALEOMAVAEGA. Mr. Chairman, I rise in support of H.R. 2691, the Department of the Interior and Related Agencies Appropriations Act for Fiscal Year 2004 and at this time I want to thank the Chairman of the Subcommittee on Interior Appropriations and the Ranking Member for bringing this bill to the floor. I also want to thank Chairman BILL YOUNG and Ranking Member DAVID OBEY of the full committee for their leadership and support.

H.R. 2691 appropriates funding for the Department of the Interior and other related agencies including the Office of Insular Affairs. The Office of Insular Affairs (OIA) was established on August 4, 1995 through Secretarial Order No. 3191. In part, the OIA was established to help the U.S. government fulfill its responsibilities to the four U.S. territories (American Samoa, Guam, the U.S. Virgin Islands and the Commonwealth of the Northern Mariana Islands) and the three freely associated states (the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau).

Territorial assistance provided by the OIA as appropriated through Congress provides substantial financial resources to these governments, including the government of American Samoa. Once again, I am pleased that my colleagues have supported my efforts to make sure that American Samoa's funding remains in place despite the budget cuts this country is facing and despite our nation's need to increase funding for the war on terrorism.

More than 100 years ago, the traditional leaders of American Samoa ceded their islands to the United States and our sons and daughters have served in record numbers in every U.S. military engagement from WWII to present operations in our war against terrorists. The people of American Samoa have stood by the United States in good times and bad and to this day American Samoa serves as a refueling point for U.S. naval ships and military aircraft.

While I understand the need for budget cuts, I want to thank my colleagues for also understanding and supporting the needs of American Samoa. I thank my colleagues, both Republican and Democrat, for favorably supporting my efforts to keep American Samoa's funding in place. This funding will help American Samoa improve its infrastructure and address its critical education, health care and transportation needs. I urge my colleagues to support this bill.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he or she has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 2691

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums

are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2004, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

For necessary expenses for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau, and assessment of mineral potential of public lands pursuant to Public Law 96-487 (16 U.S.C. 3150(a)), \$834,088,000, to remain available until expended, of which \$1,000,000 is for high priority projects, to be carried out by the Youth Conservation Corps; \$2,222,000 is for assessment of the mineral potential of public lands in Alaska pursuant to section 1010 of Public Law 96-487; (16 U.S.C. 3150); and of which not to exceed \$1,000,000 shall be derived from the special receipt account established by the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 4601-6a(i)); and \$3,000,000 shall be available in fiscal year 2004 subject to a match by at least an equal amount by the National Fish and Wildlife Foundation for cost-shared projects supporting conservation of Bureau lands; and such funds shall be advanced to the Foundation as a lump sum grant without regard to when expenses are incurred; in addition, \$32,696,000 is for Mining Law Administration program operations, including the cost of administering the mining claim fee program; to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation from annual mining claim fees so as to result in a final appropriation estimated at not more than \$834,088,000, and \$2,000,000, to remain available until expended, from communication site rental fees established by the Bureau for the cost of administering communication site activities: *Provided*, That appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau or its contractors.

WILDLAND FIRE MANAGEMENT

For necessary expenses for fire preparedness, suppression operations, fire science and research, emergency rehabilitation, hazardous fuels reduction, and rural fire assistance by the Department of the Interior, \$698,725,000, to remain available until expended, of which not to exceed \$12,374,000 shall be for the renovation or construction of fire facilities: *Provided*, That such funds are also available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: *Provided further*, That persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds available from this appropriation: *Provided further*, That notwithstanding 42 U.S.C. 1856d, sums received by a bureau or office of the Department of the Interior for fire protection rendered pursuant to 42 U.S.C. 1856 et seq., protection of United States property, may be credited to the appropriation from which funds were expended to provide that protection, and are available without fiscal year limitation: *Provided further*, That using the amounts designated under this title of this Act, the Secretary of the Interior may enter into procurement

contracts, grants, or cooperative agreements, for hazardous fuels reduction activities, and for training and monitoring associated with such hazardous fuels reduction activities, on Federal land, or on adjacent non-Federal land for activities that benefit resources on Federal land: *Provided further*, That the costs of implementing any cooperative agreement between the Federal Government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: *Provided further*, That in entering into such grants or cooperative agreements, the Secretary may consider the enhancement of local and small business employment opportunities for rural communities, and that in entering into procurement contracts under this heading on a best value basis, the Secretary may take into account the ability of an entity to enhance local and small business employment opportunities in rural communities, and that the Secretary may award procurement contracts, grants, or cooperative agreements under this heading to entities that include local non-profit entities, Youth Conservation Corps or related partnerships, or small or disadvantaged businesses: *Provided further*, That funds appropriated under this heading may be used to reimburse the United States Fish and Wildlife Service and the National Marine Fisheries Service for the costs of carrying out their responsibilities under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) to consult and conference, as required by section 7 of such Act in connection with wildland fire management activities: *Provided further*, That the Secretary of the Interior may use wildland fire appropriations to enter into non-competitive sole source leases of real property with local governments, at or below fair market value, to construct capitalized improvements for fire facilities on such leased properties, including but not limited to fire guard stations, retardant stations, and other initial attack and fire support facilities, and to make advance payments for any such lease or for construction activity associated with the lease: *Provided further*, That the Secretary of the Interior and the Secretary of Agriculture may authorize the transfer of funds appropriated for wildland fire management, in an aggregate amount not to exceed \$12,000,000, between the Departments when such transfers would facilitate and expedite jointly funded wildland fire management programs and projects: *Provided further*, That funds provided for wildfire suppression shall be available for support of Federal emergency response actions.

#### CENTRAL HAZARDOUS MATERIALS FUND

For necessary expenses of the Department of the Interior and any of its component offices and bureaus for the remedial action, including associated activities, of hazardous waste substances, pollutants, or contaminants pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), \$9,978,000, to remain available until expended: *Provided*, That notwithstanding 31 U.S.C. 3302, sums recovered from or paid by a party in advance of or as reimbursement for remedial action or response activities conducted by the Department pursuant to section 107 or 113(f) of such Act, shall be credited to this account, to be available until expended without further appropriation: *Provided further*, That such sums recovered from or paid by any party are not limited to monetary payments and may include stocks, bonds or other personal or real property, which may be retained, liquidated, or otherwise disposed of by the Secretary and which shall be credited to this account.

#### CONSTRUCTION

For construction of buildings, recreation facilities, roads, trails, and appurtenant fa-

cilities, \$10,976,000, to remain available until expended.

#### LAND ACQUISITION

For expenses necessary to carry out sections 205, 206, and 318(d) of Public Law 94-579, including administrative expenses and acquisition of lands or waters, or interests therein, \$14,000,000, to be derived from the Land and Water Conservation Fund, and to remain available until expended.

#### AMENDMENTS OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I offer amendments.

The CHAIRMAN. The Chair notes that the amendments address a portion of the bill not yet read for amendment and appear not to invoke clause 2(f) of rule XXI. Does the gentleman ask unanimous consent for their consideration at this point in the reading?

Mr. OBEY. Yes, Mr. Chairman, I do.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The CHAIRMAN. The Clerk will report the amendments.

The Clerk read as follows:

Amendments offered by Mr. OBEY:

On page 7, line 13, strike \$14,000,000 and insert \$49,920,000.

On page 14, line 8, strike \$23,058,000 and insert \$99,135,000.

On page 25, line 24, strike \$131,154,000 and insert \$330,117,000.

On page 97, line 17, strike \$29,288,000 and insert \$149,742,000.

On page 17, line 12, strike \$75,000,000 and insert \$100,000,000.

On page 16, line 11, strike \$24,560,000 and insert \$43,500,000.

On page 91, line 3, strike \$290,758,000 and insert \$335,272,000.

On page 22, line 23, strike \$71,000,000 and insert \$90,000,000.

On page 23, line 1, strike \$30,000,000 and insert \$34,000,000.

On page 22, line 17, strike \$305,000,000 and insert \$30,000,000.

On page 90, after line 9, add a new General Provision as follows:

SEC. \_\_\_\_\_. In the case of taxpayers with adjusted gross income in excess of \$1,000,000 for the tax year beginning in 2003, the amount of tax reduction resulting from enactment of the Jobs and Growth Tax Relief Reconciliation Act of 2003 (Pub. L. 108-27) shall be reduced by 3.21 percent.

Mr. OBEY (during the reading). Mr. Chairman, I ask unanimous consent that the amendments be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. TAYLOR of North Carolina. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. Points of order are reserved.

Mr. OBEY. Mr. Chairman, I have already described in my previous remarks the content of this amendment. This amendment seeks to restore funding consistent with the agreement that the Congress entered into 3 years ago with respect to the conservation programs that I cited earlier. The rule that was adopted for consideration of this bill did not protect this amend-

ment from a point of order. Nonetheless, I would like to proceed.

It is up to the majority to decide whether they want to exercise their ability under the rule to preclude the consideration of this amendment by objecting. I would hope they would not because I think that it is in the interest of this House to keep its word and I think it is in the interest of this country to fund these conservation programs. But if the gentleman does lodge a point of order against the amendment, I will have to readily concede the point of order.

#### POINT OF ORDER

The CHAIRMAN. Does the gentleman from North Carolina insist on his point of order?

Mr. TAYLOR of North Carolina. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriations bill and, therefore, violates clause 2 of rule XXI.

I ask for a ruling from the Chair.

The CHAIRMAN. Does the gentleman from Wisconsin wish to be heard on the point of order?

Mr. OBEY. Mr. Chairman, I regret that the point of order has been lodged because I think the committee ought to live up to its word, but I concede the point of order in light of the rule adopted by the House.

The CHAIRMAN. The point of order is conceded and, therefore, sustained.

The Clerk will read.

The Clerk read as follows:

#### OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein, including existing connecting roads on or adjacent to such grant lands; \$106,672,000 to remain available until expended: *Provided*, That 25 percent of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands is hereby made a charge against the Oregon and California land-grant fund and shall be transferred to the General Fund in the Treasury in accordance with the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (50 Stat. 876).

#### FOREST ECOSYSTEMS HEALTH AND RECOVERY FUND

##### (REVOLVING FUND, SPECIAL ACCOUNT)

In addition to the purposes authorized in Public Law 102-381, funds made available in the Forest Ecosystem Health and Recovery Fund can be used for the purpose of planning, preparing, implementing and monitoring salvage timber sales and forest ecosystem health and recovery activities, such as release from competing vegetation and density control treatments. The Federal share of receipts (defined as the portion of salvage timber receipts not paid to the counties under 43 U.S.C. 1181f and 43 U.S.C. 1181f-1 et seq., and Public Law 106-393) derived from treatments funded by this account shall be deposited into the Forest Ecosystem Health and Recovery Fund.

Mr. TAYLOR of North Carolina. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 92, line 14, be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The text of the bill from page 8, line 23, through page 92, line 14, is as follows:

#### RANGE IMPROVEMENTS

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701), notwithstanding any other Act, sums equal to 50 percent of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315 et seq.) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than \$10,000,000, to remain available until expended: *Provided*, That not to exceed \$600,000 shall be available for administrative expenses.

#### SERVICE CHARGES, DEPOSITS, AND FORFEITURES

For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies of official public land documents, for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under Public Law 94-579, as amended, and Public Law 93-153, to remain available until expended: *Provided*, That notwithstanding any provision to the contrary of section 305(a) of Public Law 94-579 (43 U.S.C. 1735(a)), any moneys that have been or will be received pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)), shall be available and may be expended under the authority of this Act by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys collected from each such action are used on the exact lands damaged which led to the action: *Provided further*, That any such moneys that are in excess of amounts needed to repair damage to the exact land for which funds were collected may be used to repair other damaged public lands.

#### MISCELLANEOUS TRUST FUNDS

In addition to amounts authorized to be expended under existing laws, there is hereby appropriated such amounts as may be contributed under section 307 of the Act of October 21, 1976 (43 U.S.C. 1701), and such amounts as may be advanced for administrative costs, surveys, appraisals, and costs of making conveyances of omitted lands under section 211(b) of that Act, to remain available until expended.

#### ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Land Management shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance

of necessary buildings and appurtenant facilities to which the United States has title; up to \$100,000 for payments, at the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Bureau; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on her certificate, not to exceed \$10,000: *Provided*, That notwithstanding 44 U.S.C. 501, the Bureau may, under cooperative cost-sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share the cost of printing either in cash or in services, and the Bureau determines the cooperator is capable of meeting accepted quality standards: *Provided further*, That section 28 of title 30, United States Code, is amended: (1) in section 28f(a), by striking "for years 2002 through 2003" and inserting in lieu thereof "for years 2004 through 2008"; and (2) in section 28g, by striking "and before September 30, 2003" and inserting in lieu thereof "and before September 30, 2008".

#### UNITED STATES FISH AND WILDLIFE SERVICE

##### RESOURCE MANAGEMENT

For necessary expenses of the United States Fish and Wildlife Service, as authorized by law, and for scientific and economic studies, maintenance of the herd of long-horned cattle on the Wichita Mountains Wildlife Refuge, general administration, and for the performance of other authorized functions related to such resources by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities, \$959,901,000, to remain available until September 30, 2005, except as otherwise provided herein: *Provided*, That not less than \$2,000,000 shall be provided to local governments in southern California for planning associated with the Natural Communities Conservation Planning (NCCP) program and shall remain available until expended: *Provided further*, That \$2,000,000 is for high priority projects, which shall be carried out by the Youth Conservation Corps: *Provided further*, That not to exceed \$12,286,000 shall be used for implementing subsections (a), (b), (c), and (e) of section 4 of the Endangered Species Act, as amended, for species that are indigenous to the United States (except for processing petitions, developing and issuing proposed and final regulations, and taking any other steps to implement actions described in subsection (c)(2)(A), (c)(2)(B)(i), or (c)(2)(B)(ii)), of which not to exceed \$8,900,000 shall be used for any activity regarding the designation of critical habitat, pursuant to subsection (a)(3), excluding litigation support, for species already listed pursuant to subsection (a)(1) as of the date of enactment this Act: *Provided further*, That of the amount available for law enforcement, up to \$400,000 to remain available until expended, may at the discretion of the Secretary be used for payment for information, rewards, or evidence concerning violations of laws administered by the Service, and miscellaneous and emergency expenses of enforcement activity, authorized or approved by the Secretary and to be accounted for solely on her certificate: *Provided further*, That of the amount provided for environmental contaminants, up to \$1,000,000 may remain available until expended for contaminant sample analyses.

##### CONSTRUCTION

For construction, improvement, acquisition, or removal of buildings and other facilities required in the conservation, management, investigation, protection, and utilization of fishery and wildlife resources, and

the acquisition of lands and interests therein; \$52,718,000, to remain available until expended.

#### LAND ACQUISITION

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-4 through 11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the United States Fish and Wildlife Service, \$23,058,000, to be derived from the Land and Water Conservation Fund, and to remain available until expended: *Provided*, That none of the funds appropriated for specific land acquisition projects can be used to pay for any administrative overhead, planning or other management costs.

#### LANDOWNER INCENTIVE PROGRAM

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-4 through 11), including administrative expenses, and for private conservation efforts to be carried out on private lands, \$40,000,000, to be derived from the Land and Water Conservation Fund, and to remain available until expended: *Provided*, That the amount provided herein is for a Landowner Incentive Program established by the Secretary that provides matching, competitively awarded grants to States, the District of Columbia, Tribes, Puerto Rico, Guam, the United States Virgin Islands, the Northern Mariana Islands, and American Samoa, to establish or supplement existing landowner incentive programs that provide technical and financial assistance, including habitat protection and restoration, to private landowners for the protection and management of habitat to benefit federally listed, proposed, candidate, or other at-risk species on private lands.

#### STEWARDSHIP GRANTS

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-4 through 11), including administrative expenses, and for private conservation efforts to be carried out on private lands, \$10,000,000, to be derived from the Land and Water Conservation Fund, and to remain available until expended: *Provided*, That the amount provided herein is for a Stewardship Grants Program established by the Secretary to provide grants and other assistance to individuals and groups engaged in private conservation efforts that benefit federally listed, proposed, candidate, or other at-risk species.

#### COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

For expenses necessary to carry out section 6 of the Endangered Species Act of 1973 (16 U.S.C. 1531-1543), as amended, \$86,614,000, of which \$36,614,000 is to be derived from the Cooperative Endangered Species Conservation Fund and \$50,000,000 is to be derived from the Land and Water Conservation Fund and to remain available until expended.

#### NATIONAL WILDLIFE REFUGE FUND

For expenses necessary to implement the Act of October 17, 1978 (16 U.S.C. 715s), \$14,414,000.

#### NORTH AMERICAN WETLANDS CONSERVATION FUND

For expenses necessary to carry out the provisions of the North American Wetlands Conservation Act, Public Law 101-233, as amended, \$24,560,000, to remain available until expended.

#### NEOTROPICAL MIGRATORY BIRD CONSERVATION

For financial assistance for projects to promote the conservation of neotropical migratory birds in accordance with the Neotropical Migratory Bird Conservation

Act, Public Law 106-247 (16 U.S.C. 6101-6109), \$5,000,000, to remain available until expended.

#### MULTINATIONAL SPECIES CONSERVATION FUND

For expenses necessary to carry out the African Elephant Conservation Act (16 U.S.C. 4201-4203, 4211-4213, 4221-4225, 4241-4245, and 1538), the Asian Elephant Conservation Act of 1997 (Public Law 105-96; 16 U.S.C. 4261-4266), the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5301-5306), and the Great Ape Conservation Act of 2000 (16 U.S.C. 6301), \$5,000,000, to remain available until expended.

#### STATE AND TRIBAL WILDLIFE GRANTS

For wildlife conservation grants to States and to the District of Columbia, Puerto Rico, Guam, the United States Virgin Islands, the Northern Mariana Islands, American Samoa, and federally recognized Indian tribes under the provisions of the Fish and Wildlife Act of 1956 and the Fish and Wildlife Coordination Act, for the development and implementation of programs for the benefit of wildlife and their habitat, including species that are not hunted or fished, \$75,000,000 to be derived from the Land and Water Conservation Fund, and to remain available until expended: *Provided*, That of the amount provided herein, \$6,000,000 is for a competitive grant program for Indian tribes not subject to the remaining provisions of this appropriation: *Provided further*, That the Secretary shall, after deducting said \$6,000,000 and administrative expenses, apportion the amount provided herein in the following manner: (A) to the District of Columbia and to the Commonwealth of Puerto Rico, each a sum equal to not more than one-half of 1 percent thereof; and (B) to Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands, each a sum equal to not more than one-fourth of 1 percent thereof: *Provided further*, That the Secretary shall apportion the remaining amount in the following manner: (A) one-third of which is based on the ratio to which the land area of such State bears to the total land area of all such States; and (B) two-thirds of which is based on the ratio to which the population of such State bears to the total population of all such States: *Provided further*, That the amounts apportioned under this paragraph shall be adjusted equitably so that no State shall be apportioned a sum which is less than 1 percent of the amount available for apportionment under this paragraph for any fiscal year or more than 5 percent of such amount: *Provided further*, That the Federal share of planning grants shall not exceed 75 percent of the total costs of such projects and the Federal share of implementation grants shall not exceed 50 percent of the total costs of such projects: *Provided further*, That the non-Federal share of such projects may not be derived from Federal grant programs: *Provided further*, That no State, territory, or other jurisdiction shall receive a grant unless it has developed, or committed to develop by October 1, 2005, a comprehensive wildlife conservation plan, consistent with criteria established by the Secretary of the Interior, that considers the broad range of the State, territory, or other jurisdiction's wildlife and associated habitats, with appropriate priority placed on those species with the greatest conservation need and taking into consideration the relative level of funding available for the conservation of those species: *Provided further*, That any amount apportioned in 2004 to any State, territory, or other jurisdiction that remains unobligated as of September 30, 2005, shall be reapportioned, together with funds appropriated in 2006, in the manner provided herein: *Provided further*, That balances from amounts pre-

viously appropriated under the heading "State Wildlife Grants" shall be transferred to and merged with this appropriation and shall remain available until expended.

#### ADMINISTRATIVE PROVISIONS

Appropriations and funds available to the United States Fish and Wildlife Service shall be available for purchase of not to exceed 157 passenger motor vehicles, of which 142 are for replacement only (including 33 for police-type use); repair of damage to public roads within and adjacent to reservation areas caused by operations of the Service; options for the purchase of land at not to exceed \$1 for each option; facilities incident to such public recreational uses on conservation areas as are consistent with their primary purpose; and the maintenance and improvement of aquaria, buildings, and other facilities under the jurisdiction of the Service and to which the United States has title, and which are used pursuant to law in connection with management, and investigation of fish and wildlife resources: *Provided*, That notwithstanding 44 U.S.C. 501, the Service may, under cooperative cost sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share at least one-half the cost of printing either in cash or services and the Service determines the cooperator is capable of meeting accepted quality standards: *Provided further*, That the Service may accept donated aircraft as replacements for existing aircraft: *Provided further*, That notwithstanding any other provision of law, the Secretary of the Interior may not spend any of the funds appropriated in this Act for the purchase of lands or interests in lands to be used in the establishment of any new unit of the National Wildlife Refuge System unless the purchase is approved in advance by the House and Senate Committees on Appropriations in compliance with the reprogramming procedures contained in the House Report accompanying this Act.

#### NATIONAL PARK SERVICE

##### OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service (including special road maintenance service to trucking permittees on a reimbursable basis), and for the general administration of the National Park Service, \$1,636,882,000 of which \$10,887,000 is for planning and interagency coordination in support of Everglades restoration and shall remain available until expended; of which \$98,480,000, to remain available until September 30, 2005, is for maintenance, repair or rehabilitation projects for constructed assets, operation of the National Park Service automated facility management software system, and comprehensive facility condition assessments; and of which \$2,000,000 is for the Youth Conservation Corps for high priority projects: *Provided*, That the only funds in this account which may be made available to support United States Park Police are those funds approved for emergency law and order incidents pursuant to established National Park Service procedures, those funds needed to maintain and repair United States Park Police administrative facilities, and those funds necessary to reimburse the United States Park Police account for the unbudgeted overtime and travel costs associated with special events for an amount not to exceed \$10,000 per event subject to the review and concurrence of the Washington headquarters office.

#### UNITED STATES PARK POLICE

For expenses necessary to carry out the programs of the United States Park Police, \$78,859,000.

#### NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, heritage partnership programs, environmental compliance and review, international park affairs, statutory or contractual aid for other activities, and grant administration, not otherwise provided for, \$54,924,000: *Provided*, That none of the funds in this or previous Acts for the Rivers, Trails and Conservation Assistance Program may be used for cooperative agreements or any other form of cash grant.

#### URBAN PARK AND RECREATION FUND

For expenses necessary to carry out the provisions of the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2501 et seq.), \$305,000, to remain available until expended.

#### HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the Historic Preservation Act of 1966, as amended (16 U.S.C. 470), and the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333), \$71,000,000, to be derived from the Historic Preservation Fund, to remain available until September 30, 2005: *Provided*, That of the total amount provided, \$30,000,000 shall be for Save America's Treasures for priority preservation projects, of nationally significant sites, structures, and artifacts: *Provided further*, That any individual Save America's Treasures grant shall be matched by non-Federal funds: *Provided further*, That individual projects shall only be eligible for one grant, and all projects to be funded shall be approved by the House and Senate Committees on Appropriations and the Secretary of the Interior in consultation with the President's Committee on the Arts and Humanities prior to the commitment of grant funds: *Provided further*, That Save America's Treasures funds allocated for Federal projects shall be available by transfer to appropriate accounts of individual agencies, after approval of such projects by the Secretary of the Interior, in consultation with the House and Senate Committees on Appropriations and the President's Committee on the Arts and Humanities.

#### CONSTRUCTION

For construction, improvements, repair or replacement of physical facilities, including the modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989, \$303,199,000, to remain available until expended: *Provided*, That none of the funds in this or any other Act, may be used to pay the salaries and expenses of more than 160 Full Time Equivalent personnel working for the National Park Service's Denver Service Center funded under the construction program management and operations activity: *Provided further*, That none of the funds provided in this or any other Act may be used to pre-design, plan, or construct any new facility (including visitor centers, curatorial facilities, administrative buildings), for which appropriations have not been specifically provided if the net construction cost of such facility is in excess of \$5,000,000, without prior approval of the House and Senate Committees on Appropriations: *Provided further*, That this restriction applies to all funds available to the National Park Service, including partnership and fee demonstration projects: *Provided further*, That no funds appropriated in this Act and in any prior Acts for the purpose of implementing the Modified Water Deliveries to Everglades National Park Project shall be available for expenditure unless the Secretary of the Interior, the Secretary of the Army, the Administrator of the Environmental Protection Agency, and the Attorney General file a joint report by September 30, 2003, and every six months thereafter until

December 31, 2006, to the House and Senate Committees on Appropriations, the House Committee on Transportation and Infrastructure, the House Committee on Resources and the Senate Committee on Environment and Public Works, indicating that the water entering A.R.M. Loxahatchee National Wildlife Refuge and Everglades National Park meets all applicable State water quality standards and numeric criteria adopted for phosphorus throughout A.R.M. Loxahatchee National Wildlife Refuge and Everglades National Park, as well as water quality requirements set forth in the Consent Decree entered in United States v. South Florida Water Management District, and that the House and Senate Committees on Appropriations respond in writing to the report indicating that the funds are available for expenditure.

LAND AND WATER CONSERVATION FUND  
(RESCISSION)

The contract authority provided for fiscal year 2004 by 16 U.S.C. 4601-10a is rescinded.

LAND ACQUISITION AND STATE ASSISTANCE  
(INCLUDING TRANSFERS OF FUNDS)

For expenses necessary to carry out the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 4601-4 through 11), including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with the statutory authority applicable to the National Park Service, \$131,154,000, to be derived from the Land and Water Conservation Fund and to remain available until expended, of which \$97,500,000 is for the State assistance program including \$2,500,000 to administer this program: *Provided*, That none of the funds provided for the State assistance program may be used to establish a contingency fund: *Provided further*, That notwithstanding any other provision of law, the Secretary of the Interior, using prior year unobligated funds made available under any Act enacted before the date of enactment of this Act for land acquisition assistance to the State of Florida for the acquisition of lands or water, or interests therein, within the Everglades watershed, shall transfer \$5,000,000 to the United States Fish and Wildlife Service "Resource Management" account for the purpose of funding water quality monitoring and eradication of invasive exotic plants at A.R.M. Loxahatchee National Wildlife Refuge, as well as recovery actions for any listed species in the South Florida ecosystem, and may transfer such sums as may be determined necessary by the Secretary of the Interior to the U.S. Army Corps of Engineers "Construction, General" account for the purpose of modifying the construction of Storm Water Treatment Area 1 East to include additional water quality improvement measures, such as additional compartmentalization, improved flow control, vegetation management, and other additional technologies based upon the recommendations of the Secretary of the Interior and the South Florida Water Management District, to maximize the treatment effectiveness of Storm Water Treatment Area 1 East so that water delivered by Storm Water Treatment Area 1 East to A.R.M. Loxahatchee National Wildlife Refuge achieves State water quality standards, including the numeric criterion for phosphorus, and that the cost sharing provisions of section 528 of the Water Resources Development Act of 1996 (110 Stat. 3769) shall apply to any funds provided by the Secretary of the Interior to the U.S. Army Corps of Engineers for this purpose: *Provided further*, That, subsequent to the transfer of the \$5,000,000 to the U.S. Fish and Wildlife Service and the transfer of funds, if any, to the U.S. Army

Corps of Engineers to carry out water quality improvement measures for Storm Water Treatment Area 1 East, if any funds remain to be expended after the requirements of these provisions have been met, then the Secretary of the Interior may transfer, as appropriate, and use the remaining funds for Everglades restoration activities benefiting the lands and resources managed by the Department of the Interior in South Florida, subject to the approval by the House and Senate Committees on Appropriations of a reprogramming request by the Secretary detailing how the remaining funds will be expended for this purpose.

ADMINISTRATIVE PROVISIONS

Appropriations for the National Park Service shall be available for the purchase of not to exceed 249 passenger motor vehicles, of which 202 shall be for replacement only, including not to exceed 193 for police-type use, 10 buses, and 8 ambulances: *Provided*, That none of the funds appropriated to the National Park Service may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: *Provided further*, That none of the funds appropriated to the National Park Service may be used to implement an agreement for the redevelopment of the southern end of Ellis Island until such agreement has been submitted to the Congress and shall not be implemented prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than 3 calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full and comprehensive report on the development of the southern end of Ellis Island, including the facts and circumstances relied upon in support of the proposed project.

None of the funds in this Act may be spent by the National Park Service for activities taken in direct response to the United Nations Biodiversity Convention.

The National Park Service may distribute to operating units based on the safety record of each unit the costs of programs designed to improve workplace and employee safety, and to encourage employees receiving workers' compensation benefits pursuant to chapter 81 of title 5, United States Code, to return to appropriate positions for which they are medically able.

UNITED STATES GEOLOGICAL SURVEY  
SURVEYS, INVESTIGATIONS, AND RESEARCH

For expenses necessary for the United States Geological Survey to perform surveys, investigations, and research covering topography, geology, hydrology, biology, and the mineral and water resources of the United States, its territories and possessions, and other areas as authorized by 43 U.S.C. 31, 1332, and 1340; classify lands as to their mineral and water resources; give engineering supervision to power permittees and Federal Energy Regulatory Commission licensees; administer the minerals exploration program (30 U.S.C. 641); and publish and disseminate data relative to the foregoing activities; and to conduct inquiries into the economic conditions affecting mining and materials processing industries (30 U.S.C. 3, 21a, and 1603; 50 U.S.C. 98g(1)) and related purposes as authorized by law and to publish and disseminate data; \$935,660,000, of which \$64,536,000 shall be available only for cooperation with States or municipalities for water resources investigations; and of which \$15,227,000 shall remain available until expended for conducting inquiries into the economic conditions affecting mining and materials processing industries; and of which \$8,000,000 shall remain available until ex-

ended for satellite operations; and of which \$24,190,000 shall be available until September 30, 2005, for the operation and maintenance of facilities and deferred maintenance; and of which \$173,349,000 shall be available until September 30, 2005, for the biological research activity and the operation of the Cooperative Research Units: *Provided*, That none of these funds provided for the biological research activity shall be used to conduct new surveys on private property, unless specifically authorized in writing by the property owner: *Provided further*, That no part of this appropriation shall be used to pay more than one-half the cost of topographic mapping or water resources data collection and investigations carried on in cooperation with States and municipalities.

ADMINISTRATIVE PROVISIONS

The amount appropriated for the United States Geological Survey shall be available for the purchase of not to exceed 53 passenger motor vehicles, of which 48 are for replacement only; reimbursement to the General Services Administration for security guard services; contracting for the furnishing of topographic maps and for the making of geophysical or other specialized surveys when it is administratively determined that such procedures are in the public interest; construction and maintenance of necessary buildings and appurtenant facilities; acquisition of lands for gauging stations and observation wells; expenses of the United States National Committee on Geology; and payment of compensation and expenses of persons on the rolls of the Survey duly appointed to represent the United States in the negotiation and administration of interstate compacts: *Provided*, That activities funded by appropriations herein made may be accomplished through the use of contracts, grants, or cooperative agreements as defined in 31 U.S.C. 6302 et seq.: *Provided further*, That notwithstanding the provisions of the Federal Grant and Cooperative Agreement Act of 1977 (31 U.S.C. 6301-6308), the U.S. Geological Survey is authorized to continue existing, and hereafter, to enter into new cooperative agreements directed towards a particular cooperator, in support of joint research and data collection activities with Federal, State, and academic partners funded by appropriations herein, including those that provide for space in cooperator facilities.

MINERALS MANAGEMENT SERVICE  
ROYALTY AND OFFSHORE MINERALS  
MANAGEMENT

For expenses necessary for minerals leasing and environmental studies, regulation of industry operations, and collection of royalties, as authorized by law; for enforcing laws and regulations applicable to oil, gas, and other minerals leases, permits, licenses and operating contracts; and for matching grants or cooperative agreements; including the purchase of not to exceed eight passenger motor vehicles for replacement only, \$164,216,000, of which \$80,396,000, shall be available for royalty management activities; and an amount not to exceed \$100,230,000, to be credited to this appropriation and to remain available until expended, from additions to receipts resulting from increases to rates in effect on August 5, 1993, from rate increases to fee collections for Outer Continental Shelf administrative activities performed by the Minerals Management Service (MMS) over and above the rates in effect on September 30, 1993, and from additional fees for Outer Continental Shelf administrative activities established after September 30, 1993: *Provided*, That to the extent \$100,230,000 in additions to receipts are not realized from the sources of receipts stated above, the

amount needed to reach \$100,230,000 shall be credited to this appropriation from receipts resulting from rental rates for Outer Continental Shelf leases in effect before August 5, 1993: *Provided further*, That \$3,000,000 for computer acquisitions shall remain available until September 30, 2005: *Provided further*, That funds appropriated under this Act shall be available for the payment of interest in accordance with 30 U.S.C. 1721(b) and (d): *Provided further*, That not to exceed \$3,000 shall be available for reasonable expenses related to promoting volunteer beach and marine cleanup activities: *Provided further*, That notwithstanding any other provision of law, \$15,000 under this heading shall be available for refunds of overpayments in connection with certain Indian leases in which the Director of MMS concurred with the claimed refund due, to pay amounts owed to Indian allottees or tribes, or to correct prior unrecoverable erroneous payments: *Provided further*, That MMS may under the royalty-in-kind pilot program, or under its authority to transfer oil to the Strategic Petroleum Reserve, use a portion of the revenues from royalty-in-kind sales, without regard to fiscal year limitation, to pay for transportation to wholesale market centers or upstream pooling points, and to process or otherwise dispose of royalty production taken in kind, and to recover MMS transportation costs, salaries, and other administrative costs directly related to filling the Strategic Petroleum Reserve: *Provided further*, That MMS shall analyze and document the expected return in advance of any royalty-in-kind sales to assure to the maximum extent practicable that royalty income under the pilot program is equal to or greater than royalty income recognized under a comparable royalty-in-value program.

#### OIL SPILL RESEARCH

For necessary expenses to carry out title I, section 1016, title IV, sections 4202 and 4303, title VII, and title VIII, section 8201 of the Oil Pollution Act of 1990, \$7,105,000, which shall be derived from the Oil Spill Liability Trust Fund, to remain available until expended.

#### OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

##### REGULATION AND TECHNOLOGY

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95-87, as amended, including the purchase of not to exceed 10 passenger motor vehicles, for replacement only; \$106,424,000: *Provided*, That the Secretary of the Interior, pursuant to regulations, may use directly or through grants to States, moneys collected in fiscal year 2004 for civil penalties assessed under section 518 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1268), to reclaim lands adversely affected by coal mining practices after August 3, 1977, to remain available until expended: *Provided further*, That appropriations for the Office of Surface Mining Reclamation and Enforcement may provide for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

##### ABANDONED MINE RECLAMATION FUND

For necessary expenses to carry out title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95-87, as amended, including the purchase of not more than 10 passenger motor vehicles for replacement only, \$194,469,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended; of which up to \$10,000,000, to be derived from the Federal Expenses Share of the Fund, shall be for supplemental grants to

States for the reclamation of abandoned sites with acid mine rock drainage from coal mines, and for associated activities, through the Appalachian Clean Streams Initiative: *Provided*, That grants to minimum program States will be \$1,500,000 per State in fiscal year 2004: *Provided further*, That of the funds herein provided up to \$18,000,000 may be used for the emergency program authorized by section 410 of Public Law 95-87, as amended, of which no more than 25 percent shall be used for emergency reclamation projects in any one State and funds for federally administered emergency reclamation projects under this proviso shall not exceed \$11,000,000: *Provided further*, That prior year unobligated funds appropriated for the emergency reclamation program shall not be subject to the 25 percent limitation per State and may be used without fiscal year limitation for emergency projects: *Provided further*, That pursuant to Public Law 97-365, the Department of the Interior is authorized to use up to 20 percent from the recovery of the delinquent debt owed to the United States Government to pay for contracts to collect these debts: *Provided further*, That funds made available under title IV of Public Law 95-87 may be used for any required non-Federal share of the cost of projects funded by the Federal Government for the purpose of environmental restoration related to treatment or abatement of acid mine drainage from abandoned mines: *Provided further*, That such projects must be consistent with the purposes and priorities of the Surface Mining Control and Reclamation Act.

#### BUREAU OF INDIAN AFFAIRS OPERATION OF INDIAN PROGRAMS

For expenses necessary for the operation of Indian programs, as authorized by law, including the Snyder Act of November 2, 1921 (25 U.S.C. 13), the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450 et seq.), as amended, the Education Amendments of 1978 (25 U.S.C. 2001-2019), and the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.), as amended, \$1,902,106,000, to remain available until September 30, 2005 except as otherwise provided herein, of which not to exceed \$85,925,000 shall be for welfare assistance payments and notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975, as amended, not to exceed \$135,315,000 shall be available for payments to tribes and tribal organizations for contract support costs associated with ongoing contracts, grants, compacts, or annual funding agreements entered into with the Bureau prior to or during fiscal year 2004, as authorized by such Act, except that tribes and tribal organizations may use their tribal priority allocations for unmet indirect costs of ongoing contracts, grants, or compacts, or annual funding agreements and for unmet welfare assistance costs; and of which not to exceed \$458,524,000 for school operations costs of Bureau-funded schools and other education programs shall become available on July 1, 2004, and shall remain available until September 30, 2005; and of which not to exceed \$55,374,000 shall remain available until expended for housing improvement, road maintenance, attorney fees, litigation support, the Indian Self-Determination Fund, land records improvement, and the Navajo-Hopi Settlement Program: *Provided*, That notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975, as amended, and 25 U.S.C. 2008, not to exceed \$49,297,000 within and only from such amounts made available for school operations shall be available to tribes and tribal organizations for administrative cost grants associated with ongoing grants entered into

with the Bureau prior to or during fiscal year 2003 for the operation of Bureau-funded schools, and up to \$3,000,000 within and only from such amounts made available for school operations shall be available for the transitional costs of initial administrative cost grants to tribes and tribal organizations that enter into grants for the operation on or after July 1, 2004 of Bureau-operated schools: *Provided further*, That any forestry funds allocated to a tribe which remain unobligated as of September 30, 2005, may be transferred during fiscal year 2006 to an Indian forest land assistance account established for the benefit of such tribe within the tribe's trust fund account: *Provided further*, That any such unobligated balances not so transferred shall expire on September 30, 2006.

#### CONSTRUCTION

For construction, repair, improvement, and maintenance of irrigation and power systems, buildings, utilities, and other facilities, including architectural and engineering services by contract; acquisition of lands, and interests in lands; and preparation of lands for farming, and for construction of the Navajo Indian Irrigation Project pursuant to Public Law 87-483, \$345,154,000, to remain available until expended: *Provided*, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation: *Provided further*, That not to exceed 6 percent of contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund may be used to cover the road program management costs of the Bureau: *Provided further*, That any funds provided for the Safety of Dams program pursuant to 25 U.S.C. 13 shall be made available on a nonreimbursable basis: *Provided further*, That for fiscal year 2004, in implementing new construction or facilities improvement and repair project grants in excess of \$100,000 that are provided to tribally controlled grant schools under Public Law 100-297, as amended, the Secretary of the Interior shall use the Administrative and Audit Requirements and Cost Principles for Assistance Programs contained in 43 CFR part 12 as the regulatory requirements: *Provided further*, That such grants shall not be subject to section 12.61 of 43 CFR; the Secretary and the grantee shall negotiate and determine a schedule of payments for the work to be performed: *Provided further*, That in considering applications, the Secretary shall consider whether the Indian tribe or tribal organization would be deficient in assuring that the construction projects conform to applicable building standards and codes and Federal, tribal, or State health and safety standards as required by 25 U.S.C. 2005(a), with respect to organizational and financial management capabilities: *Provided further*, That if the Secretary declines an application, the Secretary shall follow the requirements contained in 25 U.S.C. 2505(f): *Provided further*, That any disputes between the Secretary and any grantee concerning a grant shall be subject to the disputes provision in 25 U.S.C. 2508(e).

#### INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS (INCLUDING TRANSFER OF FUNDS)

For miscellaneous payments to Indian tribes and individuals and for necessary administrative expenses, \$60,551,000, to remain available until expended; of which \$31,610,000 shall be available for implementation of enacted Indian land and water claim settlements pursuant to Public Laws 101-618, 107-331, and 102-575, and for implementation of other enacted water rights settlements; and of which \$18,817,000 shall be available pursuant to Public Laws 99-264, 100-580, 106-425,

and 106-554; and of which \$9,968,000 shall be available for payment to the Quinault Indian Nation pursuant to the terms of the North Boundary Settlement Agreement dated July 14, 2000, providing for the acquisition of perpetual conservation easements from the Nation: *Provided*, That of the payment to the Quinault Indian Nation, \$4,968,000 shall be derived from amounts provided under the heading "United States Fish and Wildlife Service, Land Acquisition" in Public Law 108-7.

#### INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

For the cost of guaranteed and insured loans, \$5,797,000, as authorized by the Indian Financing Act of 1974, as amended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$94,568,000.

In addition, for administrative expenses to carry out the guaranteed and insured loan programs, \$700,000.

#### ADMINISTRATIVE PROVISIONS

The Bureau of Indian Affairs may carry out the operation of Indian programs by direct expenditure, contracts, cooperative agreements, compacts and grants, either directly or in cooperation with States and other organizations.

Notwithstanding 25 U.S.C. 15, the Bureau of Indian Affairs may contract for services in support of the management, operation, and maintenance of the Power Division of the San Carlos Irrigation Project.

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans, the Indian loan guarantee and insurance fund, and the Indian Guaranteed Loan Program account) shall be available for expenses of exhibits, and purchase of not to exceed 229 passenger motor vehicles, of which not to exceed 187 shall be for replacement only.

Notwithstanding any other provision of law, no funds available to the Bureau of Indian Affairs for central office operations, or pooled overhead general administration (except facilities operations and maintenance) shall be available for tribal contracts, grants, compacts, or cooperative agreements with the Bureau of Indian Affairs under the provisions of the Indian Self-Determination Act or the Tribal Self-Governance Act of 1994 (Public Law 103-413).

In the event any tribe returns appropriations made available by this Act to the Bureau of Indian Affairs for distribution to other tribes, this action shall not diminish the Federal Government's trust responsibility to that tribe, or the government-to-government relationship between the United States and that tribe, or that tribe's ability to access future appropriations.

Notwithstanding any other provision of law, no funds available to the Bureau, other than the amounts provided herein for assistance to public schools under 25 U.S.C. 452 et seq., shall be available to support the operation of any elementary or secondary school in the State of Alaska.

Appropriations made available in this or any other Act for schools funded by the Bureau shall be available only to the schools in the Bureau school system as of September 1, 1996. No funds available to the Bureau shall be used to support expanded grades for any school or dormitory beyond the grade structure in place or approved by the Secretary of the Interior at each school in the Bureau school system as of October 1, 1995. Funds made available under this Act may not be used to establish a charter school at a Bureau-funded school (as that term is defined in section 1146 of the Education Amendments

of 1978 (25 U.S.C. 2026)), except that a charter school that is in existence on the date of the enactment of this Act and that has operated at a Bureau-funded school before September 1, 1999, may continue to operate during that period, but only if the charter school pays to the Bureau a pro rata share of funds to reimburse the Bureau for the use of the real and personal property (including buses and vans), the funds of the charter school are kept separate and apart from Bureau funds, and the Bureau does not assume any obligation for charter school programs of the State in which the school is located if the charter school loses such funding. Employees of Bureau-funded schools sharing a campus with a charter school and performing functions related to the charter school's operation and employees of a charter school shall not be treated as Federal employees for purposes of chapter 171 of title 28, United States Code.

#### DEPARTMENTAL OFFICES

##### INSULAR AFFAIRS

##### ASSISTANCE TO TERRITORIES

For expenses necessary for assistance to territories under the jurisdiction of the Department of the Interior, \$74,343,000, of which: (1) \$68,022,000 shall be available until expended for technical assistance, including maintenance assistance, disaster assistance, insular management controls, coral reef initiative activities, and brown tree snake control and research; grants to the judiciary in American Samoa for compensation and expenses, as authorized by law (48 U.S.C. 1661(c)); grants to the Government of American Samoa, in addition to current local revenues, for construction and support of governmental functions; grants to the Government of the Virgin Islands as authorized by law; grants to the Government of Guam, as authorized by law; and grants to the Government of the Northern Mariana Islands as authorized by law (Public Law 94-241; 90 Stat. 272); and (2) \$6,321,000 shall be available for salaries and expenses of the Office of Insular Affairs: *Provided*, That all financial transactions of the territorial and local governments herein provided for, including such transactions of all agencies or instrumentalities established or used by such governments, may be audited by the General Accounting Office, at its discretion, in accordance with chapter 35 of title 31, United States Code: *Provided further*, That Northern Mariana Islands Covenant grant funding shall be provided according to those terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands approved by Public Law 104-134: *Provided further*, That of the amounts provided for technical assistance, sufficient funds shall be made available for a grant to the Pacific Basin Development Council: *Provided further*, That of the amounts provided for technical assistance, sufficient funding shall be made available for a grant to the Close Up Foundation: *Provided further*, That the funds for the program of operations and maintenance improvement are appropriated to institutionalize routine operations and maintenance improvement of capital infrastructure with territorial participation and cost sharing to be determined by the Secretary based on the grantee's commitment to timely maintenance of its capital assets: *Provided further*, That any appropriation for disaster assistance under this heading in this Act or previous appropriations Acts may be used as non-Federal matching funds for the purpose of hazard mitigation grants provided pursuant to section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c).

##### COMPACT OF FREE ASSOCIATION

For economic assistance and necessary expenses for the Federated States of Micro-

nesia and the Republic of the Marshall Islands as provided for in sections 221(a)(3), 221(b), 223, and 233 of the Compact of Free Association, and for economic assistance and necessary expenses for the Republic of Palau as provided for in sections 221(a)(2), 221(b), and 233 of the Compact of Free Association, \$16,354,000, to remain available until expended, as authorized by Public Law 99-239 and Public Law 99-658.

#### DEPARTMENTAL MANAGEMENT

##### SALARIES AND EXPENSES

For necessary expenses for management of the Department of the Interior, \$79,027,000, of which not to exceed \$8,500 may be for official reception and representation expenses, and of which up to \$1,000,000 shall be available for workers compensation payments and unemployment compensation payments associated with the orderly closure of the United States Bureau of Mines: *Provided*, That none of the funds in this or previous appropriations Acts may be used to establish any additional reserves in the Working Capital account other than the two authorized reserves without prior approval of the House and Senate Committees on Appropriations.

##### WORKING CAPITAL FUND

From unobligated balances under this heading, \$20,000,000 are hereby cancelled.

##### PAYMENTS IN LIEU OF TAXES

For expenses necessary to implement the Act of October 20, 1976, as amended (31 U.S.C. 6901-6907), \$225,000,000, of which not to exceed \$400,000 shall be available for administrative expenses: *Provided*, That no payment shall be made to otherwise eligible units of local government if the computed amount of the payment is less than \$100.

##### OFFICE OF THE SOLICITOR

##### SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, \$50,374,000.

##### OFFICE OF INSPECTOR GENERAL

##### SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General, \$39,049,000, of which \$3,812,000 shall be for procurement by contract of independent auditing services to audit the consolidated Department of the Interior annual financial statement and the annual financial statement of the Department of the Interior bureaus and offices funded in this Act.

##### OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS

##### FEDERAL TRUST PROGRAMS

For operation of trust programs for Indians by direct expenditure, contracts, cooperative agreements, compacts, and grants, \$219,641,000, of which \$75,000,000 shall be available for historical accounting, to remain available until expended: *Provided*, That funds for trust management improvements and litigation support may, as needed, be transferred to or merged with the Bureau of Indian Affairs, "Operation of Indian Programs" account; the Office of the Solicitor, "Salaries and Expenses" account; and the Departmental Management, "Salaries and Expenses" account: *Provided further*, That funds made available to Tribes and Tribal organizations through contracts or grants obligated during fiscal year 2004, as authorized by the Indian Self-Determination Act of 1975 (25 U.S.C. 450 et seq.), shall remain available until expended by the contractor or grantee: *Provided further*, That notwithstanding any other provision of law, the statute of limitations shall not commence to run on any claim, including any claim in litigation pending on the date of the enactment of this Act, concerning losses to or mismanagement of trust funds, until the affected tribe or individual Indian has been furnished with an

accounting of such funds from which the beneficiary can determine whether there has been a loss: *Provided further*, That notwithstanding any other provision of law, the Secretary shall not be required to provide a quarterly statement of performance for any Indian trust account that has not had activity for at least 18 months and has a balance of \$1.00 or less: *Provided further*, That the Secretary shall issue an annual account statement and maintain a record of any such accounts and shall permit the balance in each such account to be withdrawn upon the express written request of the account holder: *Provided further*, That not to exceed \$50,000 is available for the Secretary to make payments to correct administrative errors of either disbursements from or deposits to Individual Indian Money or Tribal accounts after September 30, 2002: *Provided further*, That erroneous payments that are recovered shall be credited to and remain available in this account for this purpose.

#### INDIAN LAND CONSOLIDATION

For consolidation of fractional interests in Indian lands and expenses associated with re-determining and redistributing escheated interests in allotted lands, and for necessary expenses to carry out the Indian Land Consolidation Act of 1983, as amended, by direct expenditure or cooperative agreement, \$20,980,000, to remain available until expended.

#### NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

##### NATURAL RESOURCE DAMAGE ASSESSMENT FUND

To conduct natural resource damage assessment and restoration activities by the Department of the Interior necessary to carry out the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et seq.), the Oil Pollution Act of 1990 (Public Law 101-380) (33 U.S.C. 2701 et seq.), and Public Law 101-337, as amended (16 U.S.C. 191j et seq.), \$5,633,000, to remain available until expended.

#### ADMINISTRATIVE PROVISIONS

There is hereby authorized for acquisition from available resources within the Working Capital Fund, 15 aircraft, 10 of which shall be for replacement and which may be obtained by donation, purchase or through available excess surplus property: *Provided*, That notwithstanding any other provision of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft: *Provided further*, That no programs funded with appropriated funds in the "Departmental Management", "Office of the Solicitor", and "Office of Inspector General" may be augmented through the Working Capital Fund or the Consolidated Working Fund.

#### GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: *Provided*, That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted: *Provided further*, That all funds used pursuant to this section are hereby designated by Congress to be "emergency requirements" pursuant to section 251(b)(2)(A)

of the Balanced Budget and Emergency Deficit Control Act of 1985, and must be replenished by a supplemental appropriation which must be requested as promptly as possible.

SEC. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of wildland fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oil spills; for response and natural resource damage assessment activities related to actual oil spills; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 1773(b) of Public Law 99-198 (99 Stat. 1658); for emergency reclamation projects under section 410 of Public Law 95-87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: *Provided*, That appropriations made in this title for wildland fire operations shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for wildland fire operations, such reimbursement to be credited to appropriations currently available at the time of receipt thereof: *Provided further*, That for wildland fire operations, no funds shall be made available under this authority until the Secretary determines that funds appropriated for "wildland fire operations" shall be exhausted within 30 days: *Provided further*, That all funds used pursuant to this section are hereby designated by Congress to be "emergency requirements" pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, and must be replenished by a supplemental appropriation which must be requested as promptly as possible: *Provided further*, That such replenishment funds shall be used to reimburse, on a pro rata basis, accounts from which emergency funds were transferred.

SEC. 103. Appropriations made in this title shall be available for operation of warehouses, garages, shops, and similar facilities, wherever consolidation of activities will contribute to efficiency or economy, and said appropriations shall be reimbursed for services rendered to any other activity in the same manner as authorized by sections 1535 and 1536 of title 31, United States Code: *Provided*, That reimbursements for costs and supplies, materials, equipment, and for services rendered may be credited to the appropriation current at the time such reimbursements are received.

SEC. 104. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by 5 U.S.C. 3109, when authorized by the Secretary, in total amount not to exceed \$500,000; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associa-

tions which issue publications to members only or at a price to members lower than to subscribers who are not members.

SEC. 105. Appropriations available to the Department of the Interior for salaries and expenses shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901-5902 and D.C. Code 4-204).

SEC. 106. Annual appropriations made in this title shall be available for obligation 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.

SEC. 107. No funds provided in this title may be expended by the Department of the Interior for the conduct of offshore preleasing, leasing and related activities placed under restriction in the President's moratorium statement of June 12, 1998, in the areas of northern, central, and southern California; the North Atlantic; Washington and Oregon; and the eastern Gulf of Mexico south of 26 degrees north latitude and east of 86 degrees west longitude.

SEC. 108. No funds provided in this title may be expended by the Department of the Interior for the conduct of offshore oil and natural gas preleasing, leasing, and related activities, on lands within the North Aleutian Basin planning area.

SEC. 109. No funds provided in this title may be expended by the Department of the Interior to conduct offshore oil and natural gas preleasing, leasing and related activities in the eastern Gulf of Mexico planning area for any lands located outside Sale 181, as identified in the final Outer Continental Shelf 5-Year Oil and Gas Leasing Program, 1997-2002.

SEC. 110. No funds provided in this title may be expended by the Department of the Interior to conduct oil and natural gas preleasing, leasing and related activities in the Mid-Atlantic and South Atlantic planning areas.

SEC. 111. Advance payments made under this title to Indian tribes, tribal organizations, and tribal consortia pursuant to the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) or the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.) may be invested by the Indian tribe, tribal organization, or consortium before such funds are expended for the purposes of the grant, compact, or annual funding agreement so long as such funds are—

(1) invested by the Indian tribe, tribal organization, or consortium only in obligations of the United States, or in obligations or securities that are guaranteed or insured by the United States, or mutual (or other) funds registered with the Securities and Exchange Commission and which only invest in obligations of the United States or securities that are guaranteed or insured by the United States; or

(2) deposited only into accounts that are insured by an agency or instrumentality of the United States, or are fully collateralized to ensure protection of the funds, even in the event of a bank failure.

SEC. 112. Notwithstanding any other provisions of law, the National Park Service shall not develop or implement a reduced entrance fee program to accommodate non-local travel through a unit. The Secretary may provide for and regulate local non-recreational passage through units of the National Park System, allowing each unit to develop guidelines and permits for such activity appropriate to that unit.

SEC. 113. Appropriations made in this Act under the headings Bureau of Indian Affairs and Office of Special Trustee for American Indians and any available unobligated balances from prior appropriations Acts made

under the same headings, shall be available for expenditure or transfer for Indian trust management and reform activities.

SEC. 114. A grazing permit or lease that expires (or is transferred) during fiscal year 2004 shall be renewed under section 402 of the Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1752) or, if applicable, section 510 of the California Desert Protection Act (16 U.S.C. 410aaa-50). The terms and conditions contained in the expiring permit or lease shall continue in effect under the new permit or lease until such time as the Secretary of the Interior completes processing of such permit or lease in compliance with all applicable laws and regulations, at which time such permit or lease may be canceled, suspended or modified, in whole or in part, to meet the requirements of such applicable laws and regulations. Nothing in this section shall be deemed to alter the Secretary's statutory authority: Provided, That any Federal lands included within the boundary of Lake Roosevelt National Recreation Area, as designated by the Secretary of the Interior on April 5, 1990 (Lake Roosevelt Cooperative Management Agreement), that were utilized as of March 31, 1997, for grazing purposes pursuant to a permit issued by the National Park Service, the person or persons so utilizing such lands as of March 31, 1997, shall be entitled to renew said permit under such terms and conditions as the Secretary may prescribe, for the lifetime of the permittee or 20 years, whichever is less.

SEC. 115. Notwithstanding any other provision of law, for the purpose of reducing the backlog of Indian probate cases in the Department of the Interior, the hearing requirements of chapter 10 of title 25, United States Code, are deemed satisfied by a proceeding conducted by an Indian probate judge, appointed by the Secretary without regard to the provisions of title 5, United States Code, governing the appointments in the competitive service, for such period of time as the Secretary determines necessary: Provided, That the basic pay of an Indian probate judge so appointed may be fixed by the Secretary without regard to the provisions of chapter 51, and subchapter III of chapter 53 of title 5, United States Code, governing the classification and pay of General Schedule employees, except that no such Indian probate judge may be paid at a level which exceeds the maximum rate payable for the highest grade of the General Schedule, including locality pay.

SEC. 116. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to redistribute any Tribal Priority Allocation funds, including tribal base funds, to alleviate tribal funding inequities by transferring funds to address identified, unmet needs, dual enrollment, overlapping service areas or inaccurate distribution methodologies. No tribe shall receive a reduction in Tribal Priority Allocation funds of more than 10 percent in fiscal year 2004. Under circumstances of dual enrollment, overlapping service areas or inaccurate distribution methodologies, the 10 percent limitation does not apply.

SEC. 117. Funds appropriated for the Bureau of Indian Affairs for postsecondary schools for fiscal year 2004 shall be allocated among the schools proportionate to the unmet need of the schools as determined by the Postsecondary Funding Formula adopted by the Office of Indian Education Programs.

SEC. 118. (a) The Secretary of the Interior shall take such action as may be necessary to ensure that the lands comprising the Huron Cemetery in Kansas City, Kansas (as described in section 123 of Public Law 106-291) are used only in accordance with this section.

(b) The lands of the Huron Cemetery shall be used only: (1) for religious and cultural uses that are compatible with the use of the lands as a cemetery; and (2) as a burial ground.

SEC. 119. Notwithstanding any other provision of law, in conveying the Twin Cities Research Center under the authority provided by Public Law 104-134, as amended by Public Law 104-208, the Secretary may accept and retain land and other forms of reimbursement: Provided, That the Secretary may retain and use any such reimbursement until expended and without further appropriation: (1) for the benefit of the National Wildlife Refuge System within the State of Minnesota; and (2) for all activities authorized by Public Law 100-696; 16 U.S.C. 460zz.

SEC. 120. Notwithstanding other provisions of law, the National Park Service may authorize, through cooperative agreement, the Golden Gate National Parks Association to provide fee-based education, interpretive and visitor service functions within the Crissy Field and Fort Point areas of the Presidio.

SEC. 121. Notwithstanding 31 U.S.C. 3302(b), sums received by the Bureau of Land Management for the sale of seeds or seedlings including those collected in fiscal year 2003, may be credited to the appropriation from which funds were expended to acquire or grow the seeds or seedlings and are available without fiscal year limitation.

SEC. 122. WHITE RIVER OIL SHALE MINE, UTAH. SALE.—Subject to the terms and conditions of section 126 of the Department of the Interior and Related Agencies Act, 2002, the Administrator of General Services shall sell all right, title, and interest of the United States in and to the improvements and equipment of the White River Oil Shale Mine.

SEC. 123. The Secretary of the Interior may use or contract for the use of helicopters or motor vehicles on the Sheldon and Hart National Wildlife Refuges for the purpose of capturing and transporting horses and burros. The provisions of subsection (a) of the Act of September 8, 1959 (18 U.S.C. 47(a)) shall not be applicable to such use. Such use shall be in accordance with humane procedures prescribed by the Secretary.

SEC. 124. Funds provided in this Act for Federal land acquisition by the National Park Service for Shenandoah Valley Battlefields National Historic District, and Ice Age National Scenic Trail may be used for a grant to a State, a local government, or any other governmental land management entity for the acquisition of lands without regard to any restriction on the use of Federal land acquisition funds provided through the Land and Water Conservation Fund Act of 1965 as amended.

SEC. 125. None of the funds made available by this Act may be obligated or expended by the National Park Service to enter into or implement a concession contract which permits or requires the removal of the underground lunchroom at the Carlsbad Caverns National Park.

SEC. 126. None of the funds made available in this Act may be used: (1) to demolish the bridge between Jersey City, New Jersey, and Ellis Island; or (2) to prevent pedestrian use of such bridge, when such pedestrian use is consistent with generally accepted safety standards.

SEC. 127. None of the funds made available in this or any other Act for any fiscal year may be used to designate, or to post any sign designating, any portion of Canaveral National Seashore in Brevard County, Florida, as a clothing-optional area or as an area in which public nudity is permitted, if such designation would be contrary to county ordinance.

SEC. 128. None of the funds in this or any other Act can be used to compensate the

Special Master and the Special Master-Monitor, and all variations thereto, appointed by the United States District Court for the District of Columbia in the Cobell v. Norton litigation at an annual rate that exceeds 200 percent of the highest Senior Executive Service rate of pay for the Washington-Baltimore locality pay area.

SEC. 129. The Secretary of the Interior may use discretionary funds to pay private attorneys fees and costs for employees and former employees of the Department of the Interior reasonably incurred in connection with Cobell v. Norton to the extent that such fees and costs are not paid by the Department of Justice or by private insurance. In no case shall the Secretary make payments under this section that would result in payment of hourly fees in excess of the highest hourly rate approved by the District Court for the District of Columbia for counsel in Cobell v. Norton.

SEC. 130. The United States Fish and Wildlife Service shall, in carrying out its responsibilities to protect threatened and endangered species of salmon, implement a system of mass marking of salmonid stocks, intended for harvest, that are released from Federally operated or Federally financed hatcheries including but not limited to fish releases of coho, chinook, and steelhead species. Marked fish must have a visible mark that can be readily identified by commercial and recreational fishers.

SEC. 131. Such sums as may be necessary from "Departmental Management, Salaries and Expenses", may be transferred to "United States Fish and Wildlife Service, Resource Management" for operational needs at the Midway Atoll National Wildlife Refuge airport.

SEC. 132. No funds appropriated for the Department of the Interior by this Act or any other Act shall be used to study or implement any plan to drain Lake Powell or to reduce the water level of the lake below the range of water levels required for the operation of the Glen Canyon Dam.

SEC. 133. Section 122 of division F of Public Law 108-7 is amended as follows:

(a) Paragraph 122(a)(4) is amended to read—

"(4) TRIBALLY CONTROLLED SCHOOL.—The term 'tribally controlled school' means a school that currently receives a grant under the Tribally Controlled Schools Act of 1988, as amended (25 U.S.C. 2501 et seq.) or is determined by the Secretary to meet the eligibility criteria of section 5205 of the Tribally Controlled Schools Act of 1988, as amended (25 U.S.C. 2504)."

(b) Paragraph 122(b)(1) is amended by striking the second sentence and inserting: "The Secretary shall ensure that applications for funding to replace schools currently receiving funding for facility operation and maintenance from the Bureau of Indian Affairs receive the highest priority for grants under this section. Among such applications, the Secretary shall give priority to applications of Indian tribes that agree to fund all future facility operation and maintenance costs of the tribally controlled school funded under the demonstration program from other than Federal funds."

(c) Subsection (c) is amended by inserting after "EFFECT OF GRANT.—" the following: "(1) Except as provided in paragraph (2) of this subsection," and is further amended by adding the following new paragraph:

"(2) A tribe receiving a grant for construction of a tribally controlled school under this section shall not be eligible to receive funding from the Bureau of Indian Affairs for that school for education operations or facility operation and maintenance if the school that was not at the time of the grant: (i) a school receiving funding for education operations or facility operation and maintenance

under the Tribally Controlled Schools Act or the Indian Self-Determination and Education Assistance Act or (ii) a school operated by the Bureau of Indian Affairs.”.

SEC. 134. The Secretary of the Interior shall within 180 days of the enactment of this Act submit to the House and Senate Committees on Appropriations a report that describes the condition and adequacy of educational facilities available to the Eastern Band of Cherokee Indians, the availability of lands necessary for the construction of any necessary new or replacement education facilities, and the impacts that construction of such facilities might have on natural, cultural, and other resources present within the Great Smoky Mountains National Park and the Blue Ridge Parkway. The report shall specifically address the resource implications of the land exchange described in H.R. 1409, “The Eastern Band of Cherokee Indians Land Exchange Act of 2002” as introduced in the 108th Congress. The Secretary shall consult with the Eastern Band of Cherokee Indians in preparing the report.

LAND EXCHANGE, WORLD WAR I NATIONAL MEMORIAL, MOJAVE NATIONAL PRESERVE

SEC. 135. (a) EXCHANGE REQUIRED.—In exchange for the private property described in subsection (b), the Secretary of the Interior shall convey to the Veterans Home of California-Barstow, Veterans of Foreign Wars Post #385E (in this section referred to as the “recipient”), all right, title, and interest of the United States in and to a parcel of real property consisting of approximately one acre in the Mojave National Preserve and designated (by section 8137 of the Department of Defense Appropriations Act, 2002 (Public Law 101-117; 115 Stat. 2278)) as a national memorial commemorating United States participation in World War I and honoring the American veterans of that war. Notwithstanding the conveyance of the property under this subsection, the Secretary shall continue to carry out the responsibilities of the Secretary under such section 8137.

(b) CONSIDERATION.—As consideration for the property to be conveyed by the Secretary under subsection (a), Mr. and Mrs. Henry Sandoz of Mountain Pass, California, have agreed to convey to the Secretary a parcel of real property consisting of approximately five acres, identified as parcel APN 569-051-44, and located in the west ½ of the northeast ¼ of the northwest ¼ of the northwest ¼ of section 11, township 14 north, range 15 east, San Bernardino base and meridian.

(c) EQUAL VALUE EXCHANGE; APPRAISAL.—The values of the properties to be exchanged under this section shall be equal or equalized as provided in subsection (d). The value of the properties shall be determined through an appraisal performed by a qualified appraiser in conformance with the Uniform Appraisal Standards for Federal Land Acquisitions (Department of Justice, December 2000).

(d) CASH EQUALIZATION.—Any difference in the value of the properties to be exchanged under this section shall be equalized through the making of a cash equalization payment. The Secretary shall deposit any cash equalization payment received by the Secretary under this subsection in the Land and Water Conservation Fund.

(e) REVERSIONARY CLAUSE.—The conveyance under subsection (a) shall be subject to the condition that the recipient maintain the conveyed property as a memorial commemorating United States participation in World War I and honoring the American veterans of that war. If the Secretary determines that the conveyed property is no longer being maintained as a war memorial, the property shall revert to the ownership of the United States.

(f) BOUNDARY ADJUSTMENT; ADMINISTRATION OF ACQUIRED LAND.—The boundaries of the Mojave National Preserve shall be adjusted to reflect the land exchange required by this section. The property acquired by the Secretary under this section shall become part of the Mojave National Preserve and be administered in accordance with the laws, rules, and regulations generally applicable to the Mojave National Preserve.

BLUE RIDGE NATIONAL HERITAGE AREA

SEC. 136. (a) SHORT TITLE.—This section may be cited as the “Blue Ridge National Heritage Area Act of 2003”.

(b) FINDINGS AND PURPOSE.—

(1) FINDINGS.—Congress finds that:

(A) The Blue Ridge Mountains and the extensive cultural and natural resources of the Blue Ridge Mountains have played a significant role in the history of the United States and the State of North Carolina.

(B) Archaeological evidence indicates that the Blue Ridge Mountains have been inhabited by humans since the last retreat of the glaciers, with the Native Americans living in the area at the time of European discovery being primarily of Cherokee descent.

(C) The Blue Ridge Mountains of western North Carolina, including the Great Smoky Mountains, played a unique and significant role in the establishment and development of the culture of the United States through several distinct legacies, including—

(i) the craft heritage that—

(I) was first influenced by the Cherokee Indians;

(II) was the origin of the traditional craft movement starting in 1900 and the contemporary craft movement starting in the 1940’s; and

(III) is carried out by over 4,000 craftspeople in the Blue Ridge Mountains of western North Carolina, the third largest concentration of such people in the United States;

(ii) a musical heritage comprised of distinctive instrumental and vocal traditions that—

(I) includes stringband music, bluegrass, ballad singing, blues, and sacred music;

(II) has received national recognition; and

(III) has made the region one of the richest repositories of traditional music and folklife in the United States;

(iii) the Cherokee heritage—

(I) dating back thousands of years; and

(II) offering—

(aa) nationally significant cultural traditions practiced by the Eastern Band of Cherokee Indians;

(bb) authentic tradition bearers;

(cc) historic sites; and

(dd) historically important collections of Cherokee artifacts; and

(iv) the agricultural heritage established by the Cherokee Indians, including medicinal and ceremonial food crops, combined with the historic European patterns of raising livestock, culminating in the largest number of specialty crop farms in North Carolina.

(D) The artifacts and structures associated with those legacies are unusually well-preserved.

(E) The Blue Ridge Mountains are recognized as having one of the richest collections of historical resources in North America.

(F) The history and cultural heritage of the Blue Ridge Mountains are shared with the States of Virginia, Tennessee, and Georgia.

(G) there are significant cultural, economic, and educational benefits in celebrating and promoting this mutual heritage.

(H) according to the 2002 reports entitled “The Blue Ridge Heritage and Cultural Partnership” and “Western North Carolina Na-

tional Heritage Area Feasibility Study and Plan”, the Blue Ridge Mountains contain numerous resources that are of outstanding importance to the history of the United States.

(I) it is in the interest of the United States to preserve and interpret the cultural and historical resources of the Blue Ridge Mountains for the education and benefit of present and future generations.

(2) PURPOSE.—The purpose of this section is to foster a close working relationship with, and to assist, all levels of government, the private sector, and local communities in the State in managing, preserving, protecting, and interpreting the cultural, historical, and natural resources of the Heritage Area while continuing to develop economic opportunities.

(c) DEFINITIONS.—

(1) In this section:

(A) HERITAGE AREA.—The term “Heritage Area” means the Blue Ridge National Heritage Area established by subsection (d).

(B) MANAGEMENT ENTITY.—The term “management entity” means the management entity for the Heritage Area designated by subsection (d)(3).

(C) MANAGEMENT PLAN.—The term “management plan” means the management plan for the Heritage Area approved under subsection (e).

(D) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(E) STATE.—The term “State” means the State of North Carolina.

(d) BLUE RIDGE NATIONAL HERITAGE AREA.—

(1) ESTABLISHMENT.—There is established the Blue Ridge National Heritage Area in the State.

(2) BOUNDARIES.—The Heritage Area shall consist of the counties of Alleghany, Ashe, Avery, Buncombe, Burke, Caldwell, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Mitchell, Polk, Rutherford, Surry, Swain, Transylvania, Watauga, Wilkes, Yadkin, and Yancey in the State.

(3) MANAGEMENT ENTITY.—

(A) IN GENERAL.—As a condition of the receipt of funds made available under subsection (i), the Blue Ridge National Heritage Area Partnership shall be the management entity for the Heritage Area.

(B) BOARD OF DIRECTORS.—

(i) COMPOSITION.—The management entity shall be governed by a board of directors composed of 9 members, of whom—

(I) 2 members shall be appointed by AdvantageWest;

(II) 2 members shall be appointed by Hand-Made In America, Inc.;

(III) 1 member shall be appointed by the Education Research Consortium of Western North Carolina;

(IV) 1 member shall be appointed by the Eastern Band of the Cherokee Indians; and

(V) 3 members shall be appointed by the Governor of North Carolina and shall—

(aa) reside in geographically diverse regions of the Heritage Area;

(bb) be a representative of State or local governments or the private sector; and

(cc) have knowledge of tourism, economic and community development, regional planning, historic preservation, cultural or natural resources development, regional planning, conservation, recreational services, education, or museum services.

(e) MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this section, the management entity shall submit to the Secretary for approval a management plan for the Heritage Area.

(2) CONSIDERATION OF OTHER PLANS AND ACTIONS.—In developing the management plan, the management entity shall—

(A) for the purpose of presenting a unified preservation and interpretation plan, take into consideration Federal, State, and local plans; and

(B) provide for the participation of residents, public agencies, and private organizations in the Heritage Area.

(3) CONTENTS.—The management plan shall—

(A) present comprehensive recommendations and strategies for the conservation, funding, management, and development of the Heritage Area;

(B) identify existing and potential sources of Federal and non-Federal funding for the conservation, management, and development of the Heritage Area; and

(C) include—

(i) an inventory of the cultural, historical, natural, and recreational resources of the Heritage Area, including a list of property that—

(I) relates to the purposes of the Heritage Area; and

(II) should be conserved, restored, managed, developed, or maintained because of the significance of the property;

(ii) a program of strategies and actions for the implementation of the management plan that identifies the roles of agencies and organizations that are involved in the implementation of the management plan;

(iii) an interpretive and educational plan for the Heritage Area;

(iv) a recommendation of policies for resource management and protection that develop intergovernmental cooperative agreements to manage and protect the cultural, historical, natural, and recreational resources of the Heritage Area; and

(v) an analysis of ways in which Federal, State, and local programs may best be coordinated to promote the purposes of this section.

(4) EFFECT OF FAILURE TO SUBMIT.—If a management plan is not submitted to the Secretary by the date described in paragraph (1), the Secretary shall not provide any additional funding under this section until a management plan is submitted to the Secretary.

(5) APPROVAL OR DISAPPROVAL OF MANAGEMENT PLAN.—

(A) IN GENERAL.—Not later than 90 days after receiving the management plan submitted under paragraph (1), the Secretary shall approve or disapprove the management plan.

(B) CRITERIA.—In determining whether to approve the management plan, the Secretary shall consider whether the management plan—

(i) has strong local support from landowners, business interests, nonprofit organizations, and governments in the Heritage Area; and

(ii) has a high potential for effective partnership mechanisms.

(C) ACTION FOLLOWING DISAPPROVAL.—If the Secretary disapproves a management plan under subparagraph (A), the Secretary shall—

(i) advise the management entity in writing of the reasons for the disapproval;

(ii) make recommendations for revisions to the management plan; and

(iii) allow the management entity to submit to the Secretary revisions to the management plan.

(D) DEADLINE FOR APPROVAL OF REVISION.—Not later than 60 days after the date on which a revision is submitted under subparagraph (C)(iii), the Secretary shall approve or disapprove the proposed revision.

(6) AMENDMENT OF APPROVED MANAGEMENT PLAN.—

(A) IN GENERAL.—After approval by the Secretary of a management plan, the management entity shall periodically—

(i) review the management plan; and

(ii) submit to the Secretary, for review and approval, the recommendation of the management entity for any amendments to the management plan.

(B) USE OF FUNDS.—No funds made available under subsection (i) shall be used to implement any amendment proposed by the management entity under subparagraph (A) until the Secretary approves the amendment.

(f) AUTHORITIES AND DUTIES OF THE MANAGEMENT ENTITY.—

(1) AUTHORITIES.—For the purposes of developing and implementing the management plan, the management entity may use funds made available under subsection (i) to—

(A) make grants to, and enter into cooperative agreements with, the State (including a political subdivision), nonprofit organizations, or persons;

(B) hire and compensate staff; and

(C) enter into contracts for goods and services.

(2) DUTIES.—In addition to developing the management plan, the management entity shall—

(A) develop and implement the management plan while considering the interests of diverse units of government, businesses, private property owners, and nonprofit groups in the Heritage Area;

(B) conduct public meetings in the Heritage Area at least semiannually on the development and implementation of the management plan;

(C) give priority to the implementation of actions, goals, and strategies in the management plan, including providing assistance to units of government, nonprofit organizations, and persons in—

(i) carrying out the programs that protect resources in the Heritage Area;

(ii) encouraging economic viability in the Heritage Area in accordance with the goals of the management plan;

(iii) establishing and maintaining interpretive exhibits in the Heritage Area;

(iv) developing recreational and educational opportunities in the Heritage Area; and

(v) increasing public awareness of and appreciation for the cultural, historical, and natural resources of the Heritage Area; and

(D) for any fiscal year for which Federal funds are received under subsection (i)—

(i) submit to the Secretary a report that describes, for the fiscal year—

(I) the accomplishments of the management entity;

(II) the expenses and income of the management entity; and

(III) each entity to which a grant was made;

(ii) make available for audit by Congress, the Secretary, and appropriate units of government, all records relating to the expenditure of funds and any matching funds; and

(iii) require, for all agreements authorizing expenditure of Federal funds by any entity, that the receiving entity make available for audit all records relating to the expenditure of funds.

(3) PROHIBITION ON THE ACQUISITION OF REAL PROPERTY.—The management entity shall not use Federal funds received under subsection (i) to acquire real property or an interest in real property.

(g) TECHNICAL AND FINANCIAL ASSISTANCE.—

(1) IN GENERAL.—The Secretary may provide to the management entity technical assistance and, subject to the availability of appropriations, financial assistance, for use

in developing and implementing the management plan.

(2) PRIORITY FOR ASSISTANCE.—In providing assistance under subsection (a), the Secretary shall give priority to actions that facilitate—

(A) the preservation of the significant cultural, historical, natural, and recreational resources of the Heritage Area; and

(B) the provision of educational, interpretive, and recreational opportunities that are consistent with the resources of the Heritage Area.

(h) LAND USE REGULATION.—

(1) IN GENERAL.—Nothing in this section—

(A) grants any power of zoning or land use to the management entity; or

(B) modifies, enlarges, or diminishes any authority of the Federal Government or any State or local government to regulate any use of land under any law (including regulations).

(2) PRIVATE PROPERTY.—Nothing in this section—

(A) abridges the rights of any person with respect to private property;

(B) affects the authority of the State or local government with respect to private property; or

(C) imposes any additional burden on any property owner.

(i) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to carry out this section \$10,000,000, of which not more than \$1,000,000 shall be made available for any fiscal year.

(2) NON-FEDERAL SHARE.—The non-Federal share of the cost of any activities carried out using Federal funds made available under subsection (a) shall be not less than 50 percent.

(j) TERMINATION OF AUTHORITY.—The authority of the Secretary to provide assistance under this section terminates on the date that is 15 years after the date of enactment of this section.

EXPEDITED PROCEDURES FOR INDIAN TRUST ACCOUNTING

SEC. 137. (a) IN GENERAL.—Notwithstanding any other provision of law, any claim against the United States arising out of any obligation of the United States or any of its agencies or officials relating to the conduct of an accounting, or the balance of, any individual Indian money account arising prior to December 31, 2000 shall be governed by the provisions of this section.

(b) STATISTICAL SAMPLING.—Not later than one year following the date of enactment of this Act, the Secretary shall formulate a statistical sampling evaluation to assess the administration of individual Indian money accounts for those accounts that were open as of December 31, 2000, and all individual Indian money accounts that were open as of October 25, 1994, or opened thereafter but closed as of December 31, 2000. The statistical sampling evaluation described in this subsection shall be conducted in a manner the Secretary deems feasible and appropriate given the availability of records, data, and other historic information, and shall estimate, so as to achieve a ninety-eight percent confidence level, the rate of past accounting error, if any, for each group or categories of individual Indian money accounts. The Secretary shall complete a statistical sampling evaluation covering all subject accounts within four years of the date of enactment of this Act.

(c) CERTIFICATION.—Upon completion of a statistical sampling evaluation for a category or group of individual Indian money accounts, the Secretary shall certify completion of the evaluation and publish such certification in the Federal Register.

(d) ADJUSTMENT OF ACCOUNTS.—

(1) Within 180 days following any certification under subsection (c), the Secretary shall adjust any individual Indian money accounts covered by that certification. The Secretary shall base such adjustment on application of the error rate, if any, determined by the statistical sampling to the average transaction amount for transactions in an account. In addition, the Secretary may also consider any factual information regarding the particular account at issue in adjusting the account.

(2) Amounts necessary for adjustments to individual Indian money accounts shall be derived from the claims and judgment appropriation provided by 31 U.S.C. 1304 in the same manner as payment of judgments received by the Court of Federal Claims under 28 U.S.C. 2414.

(e) **NO DOWNWARD ADJUSTMENT.**—The Secretary may consider both positive and negative errors in estimating a rate of past accounting error, but in no event shall the Secretary adjust the balance of an account downward under this Act. In the event that the Secretary determines that the rate of past accounting error for an account is zero or negative, the Secretary shall make an adjustment of zero to that account. Such a zero adjustment shall constitute an “adjustment” as defined in this section.

(f) **JUDICIAL REVIEW.**—

(1) Notwithstanding any other provision of law, judicial review of, or judicial relief with respect to, any action of the United States or any of its agencies or officials in carrying out the provisions of this section shall be made solely in accordance with this subsection.

(2) Judicial review of any agency action related to an individual Indian money account performed pursuant to this section may be had only by the filing of a petition for review in the United States Court of Appeals for the District of Columbia no later than 60 days after the Secretary’s adjustment of an account. Such review shall be conducted in accordance with chapter 7 of part I of title 5, United States Code (5 U.S.C. 701, et seq.).

(3) Except to the extent, if any, that review may be required by the Constitution of the United States, no court shall have jurisdiction to review, grant, or enforce any relief with respect to any action of the United States or any of its agencies or officials in carrying out any obligation described in subsection (a) other than pursuant to paragraph (2). The provisions of this paragraph shall apply to any litigation filed before, on, or after the date of enactment of this section.

(g) **ACCOUNT BALANCES.**—The balance of any account as determined under this Act, including judicial review in accordance with subsection (f), shall conclusively constitute the new balance of the account as of December 31, 2000, and shall not be subject to any further adjustment based upon events or occurrences prior to that date.

(h) **VOLUNTARY SETTLEMENT OF CLAIMS.**—Prior to commencing the statistical evaluation provided in subsection (b), the Secretary may, at the Secretary’s discretion, resolve any claim or group of claims described in subsection (a) through voluntary settlement with any holder or holders of individual Indian money accounts. Such voluntary settlement shall be paid from the claims and judgment appropriation as provided in subsection (d) and shall conclusively resolve claims under subsection (a). The holder of the account who settles shall not be entitled to any further adjustment under this section.

(i) **REGULATIONS.**—The Secretary may adopt such regulations, as the Secretary deems necessary to implement this section.

(j) **REPORT TO CONGRESS.**—The Secretary shall report to the House and Senate Committees on Appropriations, the House Com-

mittee on Resources, and the Senate Committee on Indian Affairs regarding the progress of statistical sampling evaluations at least once every calendar year until the Secretary has adjusted all accounts covered by this Act.

(k) **DEFINITIONS.**—As used in this Act:

(1) The term “statistical sampling evaluation” means an analysis of a selected statistically appropriate sample drawn from a group or groups of transactions or other data.

(2) The term “individual Indian money accounts” means account balances for funds held in trust by the United States for the benefit of an individual Indian which are deposited or invested pursuant to the Act of June 24, 1938 (25 U.S.C. 162a), but shall not include accounts classified by the Secretary as Special Deposit, Judgment, or Per Capita accounts.

(3) The term “adjust” means to revise the balance of the account pursuant to this Act.

(4) The term “Secretary” means the Secretary of the Interior.

**SEC. 138.** None of the funds in this or any other Act may be used by the Department of the Interior to support the Klamath Fishery Management Council.

**SEC. 139.** Notwithstanding any other provision of law, the United States Fish and Wildlife Service, heretofore and hereafter, may use funds for incidental expenses related to encouraging public participation in Service programs, and may use up to \$2,000,000 per year for contracts for employment-related legal services.

#### TITLE II—RELATED AGENCIES DEPARTMENT OF AGRICULTURE FOREST SERVICE

##### FOREST AND RANGELAND RESEARCH

For necessary expenses of forest and rangeland research as authorized by law, \$267,230,000, to remain available until expended: *Provided*, That of the funds provided, \$49,428,000 is for the forest inventory and analysis program.

##### STATE AND PRIVATE FORESTRY

For necessary expenses of cooperating with and providing technical and financial assistance to States, territories, possessions, and others, and for forest health management, including treatments of pests, pathogens, and invasive or noxious plants and for restoring and rehabilitating forests damaged by pests or invasive plants, cooperative forestry, and education and land conservation activities and conducting an international program as authorized, \$290,758,000, to remain available until expended, as authorized by law: *Provided*, That none of the funds provided under this heading for the acquisition of lands or interests in lands shall be available until the Forest Service notifies the House Committee on Appropriations and the Senate Committee on Appropriations, in writing, of specific contractual and grant details including the non-Federal cost share of each project, related to the acquisition of lands or interests in lands to be undertaken with such funds: *Provided further*, That each forest legacy grant shall be for a specific project or set of specific tasks: *Provided further*, That grants for acquisition of lands or conservation easements shall require that the State demonstrates that 25 percent of the total value of the project is comprised of a non-Federal cost share.

##### NATIONAL FOREST SYSTEM

For necessary expenses of the Forest Service, not otherwise provided for, for management, protection, improvement, and utilization of the National Forest System, \$1,400,792,000, to remain available until expended, which shall include 50 percent of all

moneys received during prior fiscal years as fees collected under the Land and Water Conservation Fund Act of 1965, as amended, in accordance with section 4 of the Act (16 U.S.C. 4601–6a(i)): *Provided*, That unobligated balances available at the start of fiscal year 2004 shall be displayed by budget line item in the fiscal year 2005 budget justification: *Provided further*, That the Secretary may authorize the expenditure or transfer of such sums as necessary to the Department of the Interior, Bureau of Land Management, for removal, preparation, and adoption of excess wild horses and burros from National Forest System lands and for the performance of cadastral surveys to designate the boundaries of such lands.

For an additional amount to reimburse the Judgment Fund as required by 41 U.S.C. 612(c) for judgment liabilities previously incurred, \$188,405,000.

#### POINTS OF ORDER

The CHAIRMAN. Are there any points of order?

Mr. POMBO. Mr. Chairman, I make a point of order against section 139 of the bill found on page 90, lines 4 through 9. This section clearly violates clause 2(b) of rule XXI as it constitutes legislation on an appropriations bill by changing existing law.

Section 139 permanently establishes an unlimited U.S. Fish and Wildlife Service “slush fund” for expenses related to encouraging public participation in Fish and Wildlife Service programs. The very first sentence waives existing law regarding any current limitations that the Service may have regarding these activities. For example, existing volunteer and public participation in the National Wildlife Refuge System is governed by the National Wildlife Refuge System Volunteer and Community Partnership Enhancement Act of 1998.

The Service’s use of administrative funds from other programs, such as those authorized under the Pittman-Robertson Act, the African Elephant Conservation Act, the Neo-Tropical Migratory Bird Conservation Act, the Great Ape Conservation Act, and the Rhinoceros and Tiger Conservation Act are also circumscribed in scope and funding levels. Section 139 waives these limits and expands the uses of these funds. Therefore, this language constitutes legislation on an appropriations bill.

This fact was recognized by the Committee on Appropriations, which lists this section in the report accompanying this bill under “Changes in Application of Existing Law” on page 153. Therefore, I ask that the Chair sustain my point of order.

The CHAIRMAN. Does any Member wish to be heard on the point of order?

Mr. TAYLOR of North Carolina. Mr. Chairman, I concede the point of order.

The CHAIRMAN. The point of order is conceded and sustained, and accordingly section 139 is stricken from the bill.

Does the gentleman from California have another point of order?

Mr. POMBO. Mr. Chairman, I make a point of order against section 137 of the bill, found at page 84, line 21, through page 89, line 24.

This section clearly violates clause 2(b) of rule XXI, as it constitutes legislation on an appropriations bill. This six-page section establishes a separate legal mechanism for the determination and settlement of claims regarding individual Indian money accounts maintained by the Department of the Interior as part of the Secretary of the Interior's trust responsibilities for Native Americans. The section requires the Secretary to formulate a statistical sampling evaluation for individual Indian accounts opened during a certain time frame.

This evaluation is to take place over 4 years, and the Secretary is then required to publish a notice in the Federal Register certifying the evaluation. The Secretary must then adjust certified accounts but only for increases as a result of the evaluation. The Secretary is also authorized to issue regulations to implement the section.

Finally, the section provides a judicial review mechanism for the Secretary's actions taken under this section.

These are all new substantial duties on the part of the Secretary of the Interior. The section mandates new expenditures to adjust individual Indian accounts upwards.

In addition, the very first sentence of section 137 explicitly waives existing law and regulations regarding these accounts. Therefore, the section fails at least three tests for determining whether the language constitutes legislation on an appropriations bill. This fact was recognized by the Committee on Appropriations, which lists this section in the report accompanying this bill under "Changes in Application of Existing Law" on page 153.

I ask that the Chair sustain my point of order.

The CHAIRMAN. Does any Member wish to be heard on the point of order?

Mr. TAYLOR of North Carolina. Mr. Chairman, the gentleman raises a legitimate point. The Indian trust settlement language is an authorizing issue, but before I concede the point of order, let me point out the rationale behind this important provision.

Last year, this House debated a provision limiting funding for the historical accounting of the individual Indian money accounts. During debate over this provision, both the majority and the minority members of the authorizing committee assured us that legislation would be developed forthwith to address the Indian trust issues. This did not happen.

However, this year, the new chairman of the Committee on Resources, which is the legislative committee of jurisdiction for Native American issues, has held a hearing on this critical issue and has informed me of his intention to develop legislation to resolve the Indian trust issue this year. I am convinced that, without intervention by the Congress, this issue will continue to drag on for years at the expense of other important programs in the Interior bill.

The committee proposed what I believe is a prompt, fair and reasonable resolution of these long-standing claims. To date, hundreds of millions of dollars have been spent on lawyers and accountants and not a single dollar has gone to Indian country.

Mr. Chairman, if this contentious litigation continues, we will be forced to redirect resources away from Indian education, health, wildlife, law enforcement and other important Indian programs.

Let me point out a few facts for Members to keep in mind as legislation is developed to resolve this litigation. Of the approximately 260,000 individual Indian accounts, 68 percent have balances of less than \$100. Thousands of accounts have less than \$1 and often less than one penny. Since 1909, a total of \$13 billion has flowed through these accounts, with the majority of the money deposited after 1970. This is a far cry from the \$137 billion claimed by the litigants.

Today, there are 4 million different owners of the 10 million acres of individually-owned trust lands, which makes the management of trust assets very difficult. It is important that we finally tackle this issue. I pledge my help in crafting a legislative solution.

The CHAIRMAN. Does the gentleman from Washington wish to be heard on the point of order?

Mr. DICKS. Mr. Chairman, I want to be heard on the point of order.

I would just say that I, first of all, want to associate myself with the remarks of the chairman. I think he has made very clear why the committee felt it must do what it did do. I would also say to the new chairman of the authorizing committee, it is time for action on this issue. We can no longer let this slide or neglect or not bring this to attention, because millions and millions of dollars are being wasted on lawyers and accountants instead of going out for Indian health service and all the other issues.

I concur with the chairman. We have to concede the point of order, but I would urge the chairman, please do not let us down again this year. We need action on this issue. I know the gentleman has taken over, and I urge him to take action and get a settlement. We cannot let this thing go on and on and on. I concede the point of order.

The CHAIRMAN. Does the gentleman from New Jersey wish to be heard on the point of order?

Mr. PALLONE. Yes, Mr. Chairman. The CHAIRMAN. The gentleman is recognized.

Mr. PALLONE. I spoke on this earlier on the rule.

I just wanted to say, first of all, I do commend the appropriations chair and the ranking member for their concern about this issue. I know that they are very concerned about it. I know they are legitimately concerned about the cost if something is not done.

I also want to commend my chairman and indicate on a bipartisan basis

that Democrats as well as Republicans on the Committee on Resources are very concerned about this issue and realize that it must be addressed.

To his credit, our new chairman, relatively new chairman, has indicated very strongly as a result of the hearing that took place in the Committee on Resources, I believe, last week that he is going to take this up, that we are already looking at language to try to deal with the issue and come up with legislation; and I think that members of the Committee on Resources on a bipartisan basis are very much aware of the fact that we must deal with it.

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And we will take that responsibility seriously. I know through the Chair, and I just want to say on the part of the Democrats on the committee, that if we agree with our chairman, it needs to be addressed and also understand and appreciate the fact that the appropriators are willing to let go on this at least for a while.

The CHAIRMAN. The point of order as conceded is sustained and accordingly section 137 is stricken from the bill.

Are there any amendments to that portion of the bill that is open for amendment?

AMENDMENT OFFERED BY MR. MARIO DIAZ-BALART OF FLORIDA

Mr. MARIO DIAZ-BALART of Florida. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MARIO DIAZ-BALART of Florida:

Page 24, line 14, strike the colon and all that follows through page 25, line 12, and insert the following:

: *Provided further*, That funds appropriated in this Act and in any prior Acts for the purpose of implementing the Modified Water Deliveries to Everglades National Park Project shall be available for expenditure unless the Secretary of the Interior, the Secretary of the Army, the Administrator of the Environmental Protection Agency, and the Attorney General file a joint report by September 30, 2003, and each year thereafter until December 31, 2006, to the House and Senate Committees on Appropriations, the House Committee on Transportation and Infrastructure, the House Committee on Resources and the Senate Committee on Environment and Public Works, indicating that the water entering A.R.M. Loxahatchee National Wildlife Refuge and Everglades National Park does not meet all applicable State water quality standards and numeric criteria adopted for phosphorus throughout A.R.M. Loxahatchee National Wildlife Refuge and Everglades National Park, as well as water quality requirements set forth in the Consent Decree entered in United States v. South Florida Water Management District, and that the House and Senate Committees on Appropriations respond in writing disapproving the further expenditure of funds.

Mr. MARIO DIAZ-BALART of Florida (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MARIO DIAZ-BALART of Florida. Mr. Chairman, this amendment brings funding authority back to Congress and ensures that major decisions about funding Everglades restoration, which by the way happens to be within the congressional district that I represent, that those decisions are made by Congress and not by government bureaucracies.

Everglades National Park is one of our great Nation's greatest national treasures, and current funding is critical to the future restoration of that treasure. The current bill language, Mr. Chairman, provides for a mandatory stoppage of funding based on water quality reports issued by the Department of the Interior, the Environmental Protection Agency, the Army Corps of Engineers, and the Attorney General. This would empower Federal agencies to eliminate critical funding without congressional review, Mr. Chairman.

Therefore I have offered this amendment with the gentleman from Florida (Mr. GOSS) to ensure that any possible changing of the funding levels occurs through the constitutionally appropriate body, the House Committee on Appropriations and the Senate Appropriations Committee, not solely Federal agencies. This amendment eliminates the provision that provided Federal agencies with that authority to automatically cut funding based on their reports again without the legislative having any input.

Mr. Chairman, I will continue to fight along with my other colleagues for adequate funding for Everglades restoration, and we will work with the State of Florida and the appropriate State and Federal agencies to ensure that this critical restoration project receives the necessary funds now and also in the future.

I would, Mr. Chairman, though, want to thank some people that have worked with me on this: the gentleman from California (Chairman DREIER); the gentleman from Florida (Mr. GOSS), whom I already mentioned; the gentleman from Florida (Mr. LINCOLN DIAZ-BALART); and the gentleman from Florida (Chairman YOUNG).

Mr. YOUNG of Florida. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I think all of the House knows that this has been a major issue for the State of Florida, for the United States of America. The Everglades is a very unique ecological system that is not equal to anywhere else in the world. It is important that we continue on the agreements that were not easy to come by; but the partnership with the State of Florida, the partnership with the Federal Government, and the partnership with the courts, we have one responsibility, to provide for the hydrological issues, the plumbing in effect, the flow of the water. The State of Florida has a responsibility for the quality of the water.

We had a little setback. This might be mentioned later, a little setback when the legislature changed some of their agreement, but nevertheless I am prepared to accept this amendment and compliment the gentleman for working very hard not only to support and protect the Everglades program but to do it in such a way that Congress is definitely more involved, and I think he has done a really good job. This was not the original proposal that we had in the bill, but I think this is an improvement.

I want to clarify for the record that we expect these Federal agencies to submit a joint report every year on the extent to which the State is or is not meeting all applicable State water quality standards and numeric criteria adopted for phosphorus throughout Loxahatchee National Wildlife Refuge and the Everglades National Park, as well as water quality requirements set forth in the consent decree entered in the United States v. South Florida Water Management District. The submission of this report is not an option and must be done. And, again, I compliment the gentleman. I support his amendment. We are prepared to accept the amendment for the committee.

Mr. GOSS. Mr. Chairman, I move to strike the requisite number of words.

I am pleased to associate myself with the remarks of the distinguished gentleman from Florida (Mr. YOUNG), chairman of the Committee on Appropriations, and the remarks of the gentleman from Florida (Mr. MARIO DIAZ-BALART), who is the author of this particular amendment. And I want to thank them and so many other appropriators who have assisted us in making this partnership stronger and better that exists between the Federal Government and the State for a very wonderful and unique purpose of restoration of our Everglades.

The gentleman from Florida (Mr. MARIO DIAZ-BALART) correctly said that his district encompasses virtually all of the Everglades, and it is clear the national interest of all of us is in the Everglades as well. So it brought some interest together in what I think is a very workable program by this amendment that will provide for the necessary accountability, because the appropriators do have a responsibility for how those dollars are spent and the State of course has responsibility for their part of the partnership as well. We have had a good partnership. It has been almost a decade. It has worked exceedingly well, and I think it will continue to work well in the future.

As the gentleman from Florida (Chairman YOUNG) said, there was a little hiccup earlier this year when the Florida legislature, for reasons that made sense to them at the time, took unilateral action. After we reviewed the action, we felt that we needed to change the way the partnership worked a little bit, and I believe the language herein accomplishes that.

This language did just not happen overnight, as was suggested. The gen-

tleman from North Carolina (Chairman TAYLOR), the gentleman from Ohio (Chairman REGULA), another of the cardinals, the appropriators; the gentleman from Florida (Chairman YOUNG), the overall chairman of the committee, dean of our delegation; the gentleman from Ohio (Chairman HOBSON) helped us; and the gentleman from Florida (Mr. SHAW), chairman of our delegation. That is an awful lot of horsepower to bring together, and this deserves that kind of horsepower. It is the right answer. We are where we need to be, and I urge support for this amendment.

Mr. DICKS. Mr. Chairman, I rise in support of the amendment.

I want to commend the delegation from Florida for working on this issue. This has been something that I have personally taken an interest in, gone down to Florida, seen the work on this incredible project, the work of the Park Service and all of the Federal agencies. This is truly a national environmental restoration objective, and many of us were concerned who followed this issue about the actions of the Florida legislature earlier this year; but I want to commend the gentleman from Florida (Chairman YOUNG) and the gentleman from Florida (Mr. GOSS) and the gentleman from Florida (Mr. SHAW) and the gentleman from Florida (Mr. MARIO DIAZ-BALART), our new member, for the work they have done in crafting this legislation. We even out in the West are concerned about the Everglades, and we want to see them restored; and we want to see the commitments kept between the State and Federal Government. We need to go year by year, and I think the funding for this project depends on moving the ball forward and keeping things moving in the right direction. So I commend all of the work that has been done to straighten this out, and we look forward to the first report.

Mr. REGULA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of this compromise amendment, which I believe will help ensure that the efforts of Congress to restore the Everglades will be successful. In agreeing to the Comprehensive Everglades Restoration Plan, the Federal Government and the State of Florida made an \$8 billion commitment, equally cost shared, to restore this national treasure. Congress, on behalf of the American people, has already committed \$1 billion over the last 9 years toward this effort, and throughout this process the subcommittee has maintained strong oversight of the project to ensure that these funds are spent wisely and true environmental restoration will be achieved.

Mr. Chairman, water quality is an absolute key to the success of this restoration. If we fail to address water quality issues upfront, we could potentially invest \$20 billion of the taxpayers' dollars on a new plumbing system that pours tainted water into the

Everglades, and that is of course why this compromise is vitally important.

This amendment was crafted in response to the passage of a law in Florida. It seeks to ensure that the State of Florida will not fail to meet its water quality goals. It will put a string on the Federal dollars that Congress has approved, tying them to compliance with agreements the State has already made. Every year the Secretary of the Interior, the Secretary of the Army, the Attorney General, and the EPA administrator will have to file a joint report certifying that the State of Florida is meeting its prior commitments to improve water quality. If the report indicates that the State is failing to work toward that goal, they have to take another look at the funding issue.

It is unfortunate that Congress has been put into a place that they are requiring these new assurances. However, in order to ensure that Federal funds are truly going towards our shared goal, and this is the money of all the people in these United States and this is a treasure that belongs to all the people, that the environmental restoration, we have to condition their release on assurances that the State of Florida is living up to agreements it has already made. Otherwise, we risk not only wasting billions of taxpayer dollars but also further polluting the Everglades. And I commend the gentleman from Florida for agreeing to this amendment. I realize this is his district, but it is a treasure of all the American people, and I would urge support of the amendment.

Mr. TAYLOR of North Carolina. Mr. Chairman, we have no objection to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. MARIO DIAZ-BALART).

The amendment was agreed to.

AMENDMENT NO. 10 OFFERED BY MS. SLAUGHTER  
Ms. SLAUGHTER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 10 offered by Ms. SLAUGHTER:

Page 21, line 3, after the first dollar amount, insert "(reduced by \$6,000,000)".

Page 47, line 6, after the dollar amount, insert "(reduced by \$3,000,000)".

Page 91, line 22, after the dollar amount, insert "(reduced by \$6,000,000)".

Page 128, line 7, after the dollar amount, insert "(increased by \$10,000,000)".

Page 128, line 11, after the dollar amount, insert "(increased \$10,000,000)".

Page 128, line 23, after the dollar amount, insert "(increased by \$5,000,000)".

Ms. SLAUGHTER. Mr. Chairman, I rise to offer an amendment that by all rights should provoke no argument from the body. Last year a strong bipartisan majority voted for a modest increase for two Federal agencies that provide critical support for the arts organizations and its activities across the country. To keep the arts vibrant

and flourishing, 234 Members of Congress agreed that the National Endowment for the Arts should receive a \$10 million increase and that the National Endowment for the Humanities should receive an increase of \$5 million. It is indeed regrettable that in the fiscal year 2003 Omnibus Appropriations bill, the will of the House was ignored and these increases for both NEA and NEH were rejected.

Now the time has come to rectify that mistake. This amendment simply restores the funding that the House agreed to last year. Meanwhile, I want to remind my colleagues that these agencies remain well below the funding level of a decade ago. As the chart clearly shows, in 1992 both NEA and NEH received \$176 million in funding. That is \$60 million more than NEA receives today and some \$50 million more than NEH receives. Yet a majority of this body also recognizes that the nonprofit, and I emphasize nonprofit, arts industry has become an economic engine that drives \$134 billion into our national economy every year.

This chart, which shows a recent economic impact study conducted by the Americans for the Arts, illustrates some very important figures. The nonprofit arts industry is responsible for almost 5 million full-time jobs, \$89.4 billion in household income, \$7.3 billion in State government tax revenues, and \$56.6 billion in local government tax revenues.

□ 1900

Here is the most impressive figure of all: The arts community contributes \$10.5 billion in Federal income tax revenues. So for the very small amount of money that we put in, \$10.5 billion comes back to the Federal Treasury. The arts mean business. They mean big business for every district in this country.

It is critical to remember that this funding will help build local economies across America. NEA nurtures artistic excellence in every corner of the country, as its grants flow to each of the 50 States and to each of the 435 congressional districts. Because NEA requires State and local arts agencies as well as private organizations to provide matching funds, the process ensures that dollars will continue to flow to the arts even during difficult economic times.

Now, a word about these difficult times, and we know that they are. With our economic recovery stalled and the largest job loss in 20 years, one would think that people responsible for rebuilding State and local economies would put fuel into this enormously successful arts engine. But, unfortunately, that is not so. But the lesson for us is obvious. In the era of declining State funds when corporate and charitable giving is dangerously low, the money we provide will not only safeguard the organizations but help them to spark our local economies back into black ink. In fact, what the House

should really do is triple our funding for the arts, considering all of the money that we get back and what it does for local governments. As it is, we are only asking to restore the funding that the fiscal year 2003 conference took away.

Give back the \$10 million we voted for last year for NEA. It will be used to expand the Challenge America grants to make the arts more widely available in communities throughout the country.

The program has a special emphasis on extending the arts to the underserved populations, those whose opportunities to experience the arts are limited by geography, ethnicity, economics, or disability.

Give back the \$5 million we voted last year for NEH. Along with the \$10 million increase provided by the Interior Committee on Appropriations, it will be used to support the We the People initiative which will advance the understanding of America's history, culture, and civics, a thing we sorely need. The President has requested a total of \$100 million for We the People over the coming years, and this will be just a small down payment on his request.

Please restore the funds we provided last year, and the rewards will be boundless. I do not mean just economic rewards, although they are incredible. I will not have enough time to talk about how the arts contribute to the lives of every American citizen, how they enrich our lives, spark our imagination, inspire our dreams, and calm our fears. There is not time to discuss how much better our children learn to read and write and add and subtract when the arts are part of the core curriculum.

Let me just remind my colleagues that SAT scores go up some 57 parts, just think of that, when art is part of a student's high school experience. That is a cheap price. If we really want to leave no child behind, we will send them all ahead with the arts leading their way.

Voting for this amendment is the right thing to do, and it is also the smart thing to do. I urge my colleagues to vote for this amendment cosponsored by my good friends, the gentleman from Connecticut (Mr. SHAYS) and the gentleman from Iowa (Mr. LEACH), and also by the ranking member of the Committee on Appropriations Subcommittee on Interior and Related Agencies, the gentleman from Washington (Mr. DICKS), who fights very hard every single year. Please, please, vote yes on this amendment.

Mr. TAYLOR of North Carolina. Mr. Chairman, I rise in opposition to this amendment.

Mr. Chairman, the bill maintains the largest increases to NEA and NEH since 2002 and provides small increases for fixed costs this year. We also provide a \$10 million increase for the NEH American History initiative.

Mr. Chairman, this bill must take care of our huge responsibilities for

managing Federal lands. Now, this amendment reduces administrative costs, and I would remind my colleagues that over the past 10 years we have reduced the number of personnel in departmental management by 40 percent. I would like to cut overhead further, but this amendment would damage the government's ability to properly manage our lands and programs.

This amendment would impair on-the-ground operations for environmental protection and Indian programs. It would reduce the Department's funding, including hearings and appeals in support for Indian trust reform.

My committee is watching carefully the use of funding for travel and other excessive administrative costs, and my colleagues can count on our oversight, but this amendment will not help. The bill strikes a fair balance between the needs of the arts and humanities programs and our responsibility to land management, Indian programs, and industry bills. I ask my colleagues to join me in opposition to the amendment.

Mr. NADLER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in strong support of this much-deserved and long-overdue increase for the National Endowment for the Arts and the National Endowment for the Humanities.

For years, Mr. Chairman, we have been told by opponents of government funding for the arts that the private sector could easily step in if government funds were cut or flat-funded. That may have sounded reasonable during the flush economy of the 1990s, but now, with the economy mired in recession, we are seeing private sector support drying up and nonprofit arts companies withering away.

Cities and States across the country faced with deep budget deficits are being forced to cut their support for the arts as well, and it is having real consequences for the arts organizations that rely on these funds for their survival. That makes it even more critical that we increase the Federal commitment to the arts today.

Funding for the arts is one of the best investments our government makes. In purely economic terms, it generates a return that would make any Wall Street investor jealous. For just a fraction of 1 percent of the entire Federal budget, the NEA supports a thriving nonprofit arts industry which generates more than \$134 billion annually, nearly 5 million full-time jobs, and returns \$10.5 billion in Federal taxes each year.

With grants that touch every congressional district in the country, the NEA supports educational programs that teach children valuable lifelong skills, allows new and innovative art to find an audience, helps bring the arts to underserved communities, enables organizations to share their exhibitions and performances with the rest of

the Nation through national tours and, most important, provides crucial seed money for organizations to leverage private donations.

Yet the NEA continues to suffer from the shortsighted decision by this Congress to slash its funding back in 1996 after an attempt at its outright elimination. The NEA has been forced to do more with far, far less; and, despite consistent underfunding, it has been an efficient and a productive agency. But we should at least restore the NEA to its pre-1996 levels; and we should, in fact, be considering an increase over that level, not simply the paltry funding it has had since then. Only through increased public support can the arts continue to be as vibrant as they are through the Nation.

The NEH, too, is a vital industry, but without additional funding the important work of interpreting and preserving our Nation's heritage will go unrealized. The NEH is at the forefront of preserving endangered recordings of folk music, jazz and blues; bringing Shakespeare to inner-city youth; promoting research into immigrant life and culture; and helping disseminate this information into our communities through technologies such as the Internet and CD-ROM.

The arts inspire us, challenge us, spark our creativity. They make us think, laugh, and cry. The humanities teach us about ourselves and our history and foster cultural understanding. We should be ashamed at the tiny investment we make in such important activities.

Mr. Chairman, this amendment asks only to restore the funding level that the House supported last year without any increase for inflation. The level that we supported last year, but that was unfortunately stripped during the conference. This is the very least we should do today. I urge my colleagues to support this amendment and to vote against any attempts to slash NEA funding that may be made by others.

Mr. BALLENGER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, in the past we were upset by the actions of the NEA, but that has changed completely to a very positive program, and with congressional oversight.

Last year, the Congressional Arts Caucus sponsored an amendment to increase funding of the NEA and the NEH. Even though the amendment was bipartisan, it was dropped during conference. This year, the Congressional Arts Caucus again wants to stress the importance of the arts to our districts and call upon the House to increase the funding for the National Endowment for the Arts by \$10 million and the National Endowment of the Humanities by \$5 million.

According to a 2002 study of 3,000 local arts organizations across America, the nonprofit arts industry generates \$134 billion in economic activity. That is for last year. This includes

\$24.4 billion in tax revenue, which covers the costs many times over. Not only do governments gain economically from the arts, but almost 5 million Americans have full-time jobs in the arts industry.

In 2002, my congressional district received grants for NEA for both the Penland School of Crafts and Lenoir-Rhyne College, contributing greatly to the local communities in our lives.

Both the NEA and NEH have new programs with strong bipartisan support that will not only enhance the two agencies but will also bring a new understanding of American history and culture. Challenge America, sponsored by the NEA, and We the People, sponsored by the NEH, will both focus on educational outreach and promoting the best in arts and art education that our communities have to offer.

We owe it to ourselves and to our neighbors to support this amendment, and I urge my colleagues to vote yes on the Slaughter-Shays-Dicks-Leach amendment.

Mrs. DAVIS of California. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I join my distinguished colleagues once again in making a strong plea for the high value that the arts and humanities bring to the quality of our lives. Indeed, we must provide the level of support contained in this amendment.

In San Diego, these funds have made significant contributions to a whole range of small and large arts organizations, dance companies, and museums, museums like the Museum of Photographic Arts, theater companies like the San Diego Repertory Theater, as well as the Playwrights Project, which supports budding writers.

Importantly, many grants have gone to provide outreach to new audiences organized by the San Diego Opera Association and the San Diego Performing Arts League.

Two humanity projects in San Diego are giving the opportunity to young people to develop their oral history interviewing skills by developing a record of some of our recent immigrant groups.

While we are a city proud of our existing museums, theaters, and music and dance organizations, funds from the National Endowment for the Arts and the National Endowment for the Humanities are essential to extend the availability of these institutions to our young people. Indeed, a review of recent grants reveals that the efforts emanating from these resources enable the kinds of experiences that are so important for an enlightened citizenry.

Mr. Chairman, we all join today to say how important these grants are to our communities, and each and every one of us I know can point to a number of projects, a number of opportunities that have been available that would not be there were these grants not part of the NEH and the NEA. So, today, I think all of us join in saying, let us do

what we can. Let us provide the funding that is essential to creating the kind of environment and the kind of community that we all believe in so dearly today.

Mr. LEACH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the debate about public funding of the arts is about democracy, about the type of society we aspire to be and become. It is about opportunity: the opportunity to witness artistic expression and to create for oneself.

America today is a prosperous country. Poignantly, 70 years ago, when we became enmeshed in the deepest depression in our history, the Federal Government created a jobs program called the Works Project Administration. My grandfather headed the WPA in Iowa and, as required by statute, hired a Cedar Rapids native by the name of Grant Wood to lead Iowa's WPA arts division. Because of the WPA, artists in Iowa and across the Nation were given an opportunity to work in their chosen fields and to advance their own and society's creative impulse.

I refer back to the WPA era because when our country dissolved into social chaos, the arts brought a perspective of unity and courage. Ironically, perhaps, to some, an American solidarity of spirit was enhanced by artists who frequently highlighted social programs and who just as frequently lampooned institutions of the State, including political leaders.

These are more prosperous times, but just as with the WPA in the 1930s, government involvement in the arts today is designed to take the arts from the grand citadel of the privileged and bring it to the public at large. This democratization of the arts ennobles the American experience.

Franklin Roosevelt once noted that, "The arts cannot thrive except when men are free to be themselves and to be in charge of the discipline of their own energies and ardors."

□ 1915

A corollary to this Rooseveltian precept is self-evident: freedom itself is constrained if the arts are shackled. Americans need to be appreciative, rather than fearful, of artistic expression. We must understand that arts play an increasingly central role, particularly in education. Of all the learning disciplines, they most thoroughly tap and expand the human imagination. Without hesitation, therefore, we should be supportive of the Federal commitment to arts programs.

Arts expression is an unquantifiable, but priceless, facet of our society.

Ms. MCCARTHY of Missouri. Mr. Chairman, I move to strike the requisite number of words.

(Ms. MCCARTHY of Missouri asked and was given permission to revise and extend her remarks.)

Ms. MCCARTHY of Missouri. Mr. Chairman, I rise in support of this amendment.

Mr. Chairman, I rise today in support of the Slaughter-Shays-Dicks-Leach Amendment to increase funding for the National Endowment for the Arts (NEA) and National Endowment for the Humanities (NEH). These endowment programs are vital to supporting the creation, preservation and presentation of the arts and humanities in America. In my district of Kansas City, Missouri, NEA and NEH grants have brought partnership projects such as the Coterie Theater and the Friends of Alvin Ailey's AileyCamp that help provide collaborative artist and youth activities which have enriched the local economy and educational experiences of our children.

Studies have demonstrated that reading and math scores improve with participation in arts education classes. A U.S. Department of Justice study found that arts education reduced student delinquency in San Antonio by 13 percent and increased the communications skills of students in Atlanta by 57 percent. Test Results from the College Board have shown that college bound students involved in the arts and humanities have higher overall SAT scores than other students.

There is no excuse for funding for the NEA at a level that is 30 percent below the 1994 level. Adopting the amendment before us would increase funding by \$10 million for NEA and \$5 million for the NEH. This would bring NEA and NEH funding to the level that the House approved last year by a vote of 234-192, but was later stripped from the bill in conference. I urge my colleagues to support this amendment. Investment in the arts and humanities has proven to be an invaluable contribution to American economy and the future success of our children.

Ms. LEE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to applaud our colleagues, the gentlewoman from New York (Ms. SLAUGHTER) and the gentleman from Connecticut (Mr. SHAYS), co-chairs of the Arts Caucus, and their staff for their leadership on this issue of national importance, and I rise today also in strong support of this amendment.

Congress has the responsibility to provide adequate funding to the National Endowment for the Humanities, which is the largest single funder of humanities programs in our country; and the National Endowment for the Arts, the infrastructure for private nonprofit and Federal arts initiatives.

The current state of the economy has stifled private funding which subsidizes many arts and humanities programs nationwide. The economic downturn and our budget crisis is crippling arts initiatives in many, many States, especially in my home State of California. For example, in Oakland, one of the cities in my district, most of the arts education programs are facing real extinction. The result is the gradual disappearance of arts initiatives for people of all ages, ethnic backgrounds, social and economic backgrounds.

In the vibrant, very diverse Ninth Congressional District of California, this strikes a significant blow at the foundation of our community.

It is imperative that we support funding for the NEH, which is at the

forefront of preservation of our historical and cultural heritage. For more than 20 years, the NEH has supported efforts to stabilize historical materials such as crumbling books, archives, newspapers, sound recordings, films, photographs, and archeological and ethnographic objects. These are treasures which will be lost forever.

Mr. Chairman, I wish you could listen to the stories of my constituents in the Bay area. Art and music teachers have been laid off. For example, Ms. Bonnie Noble, an art teacher at McClymonds High School in Oakland, explained that students tend to take art courses to escape the harsh reality of violence which has escalated with the downfall of the economy. Already she has difficulty convincing students to pursue arts in their postsecondary studies for fear that it will distract them from securing a good job in an apparently vicious competitive market.

Mr. Chairman, every year Members of Congress proudly exhibit the art work of the winners of the Artistic Discovery Arts Competition from their districts in the halls which provide the foundation of the United States Capitol. It seems contradictory to cut funding to the programs which support creativity in our community. We enjoy the fruits of their works and witness the products of this young talent every time we walk through the tunnel for a vote when we come over to this Capitol. Can you imagine walking through those dreary tunnels with bare walls simply because we refused to adequately fund arts and humanities programs and there were no teachers left to instruct our students?

This amendment also provides funding for the NEA, which is an investment in the economic growth of communities with grants reaching every congressional district in the country. During the last 14 years, the NEA has provided funding for over 123 programs in my district alone, including the Berkley Symphony Orchestra, the Axis Dance Company, and the East Bay Institute for Urban Arts and the Museum of Children's Art.

Clearly, a vote against this amendment, which is endorsed by the bipartisan Arts Caucus, is really an action against the vital thread which sustains the pulse of American culture. I urge all Members to support this amendment.

Mr. SHAYS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of this amendment to increase funding for the National Endowment for the Arts and the National Endowment for the Humanities. I support this very modest amendment and know increased funding would have a positive impact by bringing arts to underserved communities like our innercities and rural areas and by encouraging more support for preserving and promoting our cultural heritage, something all Americans should want to do.

Federal funding helps symphonies, theaters, musical productions, ballet, and educational programs. I grew up in an arts family. My mom and dad, both performing actors, met in the theater and I know the arts make a significant contribution to all of our lives. The arts improve the lives of so many people including children, the elderly and those on limited budgets who might not otherwise have the opportunity to see some very beautiful, spiritual, and enriching performances.

Federal funding helps enable talented individuals to pursue careers in the arts. Besides the obvious cultural benefit, the economic impact of the arts is real and impressive. I urge my colleagues to support this amendment and increase funding for the NEA and NEH.

Mr. ANDREWS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in very strong support of the Slaughter amendment. I appreciate the gentlewoman offering this bipartisan amendment. One of the highlights for me of the last school year was watching my 10-year-old daughter, Jackie, who took flute lessons for the first time, excel in a school musical. At this hour as we speak, my 8-year-old daughter, Josie, is in a rehearsal for her role in community theater for "Man of La Mancha."

The arts are an important part of our family, and we are a privileged family to have that involvement. But without the NEA and the NEH, there are many families in many corners of America who never experience the delight of the arts. The NEA and the NEH are about the democratization of arts in our country.

Now, I have heard four arguments against amendments like that of my friend, the gentlewoman from New York (Ms. SLAUGHTER). The first is it is too expensive to fund the NEA and the NEH. That is incorrect. The economic loss of withdrawal of support for the arts would be far greater than the modest cost of this amendment. Jobs that are created in tourism, in the hospitality industry, and directly through the arts themselves generate tax revenues that more than offset the very modest costs of this amendment.

The second argument I have heard against the arts is sometimes the NEA or NEH funds a particular work of art that some Members here do not like. Let me say for the record, I hope the NEA and NEH always fund arts that some politicians find objectionable. That is the nature of the artistic process. The power of the NEA and the NEH is its peer-driven mechanism, where decisions are made by people in the arts in consultation with their peers and not through the political process. May it always be that way. I commend the gentlewoman from New York (Ms. SLAUGHTER) for maintaining that tradition.

The third argument that I hear is that this is an elitist segment of the Federal budget, that by funding the

arts we are somehow propagating an elitism. The exact opposite is true. There are so many people in urban and rural low-income areas around our country who would never get the chance to experience the delight of a piece of theater by Shakespeare, the grace of a ballet, the innate beauty of a painting or sculpture were it not for the extension of the arts that was provided by NEA and NEH. In my district at Camden, New Jersey, at the Leap Charter School this summer there is a program in the arts in Greek mythology and Greek drama for children, most of whom come from the very lowest echelon on the economic ladder. But they are experiencing the arts in a positive and creative way for the very first time.

Finally, we hear the argument that the amount of money is so modest that it really does not do arts organizations much good and that because there is so much money flowing into the coffers of arts organizations, they do not really need the money. Mr. Chairman, anybody who makes that argument has never been involved in a nonprofit arts organization. They have never known that that extra \$10,000 or that extra \$15,000 is make or break. It is the seed money that lets the organization get started so it can generate ticket revenues, so it can generate corporate and charitable contributions. It is the seed money that gives rise to the possibility of all the other revenues.

In a country that spends over \$2 trillion for its governance, this is frankly an embarrassingly modest commitment to the arts and humanities. It is wise. It is just, and it is one that should enjoy the bipartisan support of this House. I urge the adoption of the amendment.

Mr. DAVIS of Illinois. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of increased funding for the National Endowment of Arts and the National Endowment for the Humanities. I represent a district that is rich in diversity, rich in pluralism, rich in people from different walks of life, different backgrounds. The grant provided from the NEA and NEH provides opportunities for people to better understand each other, to know what is going on with other people, to know what is in their thoughts, minds and ideas. We are not really talking about funding a program; we are talking about funding a way of life, to help keep America the diverse, understanding, pluralistic Nation that it is and to know what is happening in all parts of our communities and with people from all walks of life.

As the country becomes more diverse and more pluralistic, it is absolutely essential that we find ways to better acquaint each other with cultural contributions, mores and folkways of different people within our society. Although we recognize the economic plight of our Nation, we know that inordinate resources must be devoted to

anti-terrorism and homeland security measures, but we also know that education and the transference of understanding are necessary to maintain and continue growth in our democracy.

Mr. Chairman, the need for understanding is so great that we do not only pay attention to programs but we also have to keep the American Dream alive and the thoughts and ideas continuously moving. We must keep music, art, culture, and hope ever-present in our lives.

The Illinois Humanities Council and others like them throughout the Nation do an outstanding job of dividing and allocating these resources. They spread them around. And we get great mileage from the meager resources that we expend. Therefore, Mr. Chairman, I would urge my colleagues to vote in favor of increased funding for this great program that allows our Nation to flourish within many cultures. Again, it is not a program. It is keeping the doors of communication open and crossfertilizing different ways of life. It is important. I would urge its passage.

Ms. WOOLSEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the gentlewoman from New York's (Ms. SLAUGHTER) and the gentleman from Connecticut's (Mr. SHAYS) NEA amendment. Once again, the House of Representatives is considering an interior appropriations bill that does not include such funding for the National Endowment for the Arts and the National Endowment for the Humanities.

Funding for the National Endowment for the Arts was cut drastically in 1995 by more than 40 percent, and it has never returned to adequate levels. This year the NEA and the NEH need our support more than ever before. Private funding for the arts and the humanities has diminished with the economic downturn, leaving valuable programs in jeopardy. We know that the funding we invest in the NEA and the NEH provide a huge economic return on our Federal investment both in dollars and in jobs.

The nonprofit arts industry generates \$134 billion in economic activity every year. It creates more than 4 million jobs and \$10.5 billion in Federal tax revenue. Let me say that again: \$10.5 billion in Federal tax revenues. However, monetary reasons are not the only argument for increasing NEA and NEH funding. In a recent study by the Arts Education Partnership, a direct correlation was found between art education, cognitive capacity, and the motivation to learn.

□ 1930

Participation in the arts and humanities can also be a source of pride and positive self-esteem. I have been a witness to this during my district's congressional art competition. Students of all ages were present and proudly displayed the objects of their hard work.

These young people gained more than praise. They gained self-respect, a feeling they will carry in all of their endeavors.

In addition, NEA programs such as Challenge America are using art as a means to bring communities together. Along with the United States Department of Housing and Urban Development and the National Guild of Community Schools, Challenge America has started a program that offers arts instruction to children living in public housing.

When we deprive the NEA and NEH of the funds it needs, we deprive this entire Nation of an active cultural community. We live in the richest nation in the world, Mr. Chairman. We must not be the most culturally impoverished.

The arts teach us to think. They encourage us to feel, to see in a new way and to speak. They help us to grow.

The Slaughter-Shays amendment to increase funds for the National Endowment for the Arts and the National Endowment for the Humanities is a very small investment. It is an investment with a return as vast as the imagination.

I urge my colleagues to support it.

Mr. HOLT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I strongly support this bipartisan amendment to add the much-needed funds to the National Endowment for the Arts and the National Endowment for the Humanities. Our funding of the arts and humanities in the United States is meager indeed. It could be much greater. It should be much greater, but I would settle for at least the increase in the gentlewoman from New York's (Ms. SLAUGHTER) amendment.

The National Endowment for the Arts and the National Endowment for the Humanities play crucial roles in American cultural life. We have all heard over and over again of the benefits they bring to individuals and communities, the National Endowment for the Arts and the NEH.

The funding of these institutions provide help to many organizations beyond those that directly receive the NEA and NEH grants. As a former teacher, I can tell my colleagues that arts education helps children be better students and helps them learn critical thinking skills. This is a long overdue and a modest funding increase to build programs that use the strength of the arts and our Nation's cultural life to enhance communities in every State and every county around America.

The arts and humanities are important for our growth and our well-being. The arts and humanities are among the best investments that we as a society can make. They help our children learn. They give the elderly sustenance. They power economic development in regions that are down and out. They tie our diverse society and country together.

The arts represent the future. The arts challenge us. The arts wake us up.

The arts help us learn who we are as a society and as individuals.

Will the projects that would be sponsored by this increase in funding help defend our country? Probably not, but they will make our country more worth defending.

Mrs. CAPPS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, today it is my pleasure to join with my colleagues in strong support of this critical amendment to increase funding for the National Endowment for the Arts and the National Endowment for the Humanities; and I thank my colleagues, the gentlewoman from New York (Ms. SLAUGHTER), the gentleman from Connecticut (Mr. SHAYS), the gentleman from Washington (Mr. DICKS) and the gentleman from Iowa (Mr. LEACH), for their leadership on this amendment to the Interior appropriations bill.

The arts are our cultural language. They bring our communities together. They serve to define who we are as a people, as a society, and they help us to link with other communities around the world our cultural heritages and our vast resources of our diversity.

Both the NEA and the NEH broaden public access to the arts and the humanities for all Americans. They improve the quality of our lives, those of ourselves and our children and our families.

I have spent a good deal of my career in our public schools. I have seen firsthand the positive impacts that arts have in our children's education. The arts teach our children rhythm, design, creativity and critical thinking skills. The arts have also been shown to deter delinquent behavior of at-risk youth, to help dramatically improve the academic performance, truancy rates and other critical skills, crucial skills, among our young people.

Today's economy demands a workforce that can think and work innovatively. Arts education provides a crucial part of those skills, skills that are not learned in academics of other kinds, in college, but in the child's elementary school class trip to the museum, art projects, experience with musical instruments and all of the vast array of art opportunities.

In my district on the central coast of California, students have been exposed to the virtues of music, art, poetry and dance as a result of NEA and NEH support through a grant, for example, to Art Resources Transfer in New York. The Distribution to Underserved Communities program places books on art and culture into public schools and libraries free of charge. To help rebuild collections diminished from budget cuts, local librarians choose from a long list of available books, videos and interactive materials. The Laguna Middle School Library in San Luis Obispo receives materials from this program, and they are grateful for them.

A grant to the University of California at Santa Barbara supports a

partnership project of artist-led activities that provides positive alternatives for youth. I have seen our young college students interact with our elementary students in Santa Barbara, and it is a wonderful sight to behold.

Through a partnership with the American Architectural Foundation in Washington, D.C., the Mayor's Institute on City Design hosts a series of symposiums attended by mayors, urban designers and developers. The Institute is designed to provide mayors with new perspectives on creative solutions to design issues in their communities. The mayor, Marty Blum of Santa Barbara, participates in this program.

Finally, through a grant to California-based L.A. Theatre Works, audio plays that serve the visually impaired are distributed to libraries throughout the country. L.A. Theatre Works records in front of live studio audiences and features classic and contemporary works, for example, Arthur Miller's *The Crucible* and *Zoot Suit* by Luis Valdez. L.A. Theatre Works distributes these audio recordings to the Buena High School in Ventura, California.

These examples illustrate to me and to my constituents the value of the dollars we appropriate here that are multiplied as they are extended into partnerships throughout our country. I urge my colleagues to vote for our children, to support the Slaughter-Shays-Dicks-Leach amendment to strengthen both the NEA and the NEH.

I will include a document about the arts programs in my district at this point in the RECORD.

#### CONGRESSIONAL DISTRICT 22

A partnership grant to the California Arts Council in Sacramento supports statewide programming in arts education, cultural development, artistic preservation, increased access to the arts in underserved areas, and funding for artists and arts organizations throughout the state.

#### NEW CUYAMA

Through a grant to Art Resources Transfer in New York, the Distribution to Underserved Communities program places books on art and culture into public and school libraries free of charge. To help rebuild collections diminished from budget cuts, local librarians choose from a long list of available books, videos and interactive materials. The Cuyama Valley High School Library in New Cuyama receives materials from this program.

#### SAN LUIS OBISPO

Through a grant to the Group I Acting Company in New York City, a touring production of Mark Twain's comedy *Pudd'nhead Wilson* is performed at the Performing Arts Center in San Luis Obispo.

In partnership with regional arts organizations, the NEA Regional Touring Program (RTP) support high-quality performances and related educational activities in communities across the country. As part of this program, Elizabeth Streb and Company perform contemporary dance at California Polytechnic State University in San Luis Obispo.

Through a grant to Art Resources Transfer in New York, the Distribution to Underserved Communities program places books on art and culture into public and school libraries free of charge. To help rebuild collections diminished from budget cuts, local librarians choose from a long list of available

books, videos and interactive materials. The Laguna Middle School Library in San Luis Obispo receives materials from this program.

## SANTA BARBARA

A grant to the University of California at Santa Barbara supports the post-production phase of Mary Anthony: A Life in Modern Dance.

A grant to the University of California at Santa Barbara supports a partnership project of artist-led activities that provides positive alternatives for youth.

Through a grant to the Herbert F. Johnson Museum of Art at Cornell University, the touring exhibition Byrdcliffe: An American Arts and Crafts Colony celebrates the centennial of Byrdcliffe, a colony founded as a center for artists and craftsmen in Woodstock, NY, in 1902. The exhibition travels to the Santa Barbara Museum of Art.

Through a grant to New York's Orpheus Chamber Orchestra, the orchestra tours with guest artists Dawn Upshaw and Richard Goode to national venues such as the Arlington Theatre in Santa Barbara.

Through a grant to the Group I Acting Company in New York City, a touring production of Mark Twain's comedy Pudd'nhead Wilson is performed at Campbell Hall at the University of California in Santa Barbara.

Through a grant to California-based L.A. Theatre Works, audio plays that serve the visually impaired are distributed to libraries throughout the country. L.A. Theatre Works records in front of live studio audiences and features classic and contemporary works (e.g., Arthur Miller's *The Crucible* and *Zoot Suit* by Luis Valdez). L.A. Theatre Works distributes these audio recordings to the Eastside Branch Library in Santa Barbara.

In partnership with regional arts organizations, the NEA Regional Touring Program (RTP) supports high-quality performances and related educational activities in communities across the country. As part of this program, Anoushka Shankar performs Indian sitar music at University of California in Santa Barbara.

Through a grant to the New England Foundation for the Arts in Boston, the National Dance Project supports touring performances of contemporary dance. As part of this project, the Bill T. Jones/Arnie Zane Dance Company and the Orion String Quartet perform at University of California in Santa Barbara.

Through a grant to New York's Meet the Composer for its Commissioning Music/USA program, composer Miles Green and choreographer Elizabeth Streb present their new work *Ripped* at the University of California in Santa Barbara.

Through a grant to Ballet Hispanico of New York, the company travels on a nationwide tour. Known as the foremost dance interpreter of Latino culture in the United States, Ballet Hispanico's innovative repertory blends ballet and ethnic dance forms into a spirited image of contemporary Hispanic-American culture. The company's tour includes performances at the University of California in Santa Barbara.

Through a grant to L.A. Freewaves in Los Angeles, the experimental media arts festival *Appropriate/Appropriated* showcases artists working in the medium of film, video, web sites, and multimedia installations. Films screen for the general public in galleries, museums and other venues across Southern California, including the Contemporary Arts Forum in Santa Barbara.

Through a partnership with the American Architectural Foundation in Washington, D.C., the Mayor's Institute on City Design hosts a series of symposiums attended by mayors, urban designers, and developers. The Institute is designed to provide mayors with

new perspectives on creative solutions to design issues in their communities. Marty Blum, Mayor of Santa Barbara, participates in this program.

## CONGRESSIONAL DISTRICT 23

A partnership grant to the California Arts Council in Sacramento supports statewide programming in arts education, cultural development, artistic preservation, increased access to the arts in underserved areas, and funding for artists and arts organizations throughout the state.

## CAMARILLO

Through a grant to California-based L.A. Theatre Works, audio plays that serve the visually impaired are distributed to libraries throughout the country. L.A. Theatre Works records in front of live studio audiences and features classic and contemporary works (e.g., Arthur Miller's *The Crucible* and *Zoot Suit* by Luis Valdez). L.A. Theatre Works distributes these audio recordings to the Frontier High School in Camarillo.

Through a grant to Ririe-Woodbury Dance in Salt Lake City, the company offers creative movement classes, performance demonstrations and teacher workshops at Camarillo High School.

In partnership with regional arts organizations, the NEA Regional Touring Program (RTP) supports high-quality performances and related educational activities in communities across the country. In Camarillo, the Ventura County Superintendent of Schools presents the Footworks Percussive Dance Company and the Ririe-Woodbury Dance Company.

## COALINGA

Through a grant to Art Resources Transfer in New York, the Distribution to Underserved Communities program places books on art and culture into public and school libraries free of charge. To help rebuild collections diminished from budget cuts, local librarians choose from a long list of available books, videos and interactive materials. The Coalinga District Library receives materials from this program.

## MALIBU

Through a grant to Inside Out Community Arts in Venice, the School Project program is an after-school theater-based arts program serving middle and high school students. Students participating in the program attend a camping/rehearsal retreat at Grindling Hilltop Camp in Malibu.

## OJAI

A grant to the Ojai Festival supports the 2002 Ojai Music Festival and the theme *Last Thoughts: Beethoven, Shostakovich and Others*.

In partnership with regional arts organizations, the NEA Regional Touring Program (RTP) supports high-quality performances and related educational activities in communities across the country. In Ojai, Performances To Grow On presents the Princely Players, who sing and recite poetry from the earliest sources of African-American music in this country to the civil war and the civil rights movement.

## SIMI VALLEY

Through a grant to Jazz at Lincoln Center in New York City, the Essentially Ellington High School Jazz Band Competition and Festival distributes, free of charge, specially arranged compositions of Duke Ellington's music and related educational materials to schools throughout the country, including Santa Susana High School in Simi Valley.

Through a grant to California-based L.A. Theatre Works, audio plays that serve the visually impaired are distributed to libraries throughout the country. L.A. Theatre Works records in front of live studio audiences and

features classic and contemporary works (e.g., Arthur Miller's *The Crucible* and *Zoot Suit* by Luis Valdez). L.A. Theatre Works distributes these audio recordings to the Santa Susana High School in Simi Valley.

## VENTURA

Through a grant to California-based L.A. Theatre Works, audio plays that serve the visually impaired are distributed to libraries throughout the country. L.A. Theatre Works records in front of live studio audiences and features classic and contemporary works (e.g., Arthur Miller's *The Crucible* and *Zoot Suit* by Luis Valdez). L.A. Theatre Works distributes these audio recordings to the Buena High School in Ventura.

Through a grant to Art Resources Transfer in New York, the Distribution to Underserved Communities program places books on art and culture into public and school libraries free of charge. To help rebuild collections diminished from budget cuts, local librarians choose from a long list of available books, videos and interactive materials. The Ventura County Library receives materials from this program.

Mr. DICKS, Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the Slaughter amendment and am proud to be a co-sponsor of this amendment.

We have offered this amendment successfully over the last 4 years, and I just want to say to my colleagues that I was on this committee when we were funding the arts and humanities at a much more robust level, and I agree, it is amazing that the endowments do as well as they do with the reduced funding that Congress has given them.

This modest amendment, in my judgment, will do a great deal with the Challenge America program and at the Endowment for Humanities. In fact, the President asked for more money in humanities than we are giving him this year. So I think this is a very modest amendment.

I can tell from my own State of Washington the appreciation of the arts organizations for the grants that they get from the National Endowment for the Arts, the universities, the people, the professors, teachers, all those who apply to the National Endowment for the Humanities, who also does an outstanding job, but at a time when our country needs to support job creation, the charts that were shown earlier, the number of people that are employed by the nonprofits that work in the arts is very substantial.

This is an important part of our economy. This is not just in New York or Chicago or San Francisco. This is also in many of the smaller communities like my hometown of Bremerton, Washington. The Admiral Theater, they are having a group come in from Missoula, Montana.

Arts education was mentioned. I can remember Jane Alexander taking me to Garfield High School in Seattle to see a whole group of African American youth working in an arts program. Dale Chihuly with glass in Tacoma, his hometown, one of the most prolific glass artists in the world.

I think this is such a small part of the budget but such an important part,

and I am so pleased that so many of my colleagues stayed this evening after the last vote to express their support. I hope that tomorrow morning we will be able to have another victory, and I urge everyone to be here early and to help work the body and get the same great vote that we had last year when we won by 42 votes, with bipartisan support.

I urge everyone who is watching this back in their offices to be here early to support this amendment tomorrow morning when we will vote on it.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise in strong support of the Slaughter Amendment to increase funding to the National Endowment for the Arts and the National Endowment for the Humanities.

NEA is a great investment in the economic growth of communities. The nonprofit arts industry alone generates \$134 billion annually in economic activity and \$10.5 billion in federal tax revenue.

NEA's Challenge America program has strong bipartisan support and has helped broaden access to the arts and provide funds to first-time grant recipients in small & rural towns. All forms of support for the arts and humanities—State and local government, foundation, corporate, and individual donations—are down from last year, but needs are greater than ever.

NEA requires state and local arts agencies as well as private organizations to provide matching funds, ensuring that dollars continue to flow to the arts even during difficult economic times. NEA nurtures artistic excellence in every corner of the country, with grants reaching every state and every congressional district, including my own district, in Houston, Texas.

Funding for the arts and humanities is more than making pretty paintings or sculptures. It is now about national security. I serve on the Science Committee and push hard to ensure that America stays on the cutting edge in math and science—fields that we usually think of as being the bedrock upon which a strong economy are built. We spend much time and resources pushing “back to the basics” campaigns in our educational systems, to improve reading, writing, and arithmetic. But perhaps the tragic events of September 11th, and some of the struggles we have been grappling with since, indicate that in our quest to improve the basics, we have under-emphasized other critical areas of intellectual and spiritual growth.

It seems that many of the challenges we are facing overseas are exacerbated by the fact that we, as a nation, tend to be ignorant of other cultures, languages, and religions. In our haste to drive our children and young adults toward technology and mechanical work, we have neglected the importance of helping them understand people. Perhaps, this has contributed to the distance between us and our allies, and perhaps it has increased the hatred felt for us by our enemies.

In the fight against terrorism, it is important that we truly understand the motivations of our enemies, and the cultural needs of our friends. In the aftermath of 9/11, we found that we have a shortage of Americans who speak Arabic, and various dialects, or who could speak persuasively to Afghans. These things must change.

The NEA and NEH are two of many organizations that raise our cultural competence. I serve on the Select Committee on Homeland Security, and in the scheme of our anti-terrorist efforts, it is an inexpensive part. But it is a critical part. Adding \$15 million to budgets of the NEA and NEH is a small but important step in the right direction.

The next generation of Americans needs to be culturally aware. They need to understand the history, art, culture, literature, sociology, archaeology—all of the cultural components that make people what they are and that drive people to do the things they do. As the President has said, this is going to be a different kind of battle, and it will take a long time to win it.

The NEA should be part of that long-term strategy. It would be difficult to overspend on this enriching program.

Mrs. LOWEY. Mr. Chairman, I rise in strong support of the amendment offered by my friend from New York and strongly urge it's adoption.

Mr. Chairman, throughout the course of history, the greatest civilizations are remembered for their contributions to the arts and humanities. Indeed, public commitment to the arts and humanities, along with dedication to free government, could be described as the benchmarks of a great society. As Americans we should be collectively committed to the documentation of our history and our accomplishments.

The two greatest civilizations of the ancient world, the Greek and Roman Empires, are remembered as much for their dedications to their arts as they are with the creation of the democratic and republican forms of government. The architecture of these civilizations inspired our own Capitol building. The theater of Greece and the mosaics of Rome are timeless and engraved in history alongside the triumphs of Alexander the Great and Julius Caesar. Every child learns the Renaissance and the Reformation were watershed events of European history that revolutionized the Western world. The lesson children learn is that religious and political freedom go hand in hand with greater artistic and rhetorical expression.

In America, our contributions to democracy and free society throughout the world are unquestionable and unparalleled. But centuries from now the people of the world should look back with equal admiration to our commitment to the arts. But will they?

We need not support the arts merely to support history and posterity; the arts also have a vital impact on our economy. In my home county of Westchester, New York, the arts support over two thousand jobs and generate over \$11 million in revenue for the state and local government. In Fiscal Year 2000, the arts had a total economic impact of over \$92 million in Westchester alone. Nationwide, the figures are even more impressive. The arts are a \$134 billion industry sustaining nearly 5 million jobs. While the federal government spends only about \$250 million on NEA and NEH annually, it collects over \$10 billion in tax revenue related to the arts industry, a ratio of 40 to one.

NEA and NEH dollars are crucial to the arts community, helping them leverage more state, local, and private funds. Clearly, the numbers show that investment in the arts is critical not only to our national identity, but also vital to our national economy.

Mr. Chairman, our place in history demands that we act decisively, and commit ourselves to our national heritage and culture. I urge my colleagues to support the \$15 million increase for NEA and NEH, to support creativity and expression, to support our economy, and to support the place of our American civilization within the pages of history, a place our nation so richly deserves.

Mr. CASTLE. Mr. Chairman, I rise today in support of the Slaughter-Shays-Dicks-Leach Amendment to increase funding for the National Endowment for the Arts and the National Endowment for the Humanities. The arts and humanities are important both socially and economically to our nation as a whole.

Studies have shown students benefit from exposure to both the arts and humanities. I have witnessed firsthand how rewarding arts and humanities programs can be to our nation's youth. For example, the Delaware Institute for the Arts in Education, which is partially funded by grants from the NEA, provides workshops and programs that encourage teachers to enrich classroom education for their students by utilizing the arts. They provide programs for students in dance, art, music, theater, and other skills essential to a well-rounded education. Because of funding by the NEA, the Delaware Institute for the Arts and other Delaware programs help give students lifetime skills of cultural appreciation, communication, critical thinking, and teamwork.

While funding for the NEA encourages Arts education, part of the funds reserved for the NEH will support the important education initiative, We the People. We live in a country with a rich and rewarding history; a country where diversity helps create a uniquely American experience. It is vital that Americans understand our history in order to become more informed and civically minded citizens. Programs like the We the People initiative hope to do just that.

It is important for us to remember, the collective benefits gained by not only our districts but also by the nation as a whole and that is why I rise today in strong support of increased funding for the NEA and the NEH.

Ms. DELAURO. Mr. Chairman, I rise in strong support of the Slaughter-Dicks amendment to provide increased funding for the National Endowment for the Arts and the National Endowment for the Humanities. These agencies are charged with bringing the history, the beauty, the creative genius of our culture to the lives of all Americans—young and old, rich and poor, urban and rural. These agencies make sure that the vast wealth that is our national heritage is accessible to all Americans, and that is a goal worthy of our support.

Many years ago, I chaired the Greater New Haven Arts Council in Connecticut. I know first hand that the arts enrich lives, and they also contribute to the economic growth of the community.

It is important to note that our small federal contribution to these agencies is only a tiny percentage of the overall public-private investment that flows into the non-profit arts every year. But these are the most important dollars—the ones that leverage billions of dollars in state, local and private funding and fuel what is a vital non-profit arts industry. This industry creates jobs, increases travel and tourism, and generates billions of dollars in economic activity every year. That means nearly

5 million jobs nationally and more than \$24 billion in revenues, more than half of which goes to states and localities. In my state, more than 30,000 Connecticut jobs are connected to the non-profit arts.

In addition, the NEA is an important partner in bringing innovative arts education programs to more American students. Arts education is critical in planting seeds of arts appreciation and in cultivating the talent that may have yet to be discovered in these young minds. The Endowment, in partnership with state arts agencies, provides millions of dollars in annual support for kindergarten through 12th grade arts education projects in communities across the country. It also funds professional development programs for arts specialists, classroom teachers, and artists.

Study after study has shown that the arts have real value in restoring civility to our society and providing our children and communities real alternatives to substance abuse and delinquency. A study published in Business Week 3 years ago cited strong business support for government funding for the arts using empirical data that demonstrated students who participate in arts programs gain self-esteem, learn to cooperate as a team—they show an improved ability to finish tasks, and a more positive attitude toward school. Business understands the value of these programs.

We know that the arts build our economy, enrich our culture, and feed the minds of adults and children alike. The NEA and NEH need this increase to fulfill their missions, and it is time we gave them this support. Vote for this amendment. Preserve our heritage and make it accessible to all.

Mr. MATHESON. Mr. Chairman, as a supporter of the arts and the humanities, I am pleased to support this amendment. During my time in Congress I have had the opportunity to meet with numerous constituents regarding the need for continued arts funding.

In this time of daunting budget deficits, we must spend our collective resources as wisely as possible. Funding for the arts is sometimes construed as a giveaway on the part of the federal government, which does not result in tangible benefits to the nation. I dispute that claim—in my district in Utah, we are fortunate to have a thriving arts and humanities community that generates revenues for the local economy, teaches our children about American cultural traditions, and builds civic spirit through public events.

I believe that our nation should invest in programs that generate benefits such as these and I hope my colleagues will join me in voting to restore funding for the National Endowment for the Arts and the National Endowment for Humanities to last year's levels.

Mrs. MALONEY. Mr. Chairman, I rise today to voice my strong support for the Slaughter-Shays-Dicks amendment. This important amendment increases funding for the National Endowment for the Arts by \$10 million and the National Endowment for the Humanities by \$5 million. It will continue the process of restoring federal arts funding to appropriate levels by simply providing the funding that the House passed last year.

This money will allow millions of young people and children to be exposed to the arts. In addition to the enjoyment and life-enrichment that each participant in the arts experiences, the exposure of children to the arts has been shown to improve reading and language de-

velopment, mathematics skills, fundamental cognitive skills, motivation to learn, and social behavior. It is crucial that we provide enough funds for our children to have the best chance to succeed.

Sufficient funding for the arts is particularly important in these years following the tragic events of September 11. In my city of New York and across the nation, the arts have provided important outlets for the host of emotions brought on by the traumatic experiences and tremendous losses that we have all experienced.

But the arts not only help us to heal as individuals, they contribute to the economic health of our nation. The non-profit art industry generates \$134 billion in economic activity each year, providing nearly 5 million full-time equivalent jobs and over \$24 billion in federal, state, and local tax revenue.

We can improve our economy, aid in the healing of our nation, help our children, and create and endure cultural legacy—all by passing this necessary amendment.

I support the Slaughter-Shays-Dicks amendment, and I urge my colleagues to do the same.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York (Ms. SLAUGHTER).

The question was taken, and the Chairman announced that the ayes appeared to have it.

Mr. TAYLOR of North Carolina. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from New York (Ms. SLAUGHTER) will be postponed.

Are there further amendments to that portion of the bill which is open for amendment?

If not, the Clerk will read.

The Clerk read as follows:

#### WILDLAND FIRE MANAGEMENT

For necessary expenses for forest fire suppression activities on National Forest System lands, for emergency fire suppression on or adjacent to such lands or other lands under fire protection agreement, hazardous fuels reduction on or adjacent to such lands, and for emergency rehabilitation of burned-over National Forest System lands and water, \$1,624,632,000, to remain available until expended: *Provided*, That such funds including unobligated balances under this head, are available for repayment of advances from other appropriations accounts previously transferred for such purposes: *Provided further*, That not less than 50 percent of any unobligated balances remaining (exclusive of amounts for hazardous fuels reduction) at the end of fiscal year 2003 shall be transferred, as repayment for past advances that have not been repaid, to the fund established pursuant to section 3 of Public Law 71-319 (16 U.S.C. 576 et seq.): *Provided further*, That notwithstanding any other provision of law, \$8,000,000 of funds appropriated under this appropriation shall be used for Fire Science Research in support of the Joint Fire Science Program: *Provided further*, That all authorities for the use of funds, including the use of contracts, grants, and cooperative agreements, available to execute the Forest and Rangeland Research appropriation, are also available in the utilization of funds for Fire Science Research: *Provided further*, That funds provided shall be avail-

able for emergency rehabilitation and restoration, hazardous fuels reduction activities in the urban-wildland interface, support to Federal emergency response, and wildfire suppression activities of the Forest Service: *Provided further*, That of the funds provided, \$246,392,000 is for hazardous fuels reduction activities, \$40,000,000 is for rehabilitation and restoration, \$22,000,000 is for research activities and to make competitive research grants pursuant to the Forest and Rangeland Renewable Resources Research Act, as amended (16 U.S.C. 1641 et seq.), \$51,000,000 is for State fire assistance, \$8,240,000 is for volunteer fire assistance, \$25,000,000 is for forest health activities on State, private, and Federal lands, and \$6,000,000 is for economic action programs: *Provided further*, That amounts in this paragraph may be transferred to the "State and Private Forestry", "National Forest System", and "Forest and Rangeland Research" accounts to fund State fire assistance, volunteer fire assistance, forest health management, economic action programs, forest and rangeland research, vegetation and watershed management, heritage site rehabilitation, and wildlife and fish habitat management and restoration: *Provided further*, That transfers of any amounts in excess of those authorized in this paragraph, shall require approval of the House and Senate Committees on Appropriations in compliance with reprogramming procedures contained in the House report accompanying this Act: *Provided further*, That the costs of implementing any cooperative agreement between the Federal Government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: *Provided further*, That in addition to funds provided for State Fire Assistance programs, and subject to all authorities available to the Forest Service under the State and Private Forestry Appropriations, up to \$15,000,000 may be used on adjacent non-Federal lands for the purpose of protecting communities when hazard reduction activities are planned on national forest lands that have the potential to place such communities at risk: *Provided further*, That included in funding for hazardous fuel reduction is \$5,000,000 for implementing the Community Forest Restoration Act, Public Law 106-393, title VI, and any portion of such funds shall be available for use on non-Federal lands in accordance with authorities available to the Forest Service under the State and Private Forestry Appropriation: *Provided further*, That in using the funds provided in this Act for hazardous fuels reduction activities, the Secretary of Agriculture may conduct fuel reduction treatments on Federal lands using all contracting and hiring authorities available to the Secretary applicable to hazardous fuel reduction activities under the wildland fire management accounts: *Provided further*, That notwithstanding Federal Government procurement and contracting laws, the Secretaries may conduct fuel reduction treatments, rehabilitation and restoration, and other activities authorized under this heading on and adjacent to Federal lands using grants and cooperative agreements: *Provided further*, That notwithstanding Federal Government procurement and contracting laws, in order to provide employment and training opportunities to people in rural communities, the Secretaries may award contracts, including contracts for monitoring activities, to local private, non-profit, or cooperative entities; Youth Conservation Corps crews or related partnerships, with State, local and non-profit youth groups; small or micro-businesses; or other entities that will hire or train a significant percentage of local people to complete such contracts: *Provided further*, That the authorities described above relating to contracts, grants, and cooperative agreements are available until all funds

provided in this title for hazardous fuels reduction activities in the urban wildland interface are obligated: *Provided further*, That the Secretary of the Interior and the Secretary of Agriculture may authorize the transfer of funds appropriated for wildland fire management, in an aggregate amount not to exceed \$12,000,000, between the Departments when such transfers would facilitate and expedite jointly funded wildland fire management programs and projects.

#### CAPITAL IMPROVEMENT AND MAINTENANCE

For necessary expenses of the Forest Service, not otherwise provided for, \$560,473,000, to remain available until expended for construction, reconstruction, maintenance and acquisition of buildings and other facilities, and for construction, reconstruction, repair, decommissioning, and maintenance of forest roads and trails by the Forest Service as authorized by 16 U.S.C. 532-538 and 23 U.S.C. 101 and 205: *Provided*, That up to \$15,000,000 of the funds provided herein for road maintenance shall be available for the decommissioning of roads, including unauthorized roads not part of the transportation system, which are no longer needed: *Provided further*, That no funds shall be expended to decommission any system road until notice and an opportunity for public comment has been provided on each decommissioning project.

#### LAND ACQUISITION

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-4 through 11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the Forest Service, \$29,288,000, to be derived from the Land and Water Conservation Fund and to remain available until expended.

#### ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL ACTS

For acquisition of lands within the exterior boundaries of the Cache, Uinta, and Wasatch National Forests, Utah; the Toiyabe National Forest, Nevada; and the Angeles, San Bernardino, Sequoia, and Cleveland National Forests, California, as authorized by law, \$1,069,000, to be derived from forest receipts.

#### ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

For acquisition of lands, such sums, to be derived from funds deposited by State, county, or municipal governments, public school districts, or other public school authorities, and for authorized expenditures from funds deposited by non-federal parties pursuant to Land Sale and Exchange Acts, pursuant to the Act of December 4, 1967, as amended (16 U.S.C. 484a), to remain available until expended.

#### RANGE BETTERMENT FUND

For necessary expenses of range rehabilitation, protection, and improvement, 50 percent of all moneys received during the prior fiscal year, as fees for grazing domestic livestock on lands in National Forests in the 16 Western States, pursuant to section 401(b)(1) of Public Law 94-579, as amended, to remain available until expended, of which not to exceed 6 percent shall be available for administrative expenses associated with on-the-ground range rehabilitation, protection, and improvements.

#### GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND RANGELAND RESEARCH

For expenses authorized by 16 U.S.C. 1643(b), \$92,000, to remain available until expended, to be derived from the fund established pursuant to the above Act.

#### MANAGEMENT OF NATIONAL FOREST LANDS FOR SUBSISTENCE USES

For necessary expenses of the Forest Service to manage federal lands in Alaska for subsistence uses under title VIII of the Alaska National Interest Lands Conservation Act (Public Law 96-487), \$5,535,000, to remain available until expended.

#### ADMINISTRATIVE PROVISIONS, FOREST SERVICE

Appropriations to the Forest Service for the current fiscal year shall be available for: (1) purchase of not to exceed 124 passenger motor vehicles of which 21 will be used primarily for law enforcement purposes and of which 124 shall be for replacement; acquisition of 25 passenger motor vehicles from excess sources, and hire of such vehicles; operation and maintenance of aircraft, the purchase of not to exceed seven for replacement only, and acquisition of sufficient aircraft from excess sources to maintain the operable fleet at 195 aircraft for use in Forest Service wildland fire programs and other Forest Service programs; notwithstanding other provisions of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft; (2) services pursuant to 7 U.S.C. 2225, and not to exceed \$100,000 for employment under 5 U.S.C. 3109; (3) purchase, erection, and alteration of buildings and other public improvements (7 U.S.C. 2250); (4) acquisition of land, waters, and interests therein pursuant to 7 U.S.C. 428a; (5) for expenses pursuant to the Volunteers in the National Forest Act of 1972 (16 U.S.C. 558a, 558d, and 558a note); (6) the cost of uniforms as authorized by 5 U.S.C. 5901-5902; and (7) for debt collection contracts in accordance with 31 U.S.C. 3718(c).

None of the funds made available under this Act shall be obligated or expended to abolish any region, to move or close any regional office for National Forest System administration of the Forest Service, Department of Agriculture without the consent of the House and Senate Committees on Appropriations.

Any appropriations or funds available to the Forest Service may be transferred to the Wildland Fire Management appropriation for forest firefighting, emergency rehabilitation of burned-over or damaged lands or waters under its jurisdiction, and fire preparedness due to severe burning conditions if and only if all previously appropriated emergency contingent funds under the heading "Wildland Fire Management" have been released by the President and apportioned and all funds under the heading "Wildland Fire Management" are obligated.

Funds appropriated to the Forest Service shall be available for assistance to or through the Agency for International Development and the Foreign Agricultural Service in connection with forest and rangeland research, technical information, and assistance in foreign countries, and shall be available to support forestry and related natural resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with United States and international organizations.

Mr. TAYLOR of North Carolina. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BURGESS) having assumed the chair, Mr. LATOURETTE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration

the bill (H.R. 2691) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2004, and for other purposes, had come to no resolution thereon.

□ 1945

#### ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT ON H.R. 1308, TAX RELIEF, SIMPLIFICATION, AND EQUITY ACT OF 2003

Mr. BELL. Mr. Speaker, subject to rule XXII, clause 7(c), I hereby announce my intention to offer a motion to instruct on H.R. 1308, the Child Tax Credit bill. The form of the motion is as follows:

Mr. Speaker, I move that the managers on the part of the House in the conference on the disagreeing votes of the two Houses on the House amendment to the Senate amendment to H.R. 1308 be instructed as follows:

One. The House conferees shall be instructed to include in the conference report the provision of the Senate amendment not included in the House amendment that provides immediate payments to taxpayers receiving an additional credit by reason of the bill in the same manner as other taxpayers were entitled to immediate payments under the Jobs and Growth Tax Relief Reconciliation Act of 2003.

Two. The House conferees shall be instructed to include in the conference report the provision of the Senate amendment not included in the House amendment that provides families of military personnel serving in Iraq, Afghanistan, and other combat zones a child credit based on the earnings of the individuals serving in the combat zone.

Three. The House conferees shall be instructed to include in the conference report all of the other provisions of the Senate amendment and shall not report back a conference report that includes additional tax benefits not offset by other provisions.

Four. To the maximum extent possible within the scope of conference, the House conferees shall be instructed to include in the conference report other tax benefits for military personnel and the families of the astronauts who died in the Columbia disaster.

Five. The House conferees shall, as soon as practicable after the adoption of this motion, meet in open session with the Senate conferees; and the House conferees shall file a conference report consistent with the preceding provisions of this instruction, not later than the second legislative day after adoption of this motion.

The SPEAKER pro tempore. The gentleman's motion will appear in the RECORD.