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H.R. 2996 — FY 2010 Interior, Environment, and Related Agencies Appropriations Act

BY THE NUMBERS:

In Millions of Dollars

	FY09	FY10 Request	FY10 Committee	Cmte v. Request	Cmte v. FY09
Appropriations	27,579	32,325	32,300	-25	4,721
<i>Emergency Approps</i>	10,950	----	----	----	-10,950
TOTAL	38,529	32,325	32,300	-25	-6,229

Excluding Emergency Appropriations, the Committee Bill is:

- \$25 million or 0.0% less than the request
- **\$4.7 billion or 17.1% more than last year**

Spending Discussion: The bill provides \$4.7 billion (17.1%) more than FY 2009 for programs under the Interior-Environment Appropriations Subcommittee. Compared to FY 2008 (the spending authority the federal government was operating under just nine months ago), the bill is a \$5.75 billion or 21.6% increase. Earlier this month, the House Appropriations Committee set the 302(b) allocations for the twelve appropriations bills. Under Chairman Obey’s FY 2010 spending plan, all twelve bills will receive spending increases, with a total spending level of \$1,089.6 trillion—an increase of \$77 billion or 7.6% compared to last year.

Order of Business: H.R. 2996 is scheduled to be considered on the House floor on Thursday, June 25, 2009 under a restrictive *structured* rule (H.Res. 578) that provides one hour of general debate, and waives all points of order against the bill’s consideration, except for clauses 9 (the earmark rule) and 10 (PAYGO) of Rule XXI. The rule also waives points of order against the bill itself for failures to comply with various rules for appropriations bills (such as prohibitions on appropriating funds to unauthorized programs). The amendments made in order under the rule will be summarized in a separate document.

Funding Summaries:

In thousands

	FY 2009 Enacted	FY 2010 Request	FY 2009 Cmte	Cmte Vs. FY 2009	Cmte Vs. Request	Cmte Vs. FY 2009	Cmte Vs. Request
I. Department of Interior							
Bureau of Land Management.....							
Management of Lands & Resources.....	890,194	975,351	950,496	60,302	-24,855	6.8%	-2.6%
Construction.....	6,590	6,590	6,590	----	----	----	----
Land Acquisition.....	14,775	25,029	26,529	11,754	1,500	79.6%	5.7%
Oregon & California Grant Lands.....	109,949	111,557	111,557	1,608	----	1.5%	----
U.S. Fish & Wildlife Service.....							
Resource Management.....	1,140,962	1,218,206	1,248,756	-57,206	30,550	-5.0%	2.5%
Construction.....	35,587	29,791	21,139	-14,448	-8,652	-40.6%	-29.0%
Land Acquisition.....	42,455	65,000	67,250	24,795	2,250	58.4%	3.5%
Cooperative Endangered Species Fund.....	80,001	100,000	100,000	19,999	----	25.0%	----
National Wildlife Refuge Fund.....	14,100	14,100	14,100	----	----	----	----
North American Wetlands Conservation Fund.....	42,647	52,647	52,647	10,000	----	23.4%	----
Neotropical Migratory Birds Conservation Fund.....	4,750	4,750	5,250	500	500	10.5%	10.5%
Multinational Species Conservation Fund.....	10,000	10,000	11,500	1,500	1,500	15.0%	15.0%
State and Tribal Wildlife Grants.....	75,000	115,000	115,000	40,000	----	53.3%	----
National Park Service.....							
Operations.....	2,131,529	2,266,016	2,260,684	129,155	-5,332	6.1%	
Park Partnerships Project Grants.....	----	25,000	25,000	25,000	----	NA	----
National Recreation & Preservation.....	59,684	53,908	57,886	-1,798	3,978	-3.0%	7.4%
Historic Preservation Fund.....	69,500	77,675	90,675	21,175	13,000	30.5%	16.7%
Construction.....	233,158	205,991	221,191	-11,967	15,000	-5.1%	7.3%
Land Acquisition and State Assistance.....	65,190	98,000	98,222	33,032	222	50.7%	0.2%
U.S. Geological Survey.....							
Minerals Management Service.....	1,043,803	1,097,844	1,105,744	61,941	7,900	5.9%	0.7%
Office of Surface Mining Reclamation.....	164,702	159,368	159,368	-5,334	----	-3.2%	----
Bureau of Indian Affairs.....							
Operations.....	2,128,630	2,278,809	2,300,099	171,469	21,290	8.2%	0.9%
Construction.....	217,688	200,000	200,000	-17,688	----	-8.1%	----
Indian Land and Water Claim Settlements.....	21,627	47,380	47,380	25,753	----	119.1%	----
Indian Guaranteed Loan Program Account.....	8,186	8,215	8,215	29	----	0.3%	----
Insular Affairs.....							
Departmental Mmanagement.....	78,665	81,077	83,995	5,330	2,918	3.7%	3.6%
Wildland Fire Management.....	480,790	504,881	507,799	27,009	2,918	5.6%	0.6%
	859,453	899,780	932,780	43,327	33,000	5.0%	3.7%
II. EPA							
Science and Technology	790,051	842,349	849,649	59,598	7,300	7.5%	0.9%
Environmental Programs and Management.....	2,392,079	2,940,564	3,022,054	629,975	81,490	26.3%	2.8%
Office of Inspector General.....	44,791	44,791	44,791	----	----	----	----
Buildings and Facilities.....	35,001	37,001	35,001	----	----	----	----
Hazardous Substance Superfund.....	1,285,024	1,308,541	1,306,541	21,517	-2,000	1.7%	-0.2%
Leaking Underground Storage Tank Program.....	112,577	113,101	113,101	524	----	4.7%	----
Oil Spill Response.....	17,687	18,379	18,379	692	----	3.9%	----
State and Tribal Assistance Grants.....	2,968,464	5,191,274	5,215,446	2,246,982	24,172	75.7%	0.5%
III. Related Agencies							
Forest Service (USDA).....							
Forest and Rangeland Research.....	296,380	300,612	308,612	12,232	8,000	4.1%	2.7%
State and Private Forestry.....	265,861	306,111	307,486	41,625	1,375	15.7%	0.4%
National Forest System.....	1,509,805	1,506,564	1,564,801	54,996	58,237	3.6%	3.9%

Capital Improvement and Maintenance.....	482,393	556,962	542,637	60,244	74,569	12.5%	13.4%
Land Acquisition.....	49,775	28,684	36,782	-12,993	8,098	-26.1%	28.2%
Management for Subsistence Uses.....	5,000	2,582	2,582	-2,418	----	-48.4%	----
Wildland Fire Management.....	2,131,630	2,238,147	2,370,288	-261,342	132,141	-12.2%	5.9%
Wildland Fire Suppression Contingency Reserve Fund..	4,745,794	5,226,612	5,338,138	592,344	111,526	12.5%	2.1%
Other Agencies.....							
Indian Health Services.....	3,581,124	4,034,625	4,052,375	471,251	17,750	13.2%	0.4%
Council on Environmental Quality.....	2,703	3,159	3,159	458	----	16.9%	----
Chemical Safety and Hazard Investigation Board.....	10,199	10,547	10,547	348	----	3.4%	----
Navajo & Hopi Relocation.....	7,530	8,000	8,000	470	----	6.2%	----
Inst of Amer Ind & Alas Nat Culture & Arts.....	7,900	8,300	8,300	400	----	5.1%	----
Smithsonian.....	731,400	759,161	774,161	42,761	15,000	5.9%	2.0%
National Gallery of Art.....	122,756	165,245	167,005	44,249	1,760	36.0%	1.1%
Kennedy Center.....	36,364	39,947	42,447	6,083	2,500	16.7%	6.3%
Woodrow Wilson Center.....	10,000	10,225	12,225	2,225	2,000	22.3%	19.6%
NEA.....	155,000	171,315	170,000	15,000	8,685	9.7%	0.8%
NEH.....	155,000	171,315	170,000	15,000	-1,315	9.7%	-0.8%
Commission of Fine Arts.....	2,234	2,294	2,294	60	----	26.9%	----
National Capital Arts & Culture.....	9,500	----	10,000	500	10,000	5.3%	NA
Advisory Council on Historic Preservation.....	5,498	5,908	5,908	410	----	7.5%	----
National Capital Planning Commission.....	8,328	8,507	8,507	179	----	2.1%	----
Holocaust Memorial.....	47,260	48,551	48,551	1,291	----	2.7%	----
Presidio Trust.....	17,450	17,230	23,200	5,750	5,970	33.0%	34.6%

Items of Note:

Environmental Protection Agency (EPA): \$10.6 billion—\$3.0 billion or 38.7% above last year, and \$109.0 million or 1.0% above the President’s request. In addition to the large increase in regular appropriations funding, the EPA also received \$7.2 billion of emergency-designated spending in FY 2009 (in the so-called “stimulus” bill).

National Endowment for the Arts (NEA): \$170 million—\$15.0 million or 9.7% above last year, and \$1.3 million or 0.8% below the President’s request.

National Endowment for the Humanities (NEH): \$170 million—\$15.0 million or 9.7% above last year, and \$1.3 million or 0.8% below the President’s request.

National Park Service: \$2.7 billion—\$198.0 million or 7.8% above last year, and \$27.0 million or 1.0% above the President’s request.

Indian Health Service: \$4.0 billion—\$471.3 million or 13.2% above last year, and \$17.8 million or 0.4% above the President’s request.

Save America’s Treasures: \$30 million—\$10.0 million or 50.0% above last year. The Save America’s Treasures program was created by an Executive Order from President Clinton in 1998. The program was designed as a public-private effort to protect threatened cultural and historical treasures in America. During its tenure the program has endeavored to protect the Liberty Bell, the flag that inspired the “Star Spangled Banner,” and the writings of James Madison. In spite of its stated intent to protect only legitimate American historical treasures, the program now funds a wide array of pet projects with no

broad historical significance. By 2006, Save America's Treasures was conducting 1,500 distinct projects. The projects ranged from remodeling local theaters, to court house renovations, to converting firehouses into art galleries. The FY 2010 Interior-Environment bill lists approximately 40 earmarks for this program.

Other Items of Note:

Greenhouse Gas Regulations: Section 427 of the bill prohibits funds from being used to promulgate or implement any regulation requiring the issuance of permits for carbon dioxide, nitrous oxide, water vapor, or methane emissions *resulting from biological processes associated with livestock production*. Section 425 prohibits funds from being used to implement any rule that requires reporting of "greenhouse gas emissions from manure management systems."

Many conservatives oppose allowing the EPA to issue regulations on greenhouse gases for any purpose (whether related to agriculture or not). Representative Marsha Blackburn (R-TN) has introduced H.R. 391, which would prohibit the EPA from issuing greenhouse regulations under the Clean Air Act

Ultra-Deepwater and Unconventional Natural Gas/Other Petroleum Research Fund: Section 421 of the bill prohibits federal royalties (from federal offshore and onshore oil and gas leases) from being deposited into the Ultra-Deepwater and Unconventional Natural Gas and Other Petroleum Research Fund.

Guantanamo Bay: Prohibits funds from being used to release an individual who is detained, as of April 30, 2009, at Naval Station, Guantanamo Bay, Cuba into any of the U.S. Territories. H.R. 2996 also prohibits funds from being used to transfer an individual who is detained at Guantanamo Bay, Cuba into the U.S. Territories for the purposes of detaining or prosecuting such an individual until 2 months after the President submits in writing "a comprehensive plan regarding the proposed disposition of each individual who is detained..." The legislation also prohibits funds from being used to transfer or release an individual held in Guantanamo Bay, Cuba (as of April 30, 2009) to a freely associated state unless the President at least 30 days beforehand submits information to Congress as outlined in the bill.

Earmarks: The [Committee Report](#) lists 272 congressionally-directed earmarks.

Committee Action: H.R. 2996 was reported out of the House Appropriations Committee as an original measure on June 23, 2009 by voice vote.

Cost to Taxpayers: The bill appropriates a total of \$32.3 billion in FY 2010.

Does the Bill Expand the Size and Scope of the Federal Government?: Yes, the bill increases spending for programs in the FY 2010 Interior-Environment bill by \$4.7 billion or 17.1%.

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

Constitutional Authority: The House Appropriations Committee cites Clause 7 of Section 9 of Article I of the Constitution (the power of Congress to appropriate money). The committee did not cite constitutional authority for the various spending items themselves.

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