



May 18, 2006

Possible Amendments to the Interior, Environment, and Related Agencies Appropriations Act, 2007

Part 1

The following contains information on the eleven amendments that have been pre-printed in the *Congressional Record* and other amendments not pre-printed that may also be offered.

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Amendments Pre-Printed in the *Congressional Record*

1. Hefley (R-CO). Reduces funding in the Act by \$258,890,000. This amount is equal to one percent of the total amount of discretionary funding in the bill. **This amendment was defeated during last year's Interior Appropriations (H.R. 2361) debate by a vote of 90-326 ([Roll no. 197](#)).**

2. Putnam (R-FL). Prohibits funds in the bill from being used for the following purposes:

- for the conduct of offshore natural gas 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;
- to conduct offshore 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; or
- to conduct natural gas preleasing, leasing, and related activities in the Mid-Atlantic and South Atlantic planning areas.

3. Pallone (D-NJ). Will be included in Part II of our amendment documents.

4. Chabot (R-OH). Prohibits funds from being used for the design or construction of forest development roads in the Tongass National Forest for the purpose of harvesting

timber by private entities or individuals (except roads where construction has already been initiated). According to the amendment sponsor, since 1982 the Forest Service lost \$850 million in taxpayer dollars in the Tongass forest building road and administering timber sales. The National Taxpayers Union and Citizens Against Government Waste have both indicated they support the amendment.

According to Resources Chairman Pombo, who opposes the amendment, this amendment would run counter to the recently developed Tongass Forest Management Plan, which cost \$13 million and took 9 years to develop. Other opponents have stated that the budget for the Forest Service in Alaska is over \$100 million annually, but only about 20% of the budget supports the timber program. Two-thirds of the timber program budget goes to preparing NEPA documents and dealing with timber sale appeals and lawsuits. The National Association of Home Builders and the National Association of Counties have both indicated they are opposed to the amendment.

NOTE: Last year, a point of order was raised against the Chabot amendment. The point of order was sustained by the Chair, and the amendment was not considered. However, in 2004, the Chabot amendment passed by a vote of 222-205. To view this vote, please click: <http://clerk.house.gov/evs/2004/roll253.xml>. The amendment submitted this year does not appear to include the authorizing language subjecting it to a point of order. Therefore, it is likely the amendment will not be subject to a point of order, and will be given full consideration.

5. Beauprez (R-CO). Increases by \$28.7 million (from \$769,253,000 to 797,953,000), the funds available for Wildland Fire Management. Decreases by \$30 million (from \$124,412,000 to 94,412,000), the funds available for the National Endowment for the Arts Grants and Administration. According to the sponsor's office, the increased funds for Wildland Fire Management would be used by the U.S. Forest Service for thinning projects to reduce the threat of catastrophic wildfires. **Note: This amendment was defeated during last year's Interior Appropriations (H.R. 2361) debate by a vote of 122 - 298 (Roll no. 195). In addition, 71 RSC Members voted for this amendment last year.**

6. Rahall (D-WV). Prohibits the use of funds available in the bill, for the sale or slaughter of free-roaming horses and burros. **Note: This amendment was approved during last year's Interior Appropriations debate by a vote of 249 - 159 (Roll no. 196).**

7. Musgrave (R-CO). Prohibits funds in the bill from being used for review or study by the United States Geological Survey of Preble's meadow jumping mouse (*Zapus hudsonius preblei*) or of any subspecies of such species. As of press time, additional information was not available regarding this amendment.

8. Tancredo (R-CO). Strikes the section in the bill that directs \$13 million to be available for the Mid-Continent Mapping Center (MCMC) in Rolla, Missouri to operate a "full service mapping organization" and also provides that no funds may be used to consolidate the MCMC. According to the amendment's sponsor, this amendment would

allow the U.S. Geological Survey to proceed with a planned consolidation of this mapping organization.

9. Meehan (D-MA). This amendment would prevent the EPA from updating its policies on air pollution and would mandate that it keep to Clinton-era policy. Specifically, the amendment would prohibit funds from being used to finalize, issue, implement, or enforce the proposed EPA policy entitled, “National Emissions Standards for Hazardous Air Pollutants,” or any proposed or final rulemaking or policy change *replacing* the policy described in the May 16, 1995 EPA memorandum entitled, “Potential to Emit for Maximum Achievable Control Technology (MACT) Standards--Guidance on Timing Issues.”

10. Cannon (R-UT). Reduces funds for management expenses of the Interior Department by \$18 million (from \$118.3 million to \$100.3 million) and increases funds for the Payment in Lieu of Taxes (PILT) program by \$16 million (from \$228 million to \$244 million). Since 1976, the federal government has been required by law to compensate local communities across the nation with non-taxable federal lands in their jurisdictions through the Payment-in-Lieu-of-Taxes (PILT) program. The PILT program provides federal funds to localities whose land areas are dominated by federal lands to offset restrictions on residential and commercial growth. **NOTE: a similar amendment last year (H.Amdt. 170) was agreed to by voice vote.**

11. Maloney (D-NY). Reduces by \$1 million and then increases by \$1 million the funds for royalty and offshore minerals management. This amendment would thus not affect the level of funding for such management and simply allows the amendment sponsor to raise an issue on the floor. According to the sponsor, the amendment will “address the insufficient funding provided by the Minerals Management Service (MMS) to States and Tribes to conduct audits that determine if companies responsible for remitting royalties for minerals produced from Federal and Indian leases do so in compliance with applicable lease terms, regulations and policies governing the valuation of the produced minerals.”

Amendments Not Pre-printed in the *Congressional Record*

Oberstar (D-MN)/ Leach (R-IA)/ Dingell (D-MI). Prohibits the EPA Administrator from spending funds to implement the wetlands policy guidance that was issued as a joint memorandum with the Corps of Engineers in response to the Supreme Court decision in *Solid Waste Agency of Northern Cook County v. Army Corps of Engineers (SWANCC)*. The amendment sponsors write: “The Supreme Court in *SWANCC* held that Clean Water Act jurisdiction did not extend to isolated, intrastate waters where jurisdiction is asserted based solely upon the presence of migratory birds. However, EPA, in the joint memorandum, expanded upon *SWANCC* and made it more difficult to protect all intrastate waters. Our amendment would prevent EPA from implementing this unsound policy.”

Weiner (D-NY). Increases funds for general administration of the National Park Service by \$1 million (from \$1.754 billion to \$1.755 billion) and decreases funds for management of the Interior Department by \$1 million (from \$118.3 million to \$117.3 million). The amendment sponsor has indicated that he would use this amendment to demand that the Status of Liberty be fully reopened. The amendment sponsor reports that, “since 9/11, the National Park Service has refused to fully reopen the Statue – only allowing visitors now to travel as far as her feet.”

Garrett (R-NJ). Prohibits funds from being used to send or otherwise pay for the attendance of more than 50 employees from a Federal department or agency at any single conference occurring outside the United States. **NOTE: a substantively identical amendment (H.Amdt. 192) last year passed by voice vote.**

Conaway (R-TX). *Amendment will likely be offered and withdrawn.* Strikes section 104 of the underlying bill:

SEC. 104. 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.

Conaway (R-TX). *Amendment will likely be offered and withdrawn.* Strikes section 105 of the underlying bill:

SEC. 105. No funds provided in this title may be expended by the Department of the Interior to conduct off shore 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.

Conaway (R-TX). *Amendment will likely be offered and withdrawn.* Strikes section 106 of the underlying bill:

SEC. 106. 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.

Poe (R-TX). Strikes section 104 of the underlying bill:

SEC. 104. 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.

Poe (R-TX). Strikes section 105 of the underlying bill:

SEC. 105. No funds provided in this title may be expended by the Department of the Interior to conduct off shore 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.

Poe (R-TX). Strikes section 106 of the underlying bill:

SEC. 106. 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.

Sanders (I-VT). Increases funds for the Energy Star K-12 Schools program by \$1.8 million and reduces funds for Interior Department administration by the same amount.

Conaway (R-TX). Inserts a new section in the bill that prohibits funds from being used to enforce the National Primary Drinking Water Regulations for arsenic and radionuclides (promulgated under section 1412(b) of the Safe Drinking Water Act) in the case of any public water system serving 10,000 people or less.

Some conservatives have voiced concerns regarding the effectiveness and cost of these regulations on rural water systems. Currently, the EPA exempts water systems which service fewer than 25 users. In April 2000, the EPA stated that “at these levels, the actual health impact from ingested radionuclides will be difficult, if not impossible, to distinguish from natural disease incidences, even using very large epidemiological studies employing sophisticated statistical analyses.”