

## HR 2361

Department of the Interior, Environment, and Related Agencies Appropriations Act, 2006

**Congress:** 109 (2005–2007, Ended)

**Chamber:** House

**Policy Area:** Economics and Public Finance

**Introduced:** May 13, 2005

**Current Status:** Became Public Law No: 109-54.

**Latest Action:** Became Public Law No: 109-54. (Aug 2, 2005)

**Law:** 109-54 (Enacted Aug 2, 2005)

**Official Text:** <https://www.congress.gov/bill/109th-congress/house-bill/2361>

### Sponsor

**Name:** Rep. Taylor, Charles H. [R-NC-11]

**Party:** Republican • **State:** NC • **Chamber:** House

### Cosponsors

*No cosponsors are listed for this bill.*

### Committee Activity

Committee	Chamber	Activity	Date
Appropriations Committee	House	Reported Original Measure	May 13, 2005
Appropriations Committee	Senate	Reported by	Jun 7, 2005

### Subjects & Policy Tags

*No subjects or policy tags are listed for this bill.*

### Related Bills

Bill	Relationship	Last Action
<a href="#">109 HRES 392</a>	Procedurally related	<b>Jul 28, 2005:</b> Motion to reconsider laid on the table Agreed to without objection.
<a href="#">109 HRES 287</a>	Procedurally related	<b>May 19, 2005:</b> Motion to reconsider laid on the table Agreed to without objection.

**(This measure has not been amended since the Conference Report was filed in the House on July 28, 2005. The summary of that version is repeated here.)**

Department of the Interior, Environment, and Related Agencies Appropriations Act, 2006 - Makes appropriations for the Department of the Interior, the Environmental Protection Agency (EPA), and related agencies for FY2006.

**Title I: Department of the Interior** - Makes appropriations for FY2006 to the Bureau of Land Management (BLM) for: (1) land and resource management; (2) wildland fire management (including transfer of funds); (3) construction; (4) land acquisition; (5) Oregon and California grant lands; (6) range improvements; (7) service charges, deposits, and forfeitures with respect to public lands; and (8) miscellaneous trust funds.

Appropriates funds for FY2006 to the U.S. Fish and Wildlife Service for: (1) resource management; (2) construction; (3) land acquisition; (4) the Landowner Incentive Program that provides assistance to private landowners for private conservation efforts; (5) the Private Stewardship Grants Program; (6) expenses related to carrying out the Endangered Species Act of 1973; (7) the National Wildlife Refuge Fund; (8) expenses related to carrying out the North American Wetlands Conservation Act; (9) financial assistance for projects to promote the conservation of neotropical migratory birds; (10) expenses related to carrying out, through the Multinational Species Conservation Fund, the African Elephant Conservation Act, the Asian Elephant Conservation Act of 1997, the Rhinoceros and Tiger Conservation Act of 1994, the Great Ape Conservation Act of 2000, and the Marine Turtle Conservation Act of 2004; and (11) wildlife conservation grants to States, the District of Columbia, U.S. territories, and Indian tribes.

Makes appropriations for FY2006 to the National Park Service (NPS) for: (1) the National Park System; (2) U.S. Park Police; (3) expenses for national recreation and preservation programs; (4) expenses related to carrying out the Historic Preservation Act of 1966 and the Omnibus Parks and Public Lands Management Act of 1996; (5) construction (including transfer of funds); (6) land acquisition and State assistance from the Land and Water Conservation Fund.

Rescinds specified contract authority to obligate funds from the Land and Water Conservation Fund for FY2006.

Makes appropriations for FY2006 to: (1) the U.S. Geological Survey for surveys, investigations, and research; (2) the Minerals Management Service for royalty and offshore minerals management and oil spill research; (3) the Office of Surface Mining Reclamation and Enforcement for regulation and technology and the Abandoned Mine Reclamation Fund; (4) the Bureau of Indian Affairs (BIA) for operation of Indian programs, construction, Indian land and water claim settlements and miscellaneous payments to Indians, and Indian guaranteed loans; (5) assistance to U.S. territories and to carry out the Compacts of Free Association with respect to the Marshall Islands, Palau, and Micronesia; (6) the Department of the Interior for departmental management; (7) make payments in lieu of taxes to units of local government containing certain federally owned lands; (8) the Central Hazardous Materials Fund for expenses of the Department of the Interior and its component offices and bureaus for the remedial action of hazardous waste substances, pollutants, or contaminants pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act; (9) the Office of the Solicitor and the Office of Inspector General; (10) trust programs for Indians; (11) a program for consolidation of fractional interests in Indian lands by direct expenditure or cooperative agreement; and (12) the Department of the Interior for natural resource damage assessment and restoration.

Sets forth authorized and prohibited uses of specified funds.

(Sec. 110) Requires that, for FY2006 and each succeeding fiscal year, any funds made available by this Act for the

Southwest Indian Polytechnic Institute and Haskell Indian Nations University for postsecondary programs of the BIA exceeding the amount made available for those postsecondary programs for FY2005 be allocated in direct proportion to the need of the schools, as determined in accordance with the postsecondary funding formula adopted by the Office of Indian Education Programs. Requires the BIA, for FY2007 and each succeeding fiscal year, to use the postsecondary funding formula adopted by such Office based on the needs of the Southwest Indian Polytechnic Institute and Haskell Indian Nations University to justify the amounts submitted as part of the budget request of the Department of the Interior.

(Sec. 115) Prohibits any of the funds under this Act to from being used to: (1) demolish the bridge between Jersey City, New Jersey, and Ellis Island; or (2) prevent pedestrian use of such bridge, when such use is consistent with generally accepted safety standards.

(Sec. 119) Prohibits gaming under the Indian Gaming Regulatory Act on Huron cemetery lands or lands adjacent to the Huron Cemetery in Kansas City, Kansas.

(Sec. 120) Prohibits the use of any funds appropriated for the Department of the Interior to study or implement any plan to drain Lake Powell or reduce the water level of the lake below the range of water levels required for the operation of the Glen Canyon Dam.

(Sec. 121) Limits the total amount of all fees imposed by the National Indian Gaming Commission for FY2007 to \$12 million.

(Sec. 122) Makes funds appropriated for FY2006 under this Act available to the tribes within the California Tribal Trust Reform Consortium, the Salt River Pima-Maricopa Indian Community, the Confederated Salish and Kootenai Tribes of the Flathead Reservation, and the Chippewa Cree Tribe of the Rocky Boys Reservation through the same methodology as funds were distributed in FY2003. Prohibits the Department from imposing its trust management infrastructure upon or altering existing trust resource management systems of such tribes which have a self-governance compact and operate in accordance with the Tribal Self-Governance Program.

(Sec. 123) Provides for: (1) the renewal of nonrenewable grazing permits authorized by the Jarbidge Field Office of the BLM within the past nine years; and (2) the Animal Unit Months contained in the most recently expired nonrenewable grazing permit, authorized between March 1, 1997, and February 28, 2003, to continue in effect under the renewed permit. Prohibits anything in this section from being deemed to extend such nonrenewable permits beyond the standard one-year term.

(Sec. 124) Authorizes the Secretary of the Interior to acquire land, waters, or interests therein for the purpose of operating and maintaining facilities in the support of transportation and accommodation of visitors to Ellis, Governors, and Liberty Islands.

(Sec. 125) Directs the Secretary of the Interior, upon request by the permittee for the Clark Mountain Allotment lands adjacent to the Mojave National Preserve, to also issue a special use permit for that portion of the grazing allotment located within the Preserve. Instructs the Secretary to consider the permit to be one transferred in accordance with a specified section of the Department of the Interior and Related Agencies Appropriations Act, 2004 concerning grazing permits.

(Sec. 126) Declares that the NPS final winter use rules for managing winter visitation and recreational use in Yellowstone and Grand Teton National Parks and the John D. Rockefeller, Jr., Memorial Parkway for up to three winter seasons shall be in force and effect for the winter use season of 2005-2006 that commences on or about December 15, 2005.

(Sec. 127) Amends the Education Amendments of 1978 to repeal the requirement concerning tribal governing body approval required for terminating, contracting, transferring to any other authority, consolidating, or substantially curtailing the operations or facilities of any BIA-funded school operated on or after January 1, 1999, any program of such a school, or any school board of such a school operated under a grant under the Tribally Controlled Schools Act of 1988. Prohibits the Secretary of the Interior from terminating, closing, consolidating, contracting, transferring to another authority, or taking any other action relating to an elementary school or secondary school (or any program of such a school) of an Indian tribe without the approval of the governing body of any tribe that would be affected by such an action.

(Sec. 128) Terminates the Kalaupapa National Historical Park Advisory Commission on the date that is 45 years after (currently, 25 years from) December 22, 1980.

(Sec. 129) Amends the Surface Mining Control and Reclamation Act of 1977 to extend, to June 30, 2006, the authority to collect the reclamation fee required from coal mine operators.

(Sec. 130) Prohibits the use of any of the funds in this or any other Act to set up Centers for Excellence and Partnership Skills Bank training without prior approval of the House and Senate Committees on Appropriations.

(Sec. 131) Amends the Department of the Interior and Related Agencies Appropriations Act, 2003 to: (1) permit the proceeds of agreements or leases or any statutorily authorized fees with respect to the Golden Gate National Recreation Area properties at Fort Baker to be available for utility expenses of the NPS or lessees of the NPS; and (2) in furtherance of a lease, allow the Secretary of the Interior or a lessee to impose fees on overnight lodgers for the purpose of covering the cost of providing utilities and transportation services at the Fort Baker properties at a rate not to exceed the annual cost of providing such services.

(Sec. 132) Amends the Federal Lands Enhancement Recreation Act and the Land and Water Conservation Fund Act of 1965 to allow the retention of certain NPS fees from areas with deed restrictions.

(Sec. 133) Amends the National Trails System Act to direct the Secretary of the Interior to carry out a study to determine the feasibility of designating as a national historic trail the Captain John Smith Chesapeake National Historic Watertrail, a series of routes extending along the Chesapeake Bay and its tributaries in Virginia, Maryland, Pennsylvania, Delaware, and the District of Columbia that traces Captain Smith's voyages charting the land and waterways of the Chesapeake Bay and its tributaries. Requires the study to include an extensive analysis of the potential impacts the designation of the trail as a national historic watertrail is likely to have on land and water, including docks and piers, along the proposed route or bordering the study route that is privately owned at the time the study is conducted.

(Sec. 134) Appropriates \$10 million to the Secretary of the Interior for necessary expenses for the Memorial to Martin Luther King, Jr., for activities authorized under the Omnibus Parks and Public Lands Management Act of 1996. Makes such funds available only after the entire amount is matched by non-federal contributions (not including in-kind contributions) that are pledged and received after July 26, 2005, but prior to November 12, 2008. Extends the authority provided under such Act for the Memorial to November 12, 2008.

**Title II: Environmental Protection Agency** - Makes appropriations for FY2006 to EPA for: (1) science and technology; (2) environmental programs and management; (3) the Office of Inspector General; (4) buildings and facilities; (5) the Hazardous Substance Superfund (including transfers of funds); (5) the Leaking Underground Storage Tank Program; (6) expenses to carry out EPA responsibilities under the Oil Pollution Act of 1990 concerning oil spill response; and (7) State and tribal assistance grants for environmental programs and infrastructure assistance.

Rescinds a specified amount from prior year funds in appropriation accounts available to the EPA. Instructs that such rescissions shall: (1) be taken solely from amounts associated with grants, contracts, and interagency agreements whose availability, under the original project period for such grant or interagency agreement or contract period for such contract, has expired; and (2) include funds that were appropriated under this heading for special project grants in FY2000 or earlier that have not been obligated on an approved grant by September 1, 2006.

(Sec. 201) Prohibits the use of any of the funds under this Act by the Administrator of the EPA to accept, consider, or rely on third-party intentional dosing human toxicity studies for pesticides, or to conduct such studies for pesticides until the EPA Administrator issues a final rulemaking on this subject. Instructs the EPA Administrator to allow for a period of not less than 90 days for public comment on the EPA's proposed rule before issuing a final rule. Provides that such rule: (1) shall not permit the use of pregnant women, infants or children as subjects; (2) shall be consistent with the principles proposed in the 2004 report of the National Academy of Sciences on intentional human dosing and the principles of the Nuremberg Code with respect to human experimentation; and (3) shall establish an independent Human Subjects Review Board. Requires that the final rule be issued no later than 180 days after enactment of this Act.

(Sec. 202) Prohibits the use of funds under this Act to contravene or delay the implementation of Executive Order No. 12898 of February 11, 1994, (relating to federal actions to address environmental justice in minority populations and low-income populations).

(Sec. 203) Prohibits the use of any of the funds under this Act to finalize, issue, implement, or enforce the proposed policy of the EPA entitled "National Pollutant Discharge Elimination System (NPDES) Permit Requirements for Municipal Wastewater Treatment During Wet Weather Conditions", dated November 3, 2003.

(Sec. 204) Prohibits the use of funds under this Act to contravene or delay the implementation of requirements regarding certification determination with respect to contractors who are engaged in renovation or remodeling activities in target housing, public buildings constructed before 1978, and commercial buildings that create lead-based paint hazards.

(Sec. 205) Prohibits the use of any of the funds under this Act by the EPA to publish proposed or final regulations pursuant to the requirements of the Consolidated Appropriations Act, 2004 regarding the proposal of regulations under the Clean Air Act that contain standards to reduce emissions from new nonroad spark-ignition engines smaller than 50 horsepower until the EPA Administrator, in coordination with other appropriate federal agencies, has completed and published a technical study to look at safety issues associated with compliance with the regulations. Requires the EPA Administrator to complete and publish such technical study not later than six months after enactment of this Act.

**Title III: Related Agencies** - Makes appropriations for FY2006 to the Department of Agriculture for the Forest Service for: (1) forest and rangeland research; (2) State and private forestry; (3) the National Forest System, including transfers of funds; (4) wildland fire management (including transfers of funds); (5) capital improvement and maintenance; (6) land acquisitions, including specified National Forest areas in Utah, Nevada, and California; (7) range rehabilitation, protection, and improvement; (8) gifts, donations, and bequests for forest and rangeland research; and (9) Federal land management in Alaska.

Makes appropriations for FY2006 to the Department of Health and Human Services (HHS) for: (1) the Indian Health Service and Indian health facilities; and (2) the National Institutes of Health (NIH) for the National Institute of Environmental Health Sciences and the Agency for Toxic Substances and Disease Registry.

Makes appropriations in specified amounts for various purposes to the: (1) Executive Office of the President; (2) Chemical Safety and Hazard Investigation Board; (3) Office of Navajo and Hopi Indian Relocation; (4) Institute of

American Indian and Alaska Native Culture and Arts Development; (5) Smithsonian Institution (earmarking certain funds for the National Museum of the African American History and Culture, the Council of American Overseas Research Centers, and other specified programs); (6) National Gallery of Art; (7) John F. Kennedy Center for the Performing Arts; (8) Woodrow Wilson International Center for Scholars; (9) National Foundation on the Arts and the Humanities, including the National Endowment for the Arts (NEA) and the National Endowment for the Humanities; (10) Commission of Fine Arts, including expenses for National Capital Arts and Cultural Affairs; (11) Advisory Council on Historic Preservation; (12) National Capital Planning Commission; (13) U.S. Holocaust Memorial Museum; (14) Presidio Trust Fund; and (15) White House Commission on the National Moment of Remembrance.

**Title IV: General Provisions** - Sets forth limitations on the use of funds under this Act.

(Sec. 405) Requires: (1) estimated overhead charges, deductions, reserves or holdbacks from programs, projects, activities, and subactivities to support governmentwide, departmental, agency or bureau administrative functions or headquarters, regional or central operations to be presented in annual budget justifications and subject to approval by the House and Senate Committees on Appropriations; and (2) changes to such estimates to be presented to such Committees for approval.

(Sec. 418) Permits the Secretaries of Agriculture and of the Interior (Secretaries) to make reciprocal agreements in which the individuals furnished by an agreement to provide fire management services are considered, for tort liability, employees of the foreign country receiving the services when the individuals are fighting fires. Prohibits the Secretaries from making any agreement in which a foreign country does not assume any and all responsibility for acts or omissions of American firefighters who are firefighting in such foreign country.

(Sec. 420) Allows the Secretaries, in awarding a federal contract for any of specified purposes with funds made available by this Act, notwithstanding federal government procurement and contracting laws, to give consideration to local contractors who are from economically disadvantaged rural communities and who provide employment and training for dislocated and displaced workers. Allows the Secretaries, notwithstanding such laws, to award contracts, grants, or cooperative agreements in certain areas to various entities, including local non-profits and the Youth Conservation Corps. Includes in such areas habitat restoration or management and forest hazardous fuels reduction.

(Sec. 422) Limits the amounts of funds made available by this Act or any other Act to the Department of the Interior to initiate or continue competitive sourcing studies in FY2006 for programs, projects, and activities for which funds are appropriated by this Act until such time as the appropriate Secretary submits a reprogramming proposal to the Committees on Appropriations and it has been processed consistent with the reprogramming guidelines included in the report accompanying this Act.

Limits funds appropriated by this Act to \$3 million in FY2006 for use by the Forest Service for competitive sourcing studies and related activities.

Exempts the Forest Service from implementing the Letter of Obligation and post-competitive accountability guidelines where a competitive sourcing study involved 65 or fewer full-time equivalents, the performance decision was made in favor of the agency provider, no net savings was achieved by conducting the study, and such study was completed prior to the date of this Act.

Directs agencies funded in this Act, in preparing any reports to the Committees on Appropriations on competitive sourcing activities, to include the incremental cost directly attributable to conducting the competitive sourcing competitions, including costs attributable to paying outside consultants and contractors and, in accordance with full cost

accounting principles, all costs attributable to developing, implementing, supporting, managing, monitoring, and reporting on competitive sourcing, including personnel, consultant, travel, and training costs associated with program management.

Instructs the Secretary of Agriculture, in carrying out any competitive sourcing study involving Forest Service employees, to: (1) determine whether any of the employees concerned are also qualified to participate in wildland fire management activities; and (2) take into consideration the effect that contracting with a private sector source would have on the ability of the Forest Service to effectively and efficiently fight and manage wildfires.

(Sec. 423) Prohibits the use of funds in this Act or prior Acts making appropriations for the Department of the Interior and Related Agencies from being provided to the managing partners or their agents for the SAFECOM or Disaster Management projects.

(Sec. 424) Prohibits an entity that enters into a contract with the United States to operate the National Recreation Reservation Service from carrying out any duties under the contract using: (1) a contact center located outside the United States; or (2) a reservation agent who does not live in the United States. Prohibits the waiver of such requirements by the Secretary of Agriculture. Bars a reservation agent who is carrying out duties under the contract from telecommuting from a location outside of the United States.

(Sec. 425) Extends the authority for: (1) the pilot program for enhancing Forest Service administration of rights-of-way and other land uses; and (2) the deposit of all fees collected to recover the costs of processing applications for, and monitoring compliance with, authorizations to use and occupy National Forest System lands pursuant to certain Acts.

(Sec. 426) Amends the Consolidated Appropriations Act, 2003 to extend the authority for cooperative agreements between the Secretary of Agriculture and public or private agencies, organizations, institutions, and persons covering Forest Service programs to facilitate the administration of Forest Service programs and activities when the principal purpose of the resulting relationship is to the mutually significant benefit of the Forest Service and the other party or parties to the agreement, including nonprofit entities.

(Sec. 427) Amends the Arts and Artifacts Indemnity Act to increase: (1) the maximum limit on the aggregate amount of loss or damage of exhibitions of works of art, printed or published materials, other artifacts or objects, and photographs, motion pictures, or tapes covered by indemnity agreements made under such Act; and (2) the limit on the amount of loss or damage of a single exhibition covered by such an agreement.

(Sec. 428) Amends section 330 of the Department of the Interior and Related Agencies Appropriations Act, 2001, relating to pilot testing of agency-wide joint permitting and leasing programs, to: (1) extend through FY 2008 the authority of the Secretaries of the Interior and Agriculture to pilot test agency-wide joint permitting and leasing programs; (2) authorize such Secretaries to establish pilot programs involving the land management agencies (the BLM, the Forest Service, the NPS, and the Fish and Wildlife Service) to conduct projects, planning, permitting, leasing, contracting, and other activities, either jointly or on behalf of one another, and to co-locate in federal offices and facilities leased by an agency of either Secretary's Department; and (3) include coverage of the land management agencies of the NPS and the Fish and Wildlife Service under the prohibition on anything contained in such section altering, expanding, or limiting the applicability of any public law or regulation to land administered by certain land management agencies. Authorizes such Secretaries, in order to facilitate the sharing of resources under the "Service First" initiative, to make transfers and reimbursements of funds annually, including transfers and reimbursements for multi-year projects, except that this authority may not be used to circumvent requirements and limitations imposed on the use of funds.

(Sec. 429) Authorizes the Secretary of Agriculture to acquire a parcel of real property, including improvements, of the

Inland Valley Development Agency of San Bernadino, California, or its successors and assigns, generally comprising Building No. 3 and Building No. 4 of the former Defense Finance and Accounting Services complex located at the southwest corner of Tippecanoe Avenue and Mill Street in San Bernardino adjacent to the former Norton Air Force Base.

Allows the Secretary, as full consideration for such property, to terminate certain leasehold rights of the United States received pursuant the Department of Defense Appropriations Act, 2005. Permits the acquisition of the property to be carried out without appraisals, environmental or administrative surveys, consultations, analyses, or other considerations of the condition of such property.

(Sec. 430) Prohibits the use of any of the funds in this Act to prepare or issue a permit or lease for oil or gas drilling in Finger Lakes National Forest, New York, during FY 2006.

(Sec. 431) Authorizes the Secretaries of Agriculture and the Interior to make grants to the Eastern Nevada Landscape Coalition for the study and restoration of rangeland and other lands in Nevada's Great Basin in order to help assure the reduction of hazardous fuels and for related purposes. Requires the Director of BLM to enter into cooperative agreements with the Coalition for the Great Basin Restoration Project, including hazardous fuels and mechanical treatments and related work. Authorizes appropriations.

(Sec. 432) Amends the Valles Caldera Preservation Act to repeal requirements for allowing the Secretary of Agriculture to provide fire presuppression, fire suppression, and rehabilitation services upon request by the Valles Caldera Trust and for requiring the Trust to reimburse the Secretary for salaries and expenses of fire management personnel commensurate with services provided. Directs the Secretary, in consultation with the Trust, to develop a plan for carrying out fire preparedness, suppression, and emergency rehabilitation services on the Valles Caldera National Preserve. Requires that the plan be consistent with the management program developed for the management of lands, resources, and facilities within the Preserve to carry out the purposes for which it was established. Requires such Secretary, to the extent generally authorized at other units of the National Forest System, to provide: (1) the services to be carried out pursuant to the plan under a cooperative agreement entered into between the Secretary and the Trust; and (2) presuppression and nonemergency rehabilitation and restoration services for the Trust at any time on a reimbursable basis. Makes the amendments made by this section effective as of January 1, 2005.

(Sec. 433) Prohibits the expenditure or obligation of funds under this Act for the demolition of buildings at the Zephyr Shoals property, Lake Tahoe, Nevada.

(Sec. 434) Amends the Department of the Interior and Related Agencies Appropriations Act, 1999 to extend through FY2011 the authority for the Secretary of Agriculture to use appropriations for the Forest Service for the purpose of entering into certain watershed restoration and enhancement agreements.

(Sec. 435) Establishes conditions for a zoning variance at 51 Louisiana Avenue, NW, District of Columbia.

(Sec. 436) Authorizes the Secretary of Agriculture to acquire specified property located within Ashland County, Wisconsin. Subjects, upon such acquisition, such lands to specified special management requirements. Expands the boundaries of the Chequamegon National Forest to encompass such lands.

(Sec. 437) Earmarks a specified amount for a grant to Kendall County, Illinois.

(Sec. 438) Amends section 344 of the Department of the Interior and Related Agencies Appropriations, Act 2005 as contained in division E of the Consolidated Appropriations Act, 2005 to: (1) modify the number of parcels of real property



in Seward, Alaska identified by Kenai Peninsula tax identification numbers that have been selected for the administrative complex, visitor facility, plaza, and related parking for the Kenai Fjords National Park and Chugach National Forest (the Mary Lowell Center); and (2) immediately transfer to the Alaska SeaLife Center for various acquisitions, waterfront improvements, and facilities that complement the new federal facility, any remaining balance of previously appropriated funds.

(Sec. 439) Rescinds (as specified) an amount equal to 0.476% of the budget authority provided for FY2006 for any discretionary appropriation in titles I through IV of this Act.

**Title V: Forest Service Facility Realignment and Enhancement** - Forest Service Facility Realignment and Enhancement Act of 2005 - (Sec. 503) Authorizes the Secretary of Agriculture (the Secretary), in the manner provided by this title, to convey an administrative site or an interest in an administrative site, that is under the jurisdiction of the Secretary.

Permits the conveyance of an administrative site to be made by sale, lease, exchange, a combination of sale and exchange, or by such other means as the Secretary considers to be appropriate.

Limits an administrative site or compound of administrative sites disposed of in a single conveyance under this title to 40 acres.

Excludes certain federal lands from being conveyed under this title.

Instructs the Secretary, as part of the annual budget justification documents provided to the House and Senate Committees on Appropriations, to include a specified notification of anticipated use of the authority provided by this title or other conveyance authorities available to the Secretary. Requires the Secretary, at least once a year, to submit to specified congressional committees a report containing a description of all conveyances of National Forest System land made by the Secretary under this title or other conveyance authorities during the period covered by the report.

Terminates the authority of the Secretary to initiate the conveyance of an administrative site under this title at the end of FY2008.

Repeals, at the end of FY2006, the authority under the Department of the Interior and Related Agencies Appropriations Act, 2002 regarding the pilot program for the conveyance of excess buildings and other structures located on National Forest System lands and under the jurisdiction of the Forest Service.

(Sec. 504) Allows the Secretary, in order to facilitate the conveyance of an administrative site under this title, to configure the site to maximize its marketability and to achieve management objectives. Permits a facility or improvement on an administrative site to be severed from the land and disposed of in a separate conveyance. Allows the Secretary, in conveying an administrative site under this title, to reserve such right, title, and interest in and to the site as the Secretary determines to be necessary.

Requires consideration for an administrative site conveyed by sale under this title to be paid in cash on conveyance of the site. Requires, if the administrative site is conveyed by exchange, the consideration to be provided in the form of a conveyance to the Secretary of land or improvements that are equal in market value to the conveyed site. Permits, if the market values are not equal, the market values to be equalized by the Secretary making a cash payment to the person or entity acquiring the site or the person or entity acquiring the site making a cash equalization payment to the Secretary.

Provides that, the Secretary is not required to mitigate or abate lead-based paint or asbestos-containing building

materials with respect to an administrative site to be conveyed under this title. Requires the Secretary, if the site has lead-based paint or asbestos-containing building materials, to: (1) provide notice to the person or entity acquiring the site of the presence of the lead-based paint or asbestos-containing building material; and (2) obtain written assurance from the person or entity acquiring the site that the person or entity will comply with applicable federal, state, and local laws relating to the management of the lead-based paint and asbestos-containing building materials.

Makes the National Environmental Policy Act of 1969 applicable to the conveyance of administrative sites under this title, except that, in any environmental review or analysis required under such Act for the conveyance of an administrative site under this title, the Secretary is only required to: (1) analyze the most reasonably foreseeable use of the site, as determined through a market analysis; (2) determine whether or not to reserve any right, title, or interest in the site; and (3) evaluate the alternative of not conveying the site, consistent with such Act.

Instructs the Secretary to reject any offer made for the acquisition of an administrative site under this title if the offer is not adequate to cover the market value of the site or not otherwise in the public interest.

Requires the Secretary, before making an administrative site available for conveyance under this title, to consult with local governmental officials of the community in which the site is located and to provide public notice of the proposed conveyance.

(Sec. 505) Sets forth requirements for the disposition and use of proceeds received from administrative site conveyances under this title.

Permits the Secretary to use the proceeds from the conveyance of an administrative site under this title to pay reasonable commissions or fees for brokerage services obtained in connection with the conveyance if such services are in the public interest. Requires the Secretary to provide public notice of any brokerage services contract entered into in connection with a conveyance under this title.

**Title VI: Veterans Health Care** - Authorizes additional appropriations to the Department of Veterans Affairs for "Medical Services" to be available for obligation upon enactment of this Act and to remain available until the end of FY2006.

## Actions Timeline

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- **Aug 2, 2005:** Signed by President.
- **Aug 2, 2005:** Signed by President.
- **Aug 2, 2005:** Became Public Law No: 109-54.
- **Aug 2, 2005:** Became Public Law No: 109-54.
- **Jul 29, 2005:** Conference report considered in Senate by Unanimous Consent. (consideration: CR S9323, S9331-9333, S9367-9372)
- **Jul 29, 2005:** Conference report agreed to in Senate: Senate agreed to conference report by Yea-Nay Vote. 99 - 1. Record Vote Number: 210.
- **Jul 29, 2005:** Senate agreed to conference report by Yea-Nay Vote. 99 - 1. Record Vote Number: 210.
- **Jul 29, 2005:** Message on Senate action sent to the House.
- **Jul 29, 2005:** Cleared for White House.
- **Jul 29, 2005:** Presented to President.
- **Jul 29, 2005:** Presented to President.
- **Jul 28, 2005:** Rule H. Res. 392 passed House.
- **Jul 28, 2005:** Mr. Taylor (NC) brought up conference report H. Rept. 109-188 for consideration under the provisions of H. Res. 392. (consideration: CR H7013-7023)
- **Jul 28, 2005:** DEBATE - The House proceeded with one hour of debate on the conference report to accompany H.R. 2361.
- **Jul 28, 2005:** The previous question was ordered without objection. (consideration: CR H7023)
- **Jul 28, 2005:** PROCEEDINGS POSTPONED - At the conclusion of debate on the conference report the Chair announced that pursuant to the rule the yeas and nays were ordered and the Chair postponed proceedings on agreeing to the conference report until later in the legislative day.
- **Jul 28, 2005:** The House proceeded to consider the conference report H.Rept. 109-188 as unfinished business. (consideration: CR H7030-7031)
- **Jul 28, 2005:** Conference report agreed to in House: On agreeing to the conference report Agreed to by the Yeas and Nays: 410 - 10 (Roll no. 450).
- **Jul 28, 2005:** Motions to reconsider laid on the table Agreed to without objection.
- **Jul 28, 2005:** On agreeing to the conference report Agreed to by the Yeas and Nays: 410 - 10 (Roll no. 450).
- **Jul 28, 2005:** Conference papers: message on House action held at the desk in Senate.
- **Jul 27, 2005:** Rules Committee Resolution H. Res. 392 Reported to House. Rule provides for consideration of the conference report to H.R. 2361. All points of order against the conference report and against its consideration are waived. The conference report is considered as read.
- **Jul 26, 2005:** On motion that the House disagree to the Senate amendment, and agree to a conference Agreed to without objection.
- **Jul 26, 2005:** Mr. Taylor (NC) asked unanimous consent that the House disagree to the Senate amendment, and agree to a conference. (consideration: CR H6458)
- **Jul 26, 2005:** Mr. Obey moved that the House instruct conferees. (consideration: CR H6458-6463, H6465-6466; text: CR H6458)
- **Jul 26, 2005:** DEBATE - The House proceeded with one hour of debate on the Obey motion to instruct conferees. Instructions contained in the motion seek to require the managers on the part of the House to agree to section 439 of the Senate amendment, providing \$1.5 billion for fiscal year 2005 for the Department of Veterans Affairs for medical services provided by the Veterans Health Administration and designating that amount as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress).
- **Jul 26, 2005:** The previous question was ordered without objection. (consideration: CR H6463)
- **Jul 26, 2005:** POSTPONED PROCEEDINGS - The Chair put the question on adoption of the motion to instruct conferees and by voice vote, announced that the ayes had prevailed. Mr. Obey demanded the Yeas and Nays and the Chair postponed further proceedings on the question of adoption of the motion until later in the legislative day.
- **Jul 26, 2005:** On motion that the House instruct conferees Agreed to by the Yeas and Nays: 426 - 0 (Roll no. 422).
- **Jul 26, 2005:** Motion to reconsider laid on the table Agreed to without objection.
- **Jul 26, 2005:** The Speaker appointed conferees: Taylor (NC), Lewis (CA), Wamp, Peterson (PA), Sherwood, Istook, Aderholt, Doolittle, Simpson, Dicks, Obey, Moran (VA), Hinchey, Olver, and Mollohan.
- **Jul 26, 2005:** Mr. LaHood asked unanimous consent that managers on the part of the House have until midnight on July

26 to file a conference report on H.R. 2361. Agreed to without objection.

- **Jul 26, 2005:** Conference committee actions: Conferees agreed to file conference report.
- **Jul 26, 2005:** Conferees agreed to file conference report.
- **Jul 26, 2005:** Conference report filed: Conference report H. Rept. 109-188 filed. Filed late, pursuant to previous special order.(text of conference report: CR H6562-6628)
- **Jul 26, 2005:** Conference report H. Rept. 109-188 filed. Filed late, pursuant to previous special order. (text of conference report: CR H6562-6628)
- **Jul 11, 2005:** Message on Senate action sent to the House.
- **Jun 29, 2005:** Considered by Senate. (consideration: CR S7551-7597)
- **Jun 29, 2005:** Passed/agreed to in Senate: Passed Senate with an amendment by Yea-Nay Vote. 94 - 0. Record Vote Number: 168.
- **Jun 29, 2005:** Passed Senate with an amendment by Yea-Nay Vote. 94 - 0. Record Vote Number: 168.
- **Jun 29, 2005:** Senate insists on its amendment, asks for a conference, appoints conferees Burns; Stevens; Cochran; Domenici; Bennett; Gregg; Craig; Allard; Dorgan; Byrd; Leahy; Reid; Feinstein; Mikulski; Kohl. (consideration: CR S7644)
- **Jun 28, 2005:** Considered by Senate. (consideration: CR S7477-7485, S7485-7512)
- **Jun 27, 2005:** Considered by Senate. (consideration: CR S7403-7423)
- **Jun 24, 2005:** Measure laid before Senate by unanimous consent. (consideration: CR S7331-7374; text of measure as reported in Senate: CR S7331-7363)
- **Jun 24, 2005:** The committee substitute agreed to by Unanimous Consent.
- **Jun 10, 2005:** Committee on Appropriations. Reported by Senator Burns under authority of the order of the Senate of 01/04/2005 with an amendment in the nature of a substitute. With written report No. 109-80.
- **Jun 10, 2005:** Committee on Appropriations. Reported by Senator Burns under authority of the order of the Senate of 01/04/2005 with an amendment in the nature of a substitute. With written report No. 109-80.
- **Jun 10, 2005:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 125.
- **Jun 9, 2005:** Committee on Appropriations. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Jun 7, 2005:** Committee on Appropriations Subcommittee on Interior and Related Agencies. Approved for full committee consideration with an amendment in the nature of a substitute favorably.
- **May 20, 2005:** Received in the Senate and Read twice and referred to the Committee on Appropriations.
- **May 19, 2005:** Rule H. Res. 287 passed House.
- **May 19, 2005:** Considered under the provisions of rule H. Res. 287. (consideration: CR H3595-3632; text of Title I as reported in House: CR H3609-3614, H3623, H3625-3626, H3633-3634, H3637, H3637-3638; text of Title II as reported in House: CR H3638, H3639-3640, H3641, H3645; text of Title III as reported in House: CR H3645-3646, H3652-3655; text of Title IV as reported in House: CR H3655-3657)
- **May 19, 2005:** Rule provides for consideration of H.R. 2361 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be read by paragraph. Bill is open to amendments.
- **May 19, 2005:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 287 and Rule XVIII.
- **May 19, 2005:** The Speaker designated the Honorable Steven C. LaTourette to act as Chairman of the Committee.
- **May 19, 2005:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 2361.
- **May 19, 2005:** DEBATE - By unanimous consent, the Committee of the Whole proceeded with 20 minutes of debate on the Slaughter amendments.
- **May 19, 2005:** DEBATE - The Committee of the Whole proceeded with debate on the Cubin amendment under the five minute rule.
- **May 19, 2005:** DEBATE - By unanimous consent, the Committee of the Whole proceeded with 10 minutes of further debate on the Cubin amendment.
- **May 19, 2005:** DEBATE - By unanimous consent, the Committee of the Whole proceeded with 10 minutes of debate on the Hefley amendment.
- **May 19, 2005:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Hefley amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Hefley

demanded a recorded vote and the Chair postponed further proceedings on the adoption of the amendment until later in the legislative day.

- **May 19, 2005: DEBATE** - By unanimous consent, the Committee of the Whole proceeded with 20 minutes of debate on the Peterson (PA) amendments en bloc.
- **May 19, 2005: POSTPONED PROCEEDINGS** - At the conclusion of debate on the Peterson (PA) amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Peterson (PA) demanded a recorded vote and the Chair postponed further proceedings on the adoption of the amendment until later in the legislative day.
- **May 19, 2005: DEBATE** - The Committee of the Whole proceeded with debate on the Wu amendment under the five minute rule.
- **May 19, 2005: Committee of the Whole House on the state of the Union rises leaving H.R. 2361 as unfinished business.**
- **May 19, 2005: Considered as unfinished business. (consideration: CR H3633-3675)**
- **May 19, 2005: The House resolved into Committee of the Whole House on the state of the Union for further consideration.**
- **May 19, 2005: DEBATE** - Pursuant to a previous order of the House the Committee of the Whole proceeded with 20 minutes of debate on the Istook amendment.
- **May 19, 2005: DEBATE** - Pursuant to a previous order of the House the Committee of the Whole proceeded with 10 minutes of debate on the Terry amendment.
- **May 19, 2005: POSTPONED PROCEEDINGS** - At the conclusion of debate on the Terry amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Terry demanded a recorded vote and the Chair postponed further proceedings on the adoption of the amendment until later in the legislative day.
- **May 19, 2005: DEBATE** - Pursuant to a previous order of the House the Committee of the Whole proceeded with 10 minutes of debate on the Grijalva amendment.
- **May 19, 2005: DEBATE** - Pursuant to a previous order of the House the Committee of the Whole proceeded with 10 minutes of debate on the Obey amendment.
- **May 19, 2005: Mr. Gillmor raised a point of order against the content of the measure. Mr. Gillmor stated that page 67, line 17 through 22 constituted legislation in an appropriations bill. The Chair sustained the point of order.**
- **May 19, 2005: Mr. Gillmor raised a point of order against the content of the measure. Mr. Gillmor raised a point of order against part of the bill beginning on page 68, line 23 through page 69, line 3 stating that it constituted legislation in an appropriations bill. The Chair sustained the point of order.**
- **May 19, 2005: Mr. Gillmor raised a point of order against the content of the measure. Mr. Gillmor raised a point of order against page 69, line 19 through 22 stating that it constituted legislation in an appropriations bill. The Chair sustained the point of order.**
- **May 19, 2005: DEBATE** - Pursuant to a previous order of the House the Committee of the Whole proceeded with 20 minutes of debate on the Obey amendment.
- **May 19, 2005: POSTPONED PROCEEDINGS** - At the conclusion of debate on the Obey amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Taylor (NC) demanded a recorded vote and the Chair postponed further proceedings on the adoption of the amendment until later in the legislative day.
- **May 19, 2005: DEBATE** - Pursuant to a previous order of the House the Committee of the Whole proceeded with 10 minutes of debate on the Gillmor amendment.
- **May 19, 2005: DEBATE** - Pursuant to a previous order of the House the Committee of the Whole proceeded with 10 minutes of debate on the E. B. Johnson amendment.
- **May 19, 2005: DEBATE** - Pursuant to a previous order of the House the Committee of the Whole proceeded with 10 minutes of debate on the Taylor (NC) amendment.
- **May 19, 2005: DEBATE** - Pursuant to a previous order of the House the Committee of the Whole proceeded with 10 minutes of debate on the Beauprez amendment.
- **May 19, 2005: POSTPONED PROCEEDINGS** - At the conclusion of debate on the Beauprez amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Mr. Dicks demanded a recorded vote and the Chair postponed further proceedings on the adoption of the amendment until later in the legislative day.
- **May 19, 2005: UNFINISHED BUSINESS** - The Chair announced that the unfinished business was the question on adoption of amendments which had been debated earlier and on which further proceedings had been postponed.

- May 19, 2005:** Mr. Davis, Tom raised a point of order against the content of the measure. Mr. Tom Davis stated that section 413 legislates in an appropriations bill. The Chair sustained the point of order.
- **May 19, 2005:** Mr. Davis, Tom raised a point of order against the content of the measure. Beginning on p. 121 line 11, through the comma on line 12. Mr. Tom Davis stated that this constitutes legislation in an appropriations bill. The Chair sustained the point of order.
  - **May 19, 2005:** Mr. Davis, Tom raised a point of order against the content of the measure. Beginning with "not withstanding" on p. 121 line 22, through "laws" on line 23. Mr. Tom Davis stated this constitutes legislation in an appropriations bill. The Chair sustained the point of order.
  - **May 19, 2005:** Mr. Davis, Tom raised a point of order against the content of the measure. Beginning with "not withstanding" on p. 124 line 6, through line 7. Mr. Tom Davis stated this constitutes legislation in an appropriations bill. The Chair sustained the point of order.
  - **May 19, 2005:** Mr. Davis, Tom raised a point of order against the content of the measure. Beginning on page 124, lines 15-25. Mr. Tom Davis stated this constitutes legislation in an appropriations bill. The Chair sustained the point of order.
  - **May 19, 2005:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 20 minutes of debate on the Chabot amendment pending reservation of a point of order.
  - **May 19, 2005:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 20 minutes of debate on the Rahall amendment.
  - **May 19, 2005:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Rahall amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Rahall demanded a recorded vote and the Chair postponed further proceedings on the adoption of the amendment until later in the legislative day.
  - **May 19, 2005:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 10 minutes of debate on the Doolittle amendment.
  - **May 19, 2005:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 10 minutes of debate on the Hastings (FL) amendment.
  - **May 19, 2005:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 10 minutes of debate on the Hefley amendment.
  - **May 19, 2005:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Hefley amendment, the Chair put the question on adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Hefley demanded a recorded vote and the Chair postponed further proceedings on the adoption of the amendment until later in the legislative day.
  - **May 19, 2005:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 20 minutes of debate on the Stupak amendment.
  - **May 19, 2005:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 10 minutes of debate on the Tiahrt amendment, pending reservation of a point of order.
  - **May 19, 2005:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 10 minutes of debate on the Pombo amendment.
  - **May 19, 2005:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 10 minutes of debate on the Solis amendment.
  - **May 19, 2005:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 10 minutes of debate on the Garrett amendment.
  - **May 19, 2005:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 10 minutes of debate on the Costa amendment.
  - **May 19, 2005:** UNFINISHED BUSINESS - The Chair announced that the unfinished business was the question of adoption of amendments which had been debated earlier and on which further proceedings had been postponed.
  - **May 19, 2005:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 2361.
  - **May 19, 2005:** The previous question was ordered pursuant to the rule. (consideration: CR H3674)
  - **May 19, 2005:** The House adopted the amendments en gross as agreed to by the Committee of the Whole House on the state of the Union.
  - **May 19, 2005:** Mr. Obey moved to recommit with instructions to Appropriations. (consideration: CR H3674-3675; text: CR H3674)
  - **May 19, 2005:** DEBATE - The House proceeded with 10 minutes of debate on the Obey motion to recommit with instructions. The instructions contained in the motion seek to require the bill to be reported back to the House promptly with an amendment to provide an additional \$242 million for the Clean Water State Revolving Fund and \$11 million for

State and Tribal Assistance Grants.

- **May 19, 2005:** The previous question on the motion to recommit with instructions was ordered without objection. (consideration: CR H3674)
- **May 19, 2005:** On motion to recommit with instructions Failed by recorded vote: 191 - 228 (Roll no. 198).
- **May 19, 2005:** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 329 - 89 (Roll no. 199).
- **May 19, 2005:** On passage Passed by the Yeas and Nays: 329 - 89 (Roll no. 199).
- **May 19, 2005:** Motion to reconsider laid on the table Agreed to without objection.
- **May 18, 2005:** Rules Committee Resolution H. Res. 287 Reported to House. Rule provides for consideration of H.R. 2361 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be read by paragraph. Bill is open to amendments.
- **May 13, 2005:** Introduced in House
- **May 13, 2005:** The House Committee on Appropriations reported an original measure, H. Rept. 109-80, by Mr. Taylor (NC).
- **May 13, 2005:** The House Committee on Appropriations reported an original measure, H. Rept. 109-80, by Mr. Taylor (NC).
- **May 13, 2005:** Placed on the Union Calendar, Calendar No. 39.