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[H.R. 2822, Department of the Interior, Environment, and Related Agencies Appropriations Act, 2016](#)

FLOOR SITUATION

On Thursday, June 25, 2015, the House will begin consideration of [H.R. 2822](#), *the Department of Interior, Environment, and Related Agencies Appropriations Act, 2016*, under a modified open-rule. H.R. 2822 was introduced by Rep. Ken Calvert (R-CA) and was ordered reported by the Committee on Appropriations by a vote of 30-21 on June 16, 2015.

SUMMARY

H.R. 2822 provides a total of \$30.2 billion in total discretionary budget authority for the Department of Interior, the Environmental Protection Agency (EPA), and related agencies, for fiscal year (FY) 2016, a decrease of \$246 million from the FY 2015 enacted level and \$3.1 billion below the President's request.

The major provisions of the bill are as follows:

Title I—Department of the Interior

The bill provides a total of \$12 billion for the Department of the Interior, which is \$655.3 million below the FY 2016 budget request, including funding for:

Bureau of Land Management (BLM): The bill provides \$1.1 billion for the BLM, an increase of \$30 million above the FY 2015 enacted level. BLM programs include: soil, water, and air management, rangeland management, wild horse and burro management, recreation management, resource protection and maintenance, resource management planning, the challenge cost share program, the national landscape conservation system, and other various programs.¹ Within this funding, the bill provides a total of \$60 million, an increase of \$45 million above the fiscal year 2015 level, to implement and monitor sage-grouse conservation plans. The bill continues a one-year delay on any further Endangered Species Act rulemaking for the sage-grouse.

¹ See [House Report 114-170](#) 8-11.

Oregon and California grant lands: The bill provides \$110.6 million for the Oregon and California grant lands, \$3.2 million below the FY 2015 enacted level and \$2.9 above the budget request.²

Resource Management: The bill provides \$1.2 billion for wildlife service resource management, \$12.7 million above the FY 2015 enacted level and \$106.5 million below the budget request. This includes funding for: ecological services, the National Wildlife Refuge System, migratory bird management, and other various programs.³

Cooperative Endangered Species Conservation Fund: The bill provides \$50.1 million for the Cooperative Endangered Species Conservation Fund, equal to the FY 2015 enacted level and \$95,000 above the budget request. The Fund provides grants to States and territories for endangered species recovery actions on non-Federal lands and provides funds for non-Federal land acquisition to facilitate habitat protection.⁴

National Wildlife Refuge Fund: The bill provides \$13.2 million for the National Wildlife Refuge Fund, equal to the FY 2015 enacted level and \$13.2 million above the budget request. The Fund makes payments in lieu of taxes based on their fair market value to counties in which Service lands are located.

State and Tribal Wildlife Grants: The bill provides \$59.2 million for State and Tribal Wildlife Grants, \$500,000 above the FY 2015 enacted level and \$10.8 million below the budget request. The State and Tribal Wildlife Grants Program provides Federal grant funds to the States, the District of Columbia, the Commonwealth of Puerto Rico, the territories, and Tribes, to develop and implement programs for the benefit of at-risk fish and wildlife that are not under Federal jurisdiction.⁵

National Park Service (NPS): The bill provides \$2.3 billion for the Operation of NPS, an increase of \$53 million above the FY 2015 enacted level. The National Park Service has stewardship responsibilities for the protection and preservation of the heritage resources of the national park system. The system, consisting of 407 separate and distinct units, is recognized globally as a leader in park management and resource preservation.⁶

National Recreation and Preservation: The bill provides \$62.5 million for National Recreation and Preservation account, \$650,000 below the FY 2015 enacted level and \$8.3 million above the budget request. The account provides funding for outdoor recreation planning, preservation of cultural and national heritage resources, technical assistance to Federal, State and local agencies, and administration of Historic Preservation Fund grants.⁷

Historic Preservation Fund: The bill provides \$60.9 million for historic preservation, \$4.5 million above the FY 2015 enacted level and \$29.0 million below the budget request. The Fund supports the State historic preservation offices to perform a variety of functions. These include State management and administration of existing grant obligations; review and advice on Federal projects and actions;

² Id. at 12.

³ Id. at 13.

⁴ Id. at 20.

⁵ Id. at 22.

⁶ Id. at 23.

⁷ Id. at 29.

determinations and nominations to the National Register; Tax Act certifications; and technical preservation services.⁸

Centennial Challenge: The bill provides \$20 million for the Centennial Challenge matching grant program, a large component of the Service's Centennial Initiative. According to the Committee, \$10 million in Centennial Challenge funds provided to the Service in FY 2015 was matched with \$15.9 million from more than 90 partner organizations nationwide. These funds are now financing 106 projects to improve visitor services at more than 100 parks in 31 States and the District of Columbia.⁹

United States Geological Survey (USGS): The bill provides \$1 billion for the USGS, equal to the FY 2015 enacted level. Within this amount, the bill prioritizes funding for programs dealing with natural hazards, streamgages, the groundwater monitoring network, mapping activities, and the earthquake early warning system.¹⁰

Wildland Firefighting and Prevention – In total, the bill provides \$3.6 billion for wildland firefighting and prevention programs, \$52 million above the FY 2015 enacted level. The bill fully funds the 10-year average for wildland fire suppression costs for both the Department of the Interior and the Forest Service and provides \$526 million for hazardous fuels management, which is equal to the fiscal year 2015 level.¹¹ Some of these funding provisions are included in Title III in addition to Title I of the bill.¹²

Native American Programs: The bill provides \$2.8 billion for the Bureau of Indian Affairs and Education, \$165 million above the FY 2015 level – and the Indian Health Service (IHS) is funded at \$4.9 billion, an increase of \$145 million.¹³ Some of these funding provisions are included in Title III in addition to Title I of the bill.

Departmental Offices of the Secretary: The bill provides \$717.3 million for Departmental Operations, \$452 million above the FY 2015 enacted level and \$389.3 million above the budget request. The Office of the Secretary supports a wide-range of Departmental business, policy, and oversight functions.¹⁴

Title II—Environmental Protection Agency

The bill provides a total of \$7.4 billion for the Environmental Protection Agency (EPA), which is \$1.2 billion below the FY 2016 budget request and \$718 million below the FY 2015 enacted level. Within the EPA, regulatory programs are cut \$69 million below the FY 2015 enacted level and \$206 million below the budget request. In addition, staffing levels at the EPA are held to 15,000, the lowest level since 1989. According to the Committee, these reductions will help the agency streamline operations, and focus its activities on core duties, rather than unnecessary regulatory expansion.¹⁵

⁸ Id. at 29.

⁹ Id.

¹⁰ Id. at 32.

¹¹ See Appropriations Press Release, [“Appropriations Committee Releases Fiscal Year 2016 Interior and Environment Bill.”](#) June 9, 2015.

¹² See at 35.

¹³ See Appropriations Press Release, [“Appropriations Committee Releases Fiscal Year 2016 Interior and Environment Bill.”](#) June 9, 2015.

¹⁴ See [House Report 114-170](#) at 41.

¹⁵ Id.

The bill includes the following provisions in an attempt to prevent and stop the implementation of certain EPA programs.¹⁶ Specifically, the bill:

- Prohibits the EPA from implementing new greenhouse gas regulations for new and existing power plants;
- Prohibits the EPA from making changes to the definition of “navigable waters” under the Clean Water Act;
- Prohibits the EPA from making changes to the definition of “fill material;”
- Prohibits the EPA from imposing duplicative financial assurance requirements; and
- Prevents the EPA from regulating the lead content of ammunition and fishing tackle.

Title III—Related Agencies

The bill provides a total of \$11.4 billion for the Related Agencies under the bill, which is \$1.3 billion below the FY 2016 budget estimate, including funding for:

U.S. Forest Service: The bill provides \$5 billion for the Forest Service, which is \$13 million below the fiscal year 2015 enacted level. More than half of this funding is targeted to wildland fire prevention and suppression. The bill also includes a provision prohibiting the Forest Service or BLM from issuing new closures of public lands to hunting and recreational shooting, except in the case of public safety.¹⁷

Smithsonian Institution – The bill provides \$820 million for the Smithsonian Institution, equal to the FY 2015 enacted level. The Smithsonian Institution is the world’s largest museum and research complex, with 19 museums and galleries, numerous research centers, libraries, archives, and the National Zoological Park. Funded by both private and Federal sources, the Smithsonian is unique in the Federal establishment.¹⁸

National Institute of Environmental Health Sciences: The bill provides \$77.3 million for the National Institute of Environmental Health Sciences, equal to the FY 2015 enacted level. The National Institute of Environmental Health Sciences is an agency within the National Institutes of Health, which conducts certain research and worker training activities associated with the nation’s Hazardous Substance Superfund program.¹⁹

National Endowment for the Arts: The bill provides \$146 million for the National Endowment for the Arts (NEA), equal to the FY 2015 enacted level and \$1.9 million below the budget request.²⁰

National Endowment for the Humanities: The bill provides \$146 million for the National Endowment for the Humanities (NEH), equal to the FY 2015 enacted level and \$1.9 million below the budget request.²¹

Title IV—General Provisions

Title IV includes, among others, the following general provisions:

¹⁶ Id.

¹⁷ Id.

¹⁸ See [House Report 114-170](#) at 80.

¹⁹ Id. at 77.

²⁰ Id. at 84.

²¹ Id. at 85.

- Section 416 requires the President to submit a report to the Committees on Appropriations no later than 120 days after the fiscal year 2017 budget is submitted to Congress describing in detail all Federal agency obligations and expenditures for climate change programs and activities in fiscal years 2015 and 2016.²²
- Section 417 continues a provision prohibiting the use of funds to promulgate or implement any regulation requiring the issuance of permits under title V of the Clean Air Act for carbon dioxide, nitrous oxide, water vapor, or methane emissions.²³
- Section 418 continues a provision prohibiting the use of funds to implement any provision in a rule if that provision requires mandatory reporting of greenhouse gas emissions from manure management systems.²⁴
- Section 422 prohibits the use of funds to develop, adopt, implement, administer, or enforce a change or supplement to a rule or guidance documents pertaining to the definition of waters under the Federal Water Pollution Control Act.²⁵
- Section 427 prohibits EPA from using funds to develop, propose, finalize, implement, enforce, or administer any regulation that would establish new financial responsibility requirements under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).²⁶
- Section 428 prohibits EPA from using funds to develop, issue, implement, or enforce any greenhouse gas New Source Performance Standards on any new or existing source that is an electric utility generating unit.²⁷
- Section 429 prohibits the use of funds from making any change to the regulations in effect on October 1, 2012, pertaining to the definitions of the terms “fill material” or “discharge of fill material”.²⁸
- Section 438 prohibits the use of funds to revise primary and secondary standards for ozone until at least 85 percent of counties in nonattainment achieve compliance with previous standards.²⁹
- Section 439 prohibits the use of funds for certain activities related to the final rule on hydraulic fracturing on Federal and Indian Lands.³⁰

BACKGROUND

The bill provides regular annual appropriations for the Department of the Interior (except the Bureau of Reclamation and the Central Utah Project), the Environmental Protection Agency, and for other related agencies, including the Forest Service, the Indian Health Service, the Smithsonian Institution, and the National Foundation on the Arts and the Humanities.

According to Chairman Rogers, “This bill supports important Department of Interior and environment programs that protect and promote our natural resources within a responsible, sustainable budget...The bill also preserves the role of the federal government – making sure that the

²² Id. at 90.

²³ Id.

²⁴ Id.

²⁵ Id.

²⁶ Id.

²⁷ Id. at 91.

²⁸ Id.

²⁹ Id.

³⁰ Id.

government is doing its job well, while ensuring that it is not harmful or intrusive into the lives of the American people or our economy.”³¹

COST

If enacted, H.R. 2822 would result in discretionary budget authority of \$30.2 billion.

STAFF CONTACT

For questions or further information please contact [John Huston](#) with the House Republican Policy Committee by email or at 6-5539.

³¹ See Press Release, [“Appropriations Committee Approves Fiscal Year 2016 Interior and Environment Bill.”](#) June 16, 2015