

One Hundred Eleventh Congress
of the
United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Tuesday,
the sixth day of January, two thousand and nine*

An Act

Making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes.

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

REFERENCES

SECTION 1. Except as expressly provided otherwise, any reference to “this Act” contained in any division of this Act shall be treated as referring only to the provisions of that division.

DIVISION A—DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

(INCLUDING RESCISSION OF FUNDS)

For necessary expenses for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau, and assessment of mineral potential of public lands pursuant to Public Law 96–487 (16 U.S.C. 3150(a)), \$959,571,000, to remain available until expended; of which \$3,000,000 shall be available in fiscal year 2010 subject to a match by at least an equal amount by the National Fish and Wildlife Foundation for cost-shared projects supporting conservation of Bureau lands; and such funds shall be advanced to the Foundation as a lump sum grant without regard to when expenses are incurred.

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standards: *Provided further*, That the Service may accept donated aircraft as replacements for existing aircraft.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service (including expenses to carry out programs of the United States Park Police), and for the general administration of the National Park Service, \$2,261,559,000, of which \$9,982,000 for planning and interagency coordination in support of Everglades restoration and \$98,622,000 for maintenance, repair or rehabilitation projects for constructed assets, operation of the National Park Service automated facility management software system, and comprehensive facility condition assessments shall remain available until September 30, 2011.

PARK PARTNERSHIP PROJECT GRANTS

For expenses necessary to carry out provisions of section 814(g) of Public Law 104–333 relating to challenge cost-share agreements, \$15,000,000, to remain available until expended for Park Partnership signature projects and programs: *Provided*, That not less than 50 percent of the total cost of each project or program is derived from non-Federal sources in the form of donated cash, assets, or a pledge of donation guaranteed by an irrevocable letter of credit: *Provided further*, That, of the amount made available under this heading, \$10,000,000 shall be derived from the transfer of prior year unobligated balances available in the National Park Service recreation enhancement fee program established by title VIII, division J, Public Law 108–447.

NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, heritage partnership programs, environmental compliance and review, international park affairs, statutory or contractual aid for other activities, and grant administration, not otherwise provided for, \$68,436,000, of which \$4,600,000 shall be for Preserve America grants as authorized by section 7302 of the Omnibus Public Land Management Act of 2009 (Public Law 111–11).

HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the Historic Preservation Act of 1966, as amended (16 U.S.C. 470), and the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333), \$79,500,000, to be derived from the Historic Preservation Fund and to remain available until September 30, 2011; of which \$25,000,000 shall be for Save America's Treasures grants as authorized by section 7303 of the Omnibus Public Land Management Act of 2009 (Public Law 111–11): *Provided*, That of the funds provided for Save America's Treasures, \$10,200,000 shall be allocated in the amounts specified for those projects and purposes

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in accordance with the terms and conditions specified in the joint explanatory statement of the managers accompanying this Act.

CONSTRUCTION

For construction, improvements, repair or replacement of physical facilities, including modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989, \$232,969,000, to remain available until expended: *Provided*, That, beginning in fiscal year 2010 and thereafter, procurements for the removal and restoration of the Elwha and Glines Canyon dams as authorized in Public Law 102–495 may be issued which include the full scope of the project: *Provided further*, That the solicitation and contract shall contain the clause “availability of funds” found at 48 CFR 52.232.18: *Provided further*, That funds provided under this heading shall be made available without regard to the requirements of section 8(b) of Public Law 102–543, as amended.

LAND AND WATER CONSERVATION FUND

(RESCISSION)

The contract authority provided for fiscal year 2010 by 16 U.S.C. 4601–10a is rescinded.

LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 4601–4 through 11), including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with the statutory authority applicable to the National Park Service, \$126,266,000, to be derived from the Land and Water Conservation Fund and to remain available until expended, of which \$40,000,000 is for the State assistance program and of which \$9,000,000 shall be for the American Battlefield Protection Program grants as authorized by section 7301 of the Omnibus Public Land Management Act of 2009 (Public Law 111–11).

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

In addition to other uses set forth in section 407(d) of Public Law 105–391, franchise fees credited to a sub-account shall be available for expenditure by the Secretary, without further appropriation, for use at any unit within the National Park System to extinguish or reduce liability for Possessory Interest or leasehold surrender interest. Such funds may only be used for this purpose to the extent that the benefitting unit anticipated franchise fee receipts over the term of the contract at that unit exceed the amount of funds used to extinguish or reduce liability. Franchise fees at the benefitting unit shall be credited to the sub-account of the originating unit over a period not to exceed the term of a single contract at the benefitting unit, in the amount of funds so expended to extinguish or reduce liability.

projects, productions, workshops, or programs that will encourage public knowledge, education, understanding, and appreciation of the arts.

(d) With funds appropriated by this Act to carry out section 5 of the National Foundation on the Arts and Humanities Act of 1965—

(1) the Chairperson shall establish a grant category for projects, productions, workshops, or programs that are of national impact or availability or are able to tour several States;

(2) the Chairperson shall not make grants exceeding 15 percent, in the aggregate, of such funds to any single State, excluding grants made under the authority of paragraph (1);

(3) the Chairperson shall report to the Congress annually and by State, on grants awarded by the Chairperson in each grant category under section 5 of such Act; and

(4) the Chairperson shall encourage the use of grants to improve and support community-based music performance and education.

ENERGY AND WATER DEVELOPMENT, TECHNICAL CORRECTION

SEC. 440. Section 208(a)(2)(E) of the Energy and Water Development and Related Agencies Appropriations Act, 2010 is amended by striking “\$45,000,000” and inserting “\$5,000,000”.

AWARDS TO FOR-PROFIT ENTITIES

SEC. 441. Specific projects contained in the report of the Committee on Appropriations of the House of Representatives accompanying this Act (H. Rept. 111–180) that are considered congressional earmarks for purposes of clause 9 of rule XXI of the Rules of the House of Representatives, when intended to be awarded to a for-profit entity, shall be awarded under a full and open competition.

PROHIBITION ON USE OF FUNDS

SEC. 442. None of the funds made available for the Environmental Protection Agency in this Act may be expended by the Administrator of the Environmental Protection Agency to issue a final rule that includes fuel sulfur standards applicable to existing steamships that operate exclusively within the Great Lakes, and their connecting and tributary waters.

AUTHORIZATION FOR REFINANCING

SEC. 443. The Administrator of the Environmental Protection Agency shall allow the State of Mississippi to refinance the Clean Water State Revolving Loans made to the Hancock Water and Sewer District and the Hancock Utility Authority for a period not to exceed one year with the payment schedule amortized over that additional period.

INCORPORATION OF CONGRESSIONALLY REQUESTED PROJECTS

SEC. 444. Within the amounts appropriated in this Act, funding shall be allocated in the amounts specified for those projects and

purposes delineated in the table titled “Incorporation of Congressionally Requested Projects” included in the joint explanatory statement of the managers accompanying this Act, except that such funding appropriated for land acquisition, construction, and capital improvement and maintenance may be reallocated to other projects in that table funded by the same appropriation account if such reallocation has been approved by the House and Senate Committees on Appropriations; and, such funding appropriated for “National Park Service—Historic Preservation Fund” for Save America’s Treasures grants may be reallocated to be used for competitive grants under the Save America’s Treasures program if such reallocation has been approved by the House and Senate Committees on Appropriations.

TITLE V—FLAME ACT OF 2009

SEC. 501. SHORT TITLE.

This title may be cited as the “Federal Land Assistance, Management, and Enhancement Act of 2009” or “FLAME Act of 2009”.

SEC. 502. FLAME WILDFIRE SUPPRESSION RESERVE FUNDS.

(a) DEFINITIONS.—In this section:

(1) FEDERAL LAND.—The term “Federal land” means—

(A) public land, as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702);

(B) units of the National Park System;

(C) refuges of the National Wildlife Refuge System;

(D) land held in trust by the United States for the benefit of Indian tribes or members of an Indian tribe; and

(E) land in the National Forest System, as defined in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a)).

(2) FLAME FUND.—The term “FLAME Fund” means a FLAME Wildfire Suppression Reserve Fund established by subsection (b).

(3) RELEVANT CONGRESSIONAL COMMITTEES.—The term “relevant congressional committees” means the Committee on Appropriations, the Committee on Natural Resources, and the Committee on Agriculture of the House of Representatives and the Committee on Appropriations, the Committee on Energy and Natural Resources, and the Committee on Indian Affairs of the Senate.

(4) SECRETARY CONCERNED.—The term “Secretary concerned” means—

(A) the Secretary of the Interior, with respect to—
(i) Federal land described in subparagraphs (A), (B), (C), and (D) of paragraph (1); and

(ii) the FLAME Fund established for the Department of the Interior; and

(B) the Secretary of Agriculture, with respect to—

(i) National Forest System land; and

(ii) the FLAME Fund established for the Department of the Agriculture.

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND
RELATED AGENCIES APPROPRIATIONS ACT, 2010

—————
OCTOBER 28, 2009.—Ordered to be printed
—————

Mr. DICKS, from the committee of conference,
submitted the following

CONFERENCE REPORT

[To accompany H.R. 2996]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2996), making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows;

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

REFERENCES

SECTION 1. Except as expressly provided otherwise, any reference to "this Act" contained in any division of this Act shall be treated as referring only to the provisions of that division.

DIVISION A—DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2010, and for other purposes, namely:

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2996), making appropriations for the Department of the Interior, Environment and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

The conference agreement on H.R. 2996 incorporates some of the provisions of both the House and the Senate versions of the bill. Report language and allocations set forth in either House Report 111-180 or Senate Report 111-38 that are not changed by the conference are approved by the committee of conference. The statement of the managers, while repeating some report language for emphasis, does not negate the language referenced above unless expressly provided herein.

Except as expressly provided otherwise, any reference to “this Act” or “at the end of this statement” shall be treated as referring only to the provisions of this division.

DIVISION A—DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010

REPROGRAMMING GUIDELINES

The following are the procedures governing reprogramming actions for programs and activities funded in the Department of the Interior, Environment and Related Agencies Appropriations Act.

Definitions.—“Reprogramming,” as defined in these procedures, includes the reallocation of funds from one budget activity, budget line-item or program area, to another within any appropriation funded in this Act. In cases where either the House or Senate Committee report displays an allocation of an appropriation below those levels, that more detailed level shall be the basis for reprogramming.

For construction, land acquisition and forest legacy accounts, a reprogramming constitutes the reallocation of funds, including unobligated balances, from one construction, land acquisition, or forest legacy project to another such project. The construction, land acquisition and forest legacy projects and amounts identified in the “Incorporation of Congressionally Requested Projects” table at the end of this statement of managers may be reprogrammed, but only pursuant to Section 444 of this Act.

ADMINISTRATIVE PROVISIONS

Bill Language.—The conference agreement includes language, as in the Senate bill, allowing the Service to carry out the operations of programs by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities. This language was previously included in the Resource Management account.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

The conference agreement provides \$2,261,559,000 for the Operation of the National Park System instead of \$2,260,684,000 as proposed by the House and \$2,261,309,000 as proposed by the Senate. The detailed allocation of funding by program and activity for this account is included in the table at the end of the statement. The conference agreement also includes the following specific funding levels and directions:

Resource Stewardship.—Within the amount provided, the conference agreement provides the request of \$10,000,000 for the Climate Impacts Initiative as proposed by the House instead of \$8,000,000 as proposed by the Senate. The agreement also provides \$1,250,000 for the Enhanced Ocean and Coastal Resources program, as proposed by the House instead of \$2,000,000 as proposed by the Senate.

Visitor Services.—Within the amount provided, the conference agreement provides \$247,386,000 for Visitor Services as proposed by the Senate instead of \$246,511,000 as proposed by the House. The conferees have provided \$375,000 for the web learning component of the Interpretative Renaissance Plan and redirect \$1,000,000 of the request to a new pilot program for teaching American history and civics in the National Parks as proposed by the Senate. The conferees further direct the Service to work with the Department of Education to develop curriculum and bring scholars to park units to instruct students and teachers and within 90 days of enactment provide a report to the House and Senate Committees on Appropriations concerning the status of the pilot program.

Facilities Operations and Maintenance.—The conference agreement provides \$702,013,000 as proposed by the House instead of \$703,013,000 as proposed by the Senate. Within the amount provided, the conferees provide \$4,388,000 for the facility management software system.

Bill Language.—The conference agreement includes language to limit the amount for maintenance, repair or rehabilitation projects to \$98,622,000 as proposed by the House instead of \$99,622,000 as proposed by the Senate.

National Mall Concerts.—As proposed by the House, the conferees direct the National Park Service to increase funding for this program by \$350,000 over the level provided in fiscal year 2009.

Sesquicentennial Civil War Planning.—The conferees encourage the National Park Service, in collaboration with the Civil War Preservation Trust and other organizations, to update the content

of its website and the information available at its Civil War parks and to employ modern technology and adaptive and interactive media to present this information to the public.

Regional Reorganizations.—The conferees have recently become aware of a planned reorganization of the Northeast Regional Office of the Park Service. The conferees appreciate the Service's willingness to provide information about the planned reorganization and ask that the Service continue to report to the House and Senate Committees on Appropriations its plans for managing the current programs administered by the Boston Regional Office and Service proposals to further change the staffing plan for that office.

Sequoia National Park.—The conferees are aware that the Department of the Interior has been negotiating the renewal terms of a special use permit for the Kaweah hydroelectric project inside Sequoia National Park. Initial proposals from the Department would have resulted in a 2,545 percent fee increase to the operator. The conferees find that situation unacceptable. As such, the Department is directed to continue its negotiations in an effort to reach a fair, cost-effective agreement for the terms of a 10-year special use permit.

Mississippi River Study.—The conferees note that the Mississippi River is one of the Nation's great natural treasures, an integral part of the country's history, and a critical transportation artery for modern commerce. As such, the protection and preservation of natural resources along the Mississippi River, and the telling of the history of this great resource is an important and worthy goal. The conferees therefore direct the Service to identify those natural and cultural resources most in need of protection and preservation and to begin to craft a plan that would address these needs. In undertaking this task, the Service shall consult with the various Federal, State and local units of government along the corridor, and with non-governmental organizations and partner coalitions working on preservation and interpretation initiatives within or along the corridor.

PARK PARTNERSHIP PROJECT GRANTS

The conference agreement provides \$15,000,000 for Park Partnership Project Grants instead of \$25,000,000 as proposed by the House. Of the amount provided, \$10,000,000 will be proportionally derived from the unobligated balance in the recreation fee account. The conferees urge the Director to fund signature projects and programs consistent with the original intent of the program. The conferees direct the Service to provide a report within 90 days of enactment of this Act that (1) outlines the status of the projects announced in January 2009; and (2) provides the criteria to be used to select new projects. After the Service competes the remaining funds for new projects, the Service will provide the House and Senate Committees on Appropriations a complete description of the new projects selected and describe the funds allotted for each project from both Federal and non-Federal sources.

Bill Language.—The conferees have included language that authorizes the National Park Service to use a portion of the high unobligated recreation fee balance to fund projects selected through the Park Partnerships Program.

Recreation Fees.—The conferees remain concerned by the National Park Service's ineffective management of its recreation fee revenues which has led to high unobligated carryover balances over many years. It is clear that dramatic changes are needed to address this problem.

The conferees understand that the Service, in response to Congressional expressions of concern, has developed a phased plan to aggressively reduce the recreation fee carryover balance which was more than \$270,000,000 at the beginning of fiscal year 2009. Further, the conferees recognize that existing authority provides the Service sufficient flexibility to address this challenge by reducing the allocation of fee revenues to the largest collecting parks from 80 percent to 60 percent as needed. The conferees encourage the Park Service to exercise this authority fully to meet its goal, as outlined by the Service, to reduce the end-of-year carryover balance to no more than \$80,000,000 by January, 2011.

When implemented fully, this plan will redirect funds away from collecting parks with high carryover balances to fund nationally ranked projects that can be commenced quickly. Parks will receive at least 60 percent of their annual collections, which is the minimum allowed by law. To allow these changes to take effect, the conferees will not direct specific changes to the management of the fee program at this time. However, the conferees will closely monitor the implementation of this effort to ensure it dramatically reduces recreation fee carryover balances and results in more efficient use of fee revenues. Lastly, the conferees reserve the option of taking future action to ensure adequate management of recreation fee dollars.

NATIONAL RECREATION AND PRESERVATION

The conference agreement provides \$68,436,000 for the National Recreation and Preservation program instead of \$59,386,000 as proposed by the House and \$67,438,000 as proposed by the Senate. The detailed allocation of funding by program and activity for this account is included in the table at the end of the statement. The conference agreement also includes the following specific funding levels and directions:

Cultural Programs.—The conferees have included bill language in General Provisions, Department of the Interior, amending the Japanese-American Confinement Site Grants program by authorizing land acquisition grants at the Heart Mountain Relocation Center, WY, as proposed by the House. Similar House bill language authorizing land acquisition grants and donations at Minidoka National Historic Site is not included. At the request of the Department, the conferees have withdrawn the language because of an unresolved issue involving a pre-existing right-of-way and crossing agreement for the Southwest Intertie Project's renewable energy transmission line within or near the Minidoka National Historic Site boundary. The conferees urge the Secretary to resolve the issue quickly, giving fair consideration to the existing rights of all land and permit holders, refraining from acquiring any donations of land or interests therein during the 90 day period following enactment of this Act so that a suitable resolution can be reached, and reporting any progress to the House and Senate Committees

on Appropriations within 90 days of enactment of this Act. The conferees remain supportive of the Secretary's renewable energy initiative and also recognize that the Federal government has an obligation to preserve lands for the Minidoka National Historic Site and other relocation centers and to provide for their preservation and interpretation. Accordingly, the conferees have provided \$350,000 for land acquisition and \$3,000,000 for the Japanese-American Confinement Site Grants program.

Heritage Partnership Program.—Within the amount provided, the conference agreement provides \$16,805,000 for commissions and grants as proposed by the House instead of \$16,732,000 as proposed by the Senate. The increase above the request will provide at least \$150,000 to new heritage areas without approved plans.

Preserve America.—The conference agreement provides \$4,600,000 for Preserve America. The conferees have funded this program under the National Recreation and Preservation account, instead of the Historic Preservation Fund account as proposed by the House.

Statutory or Contractual Aid.—The conference agreement provides \$5,850,000 for Statutory or Contractual Aid, instead of \$1,900,000 as proposed by the House and \$5,350,000 proposed by the Senate. The funds provided are to be distributed as follows:

State	Project	Amount
CA	Angel Island Immigration Station, PL 109-119	\$1,000,000
CA	Yosemite National Park schools, PL 109-131	400,000
DC	Sewall Belmont House, PL 99-498	1,000,000
HI	National Tropical Botanical Garden, PL 111-11	500,000
HI	Native Hawaiian Culture & Arts Program, PL 99-498	500,000
MD	Star Spangled Banner National Historic Trail	500,000
MD, VA, DC	Chesapeake Bay Gateways, PL 107-308	1,000,000
NH	Lamprey Wild & Scenic River, PL 90-542	200,000
VT, NY	Hudson-Fulton-Champlain Quadricentennial, PL 110-229	750,000
Total, Line Item Projects		5,850,000

Bill Language.—The conference agreement includes language which designates the amount for Preserve America grants.

HISTORIC PRESERVATION FUND

The conference agreement provides \$79,500,000 for the Historic Preservation Fund instead of \$91,675,000 as proposed by the House and \$74,500,000 as proposed by the Senate. The conference agreement funds the Preserve America program in the National Recreation and Preservation account as proposed by the Senate. The detailed allocation of funding by program and activity for this account is included in the table at the end of the statement. The conference agreement also includes the following specific funding levels and directions:

Save America's Treasures.—The conference agreement includes a total of \$25,000,000 for Save America's Treasures. Of this amount, \$14,800,000 is for competitive grants and the balance of the funds are to be distributed as follows:

State	Project	Amount
AL	Historic Fort Payne Coal and Iron Building Rehabilitation	\$150,000

State	Project	Amount
AL	Historic Montevallo Main Hall Renovation	150,000
AL	Swayne Hall, Talladega	490,000
CA	Mission Santa Barbara, Santa Barbara	650,000
CO	Shenandoah-Dives Mill National Historic Landmark	150,000
CT	Harriet Beecher Stowe Center Preservation	150,000
CT	Sterling Opera House Renovation	150,000
FL	Freedom Tower, Miami, FL	500,000
GA	Morehouse College (King papers)	200,000
IA	Des Moines Art Center, Des Moines	200,000
ID	Historic Old Pen Site Stabilization Project	150,000
IL	Repairs to Historic Chicago Landmark	50,000
KS	Colonial Fox Theater, Pittsburg	500,000
KY	Judge Joseph Holt House Historic Restoration	150,000
MA	Hancock Shaker Village Restoration	150,000
MA	Stockbridge Mission House Renovation	117,000
MD	Harmony Hall Restoration	100,000
MI	Big Sable Lighthouse, Ludington	100,000
MN	CSPS Sokol Hall	150,000
MN	Restoration of Historic Coe Mansion	150,000
MS	Madison County Courthouse	500,000
MS	Medgar Evers site, Jackson	250,000
MT	City of Bozeman Main Street Historic District Restoration	150,000
NC	Bellamy Mansion Slave Quarters	100,000
NJ	Georgian Court Mansion Restoration	200,000
NJ	South Orange Village Hall Restoration	150,000
NV	Lincoln County Courthouse, Pioche	200,000
NY	Historic Owego Municipal Building Rehabilitation	150,000
NY	Hudson River Sloop Clearwater Restoration	150,000
NY	Richardson Olmsted Complex, Buffalo	200,000
NY	Strand Theater, Plattsburgh	200,000
NY	Tarrytown Music Hall Restoration	150,000
NY	Village Park Historic Preservation	150,000
OR	Wallowa County Courthouse, Enterprise	200,000
PA	Hatborough Union Library Restoration	38,000
PA	Saylor Cement Kilns Historic Preservation	200,000
PR	San Juan North Portal Restoration	150,000
RI	Warwick City Hall, Warwick	350,000
SC	Chesterfield Courthouse Restoration	150,000
SC	Cypress Historic Meeting Compound	200,000
SC	Modjeska Simkins Home Restoration	150,000
SD	State Theater, Sioux Falls	200,000
TN	Blount Mansion, Knoxville	250,000
UT	Historic Fisher Mansion Restoration Project	150,000
VA	Belgian Building Preservation	150,000
VA	Chesterfield County Historic Preservation	150,000
VA	Fort Ward Park Preservation	75,000
WA	Schooner Adventuress Restoration	180,000
WI	Bayfield Historic Courthouse Restoration	150,000
WV	Capitol Theater, Wheeling	200,000
WV	Claymont Court Historic Site Restoration	150,000
WV	Cottrill's Opera House Restoration	150,000
Total, Line Item Projects		10,200,000

Bill Language.—The conference agreement includes language which designates the amount for Save America’s Treasures and incorporates the projects into law by reference.

CONSTRUCTION

The conference agreement provides \$232,969,000 for Construction instead of \$213,691,000 as proposed by the House and \$219,731,000 as proposed by the Senate. The detailed allocation of funding by program and activity for this account is included in the

table at the end of the statement. The conference agreement also includes the following specific funding levels and directions:

Line Item Construction.—The bill allocates funding for line item construction projects and activities as follows:

State	Project	Amount
AK	Katmai, replace failing infrastructure at Brooks Camp	\$6,471,000
AZ	Chiricahua, Replace Failing Sewer Systems	2,410,000
AZ	Grand Canyon, employee housing	16,890,000
AZ	Saguaro National Park Trail Improvements	398,000
CA	Golden Gate National Recreation Area (Alcatraz)	1,400,000
CA	Joshua Tree National Park Visitor Center	300,000
CA	Manzanar National Historical Site	900,000
CA	Point Reyes, restore critical dune habitat	2,803,000
CO	Mesa Verde curation center	11,675,000
CO	Mesa Verde Visitor Information Center	10,500,000
DC	African American Civil War Memorial, security enhancements	220,000
DC	National Capital Region, GW Memorial Parkway, Theodore Roosevelt rehabilitation site	1,706,000
DC	National Capital Region, preserve and protect Meridian Hill Park	3,844,000
FL	Castillo de San Marcos National Monument	500,000
FL	Everglades Mod Waters (NPS)	4,200,000
FL	Everglades Mod Waters (COE)	4,200,000
GA	Fort Pulaski, replace Cockspur Lighthouse revetment	1,577,000
IN	George Rogers Clark NHP, restore and rehabilitate historic Wabash River floodwall	3,600,000
IN	Restore Good Fellow Lodge, Indiana Dunes National Lakeshore	1,000,000
MA	New Bedford Whaling National Historical Park (Bourne bldg)	1,500,000
MI	Keweenaw National Historical Park (Quincy Smelting Works)	1,000,000
MI	Keweenaw National Historical Park Union Building	1,380,000
MO	Harry S. Truman NHS, rehabilitate interior grounds of Historic Noland House and install interpretive exhibits.	1,018,000
MT	Glacier NP, safety improvements at Many Glacier Hotel	8,507,000
NC	Blue Ridge Parkway, repair Craggy Gardens retaining and guardwalls	2,728,000
NJ	Gateway NRA, Sandy Hook Repair of Historic Gun Batteries	800,000
NJ, PA	Delaware Water Gap NRA, demolish and remove hazardous structures	2,234,000
NY	Fire Island Land Trust Historic Restoration	250,000
OH	Cuyahoga Valley National Park Site and Structure Rehabilitation Program	500,000
OK	Chickasaw National Recreation Area Visitor Center	500,000
OR	Crater Lake Visitor Education Center	350,000
PA	Delaware Water Gap NRA, rehabilitate Childs Park	3,048,000
PA	Flight 93 National Memorial	725,000
PA	Valley Forge National Park Visitor Center	325,000
TN	Great Smoky Mountains National Park (curatorial facility)	1,500,000
TN	Great Smoky Mountains National Park (Tremont/Cosby water)	1,940,000
TN	Moccasin Bend National Archeological District	500,000
UT	Timpanogos Cave National Monument Interagency Visitors Center	1,600,000
UT	Utah Public Lands Artifact Preservation Act, PL 107–329	1,000,000
VA	Fort Hunt NCO Quarters Restoration	250,000
WA	Olympic National Park, restore Elwha River ecosystem and fisheries	20,000,000
WI	Apostle Islands Lighthouse Restoration	2,000,000
WI	Ice Age National Scenic Trail	265,000
WV	Harpers Ferry National Historical Park	275,000
WV	New River Gorge National River	1,025,000
WY	Grand Teton National Park, construct critical housing	13,174,000
Total, Line Item Projects		142,988,000

Everglades.—The conference agreement includes \$8,400,000 for the Modified Water Deliveries Project at Everglades National Park as proposed by the House. This includes \$4,200,000 which the President had requested in the budget for the Army Corps of Engineers. These funds will allow for continuous work on the Tamiami Trail bridge and road modifications as a first step to return water flow to the Park. It is critical that the bridging of the Tamiami Trail be completed at the earliest possible date so that flows can

be restored between Everglades National Park and the State-managed Water Conservation Areas.

Paterson Great Falls National Historical Park.—Of the amount provided, the conferees have included \$500,000 for the Park Service’s general management plan for the Paterson Great Falls National Historical Park.

Castillo de San Marcos National Monument.—The conferees have included \$500,000 for preliminary planning and design of the Castillo de San Marcos National Monument restoration project with the understanding that construction will not commence until fee simple title of the affected property is conveyed to the Federal government by the City of St. Augustine, FL and the State of Florida.

Bill Language.—The conference agreement includes language for the Everglades Modified Water Projects as proposed by the House. The agreement also authorizes a single contract for the full scope of the Elwha Dam project. The conference agreement does not include statutory language proposed by the House to authorize a special resources study along the Mississippi River. The conferees have addressed this issue in report language under the Operation of the National Park System account. The conference agreement also provides that construction funds for the Quincy Smelter stabilization project at Keweenaw National Historical Park shall be made without regard to requirements in section 8(b) of Public Law 102–543, as amended.

LAND AND WATER CONSERVATION FUND

(RESCISSION)

The conference agreement rescinds \$30,000,000, as in previous years, in annual contract authority. There are no plans to use this authority in fiscal year 2010.

LAND ACQUISITION AND STATE ASSISTANCE

The conference agreement includes \$126,266,000 for Land Acquisition and State Assistance instead of \$113,222,000 as proposed by the House and \$118,586,000 as proposed by the Senate. The conference agreement includes the following distribution of funds:

State	Project	Amount
AL	Little River Canyon National Preserve	\$1,500,000
AR, OK	Ft. Smith National Historic Site	362,000
AZ	Petrified Forest National Park	4,575,000
CA	Golden Gate National Recreation Area	5,000,000
CA	Mojave National Preserve, Joshua Tree National Park, Death Valley National Park.	1,000,000
CA	Santa Monica Mountains National Recreation Area	1,000,000
GA	Chattahoochee River National Recreation Area	3,100,000
ID	Minidoka National Historic Site	350,000
KY	Cumberland Gap National Historical Park	1,150,000
MI	Sleeping Bear Dunes National Lakeshore	1,000,000
MO	Harry S. Truman National Historic Site	1,300,000
MS	Natchez National Historical Park	264,000
NC	Guilford Courthouse National Military Park	880,000
NH	Appalachian National Scenic Trail	1,375,000
NM	Petroglyph National Monument	1,000,000
OH	Cuyahoga Valley National Park	4,000,000
PA	Appalachian National Scenic Trail	1,820,000

State	Project	Amount
SC	Congaree National Park	1,320,000
TN	Shiloh National Military Park	250,000
TX	Big Thicket National Preserve	5,000,000
TX	Fort Davis National Historic Site	500,000
TX	Palo Alto Battlefield National Park	4,120,000
VA	Fredericksburg and Spotsylvania National Military Park	200,000
VA	Prince William Forest Park	425,000
VA, NC	Blue Ridge Parkway	1,250,000
VI	Virgin Islands National Park	3,250,000
VT	Appalachian National Scenic Trail	625,000
WA	Mt. Ranier National Park	2,150,000
WA	Olympic National Park	3,000,000
WA	San Juan Island National Historical Park	6,000,000
WI	Ice Age National Scenic Trail	2,000,000
Mult.	Civil War Battlefield Grants	9,000,000
	Subtotal, Line Item Projects	68,766,000
	Acquisition Management	9,500,000
	Inholdings and Exchanges	5,000,000
	Emergencies, and Hardships	3,000,000
	Total, National Park Service Land Acquisition	86,266,000
	Stateside conservation grants	37,200,000
	Administrative expenses	2,800,000
	Total, Assistance to States	40,000,000
	Grand Total, Land Acquisition and State Assistance	126,266,000

The funding provided for the Virgin Islands National Park includes \$2,250,000 for the Maho Bay property and \$1,000,000 for the Hawksnest Bay property.

The conferees have included report language under National Recreation and Preservation guiding the acquisition of lands or interests therein at the Minidoka National Historic Site.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

The bill continues administrative provisions applicable to the National Park Service as proposed by the House and the Senate.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

The conference agreement provides \$1,111,740,000 for Surveys, Investigations and Research instead of \$1,105,744,000 as proposed by the House and \$1,104,340,000 as proposed by the Senate. The detailed allocation of funding by activity for this account is included in the table at the end of the statement. In addition to the guidance included in both the House and Senate committee reports, the conference agreement provides the following direction:

Geographic Research and Remote Sensing.—The conference agreement includes the House proposed bill language and direction concerning the Civil Applications Committee, and provides \$1,650,000 above the budget request for its operation.

Geologic Hazards Assessments.—The conference agreement includes the following increases to the request: \$1,000,000 for LIDAR

**DISCLOSURE OF EARMARKS AND CONGRESSIONALLY
DIRECTED SPENDING ITEMS**

Following is a list of Congressional earmarks and Congressionally directed spending items (as defined in clause 9 of rule XXI of the Rules of the House of Representatives and rule XLIV of the Standing Rules of the Senate, respectively) included in the conference report or the accompanying joint statement of managers, along with the name of each Senator, House Member, Delegate, or Resident Commissioner who submitted a request to the Committee of jurisdiction for each item so identified. Neither the conference report nor the joint statement of managers contains any limited tax benefits or limited tariff benefits as defined in the applicable House or Senate rules. Pursuant to clause 9(b) of rule XXI of the Rules of the House of Representatives, neither the conference report nor the joint statement of managers contains any Congressional earmarks, limited tax benefits, or limited tariff benefits that were not (1) committed to the conference committee by either House or (2) in a report of a committee of either House on this bill or on a companion measure.

Fish and Wildlife Service	Land Acquisition	LA	Red River National Wildlife Refuge	\$1,000,000
Fish and Wildlife Service	Land Acquisition	MA, CT, VT, NH	Silvio O. Conte National Wildlife Refuge	\$2,500,000
Fish and Wildlife Service	Land Acquisition	ME	Maine Coastal Islands National Wildlife Refuge	\$1,000,000
Fish and Wildlife Service	Land Acquisition	NE	Rainwater Basin Wetlands Management District	\$500,000
Fish and Wildlife Service	Land Acquisition	NH	Lake Umbagog National Wildlife Refuge	\$1,000,000
Fish and Wildlife Service	Land Acquisition	NU	Great Swamp National Wildlife Refuge	\$1,000,000
Fish and Wildlife Service	Land Acquisition	NU	Walkill National Wildlife Refuge	\$1,400,000
Fish and Wildlife Service	Land Acquisition	PA	Cherry Valley National Wildlife Refuge	\$750,000
Fish and Wildlife Service	Land Acquisition	RI	John H. Chafee National Wildlife Refuge	\$900,000
Fish and Wildlife Service	Land Acquisition	UT	Bear River Migratory Bird Refuge	\$1,300,000
Fish and Wildlife Service	Land Acquisition	VA	Great Dismal Swamp National Wildlife Refuge	\$500,000
Fish and Wildlife Service	Land Acquisition	VA	Rappahannock River National Wildlife Refuge, Bowers property	\$500,000
Fish and Wildlife Service	Land Acquisition	WA	Turnbull National Wildlife Refuge	\$1,500,000
National Park Service	Statutory or Contractual Aid	CA	Angel Island Immigration Station	\$1,000,000
National Park Service	Statutory or Contractual Aid	CA	Yosemite National Park schools, PL 109-131	\$400,000
National Park Service	Statutory or Contractual Aid	DC	Sewall Belmont House	\$1,000,000
National Park Service	Statutory or Contractual Aid	HI	National Tropical Botanical Garden, PL 111-11	\$500,000
National Park Service	Statutory or Contractual Aid	HI	Native Hawaiian Culture & Arts Program, PL 99-498	\$500,000
National Park Service	Statutory or Contractual Aid	MD	Star Spangled Banner National Historic Trail	\$500,000

INTERIOR AND ENVIRONMENT—Continued
[Incorporation of Congressionally Requested Projects]

Agency	Account	State	Project	Amount
National Park Service	Statutory or Contractual Aid	MD, VA, DC	Chesapeake Bay Gateways	\$1,000,000
National Park Service	Statutory or Contractual Aid	NH	Lamprey Wild & Scenic River, PL 90-542	\$200,000
National Park Service	Statutory or Contractual Aid	VT, NY	Hudson-Fulton-Champlain Quadricentennial, PL 110-229	\$750,000
National Park Service	Construction	AZ	Saguaro National Park Trail Improvements	\$398,000
National Park Service	Construction	CA	Golden Gate National Recreation Area (Alcatraz)	\$1,400,000
National Park Service	Construction	CA	Joshua Tree National Park Visitor Center	\$300,000
National Park Service	Construction	CA	Manzanar National Historical Site	\$900,000
National Park Service	Construction	DC	African American Civil War Memorial, security enhancements	\$220,000
National Park Service	Construction	FL	Castillo de San Marcos National Monument	\$500,000
National Park Service	Construction	IN	Restore Good Fellow Lodge, Indiana Dunes National Lakeshore	\$1,000,000
National Park Service	Construction	MA	New Bedford Whaling National Historical Park (Bourne bldg)	\$1,500,000
National Park Service	Construction	MI	Keweenaw National Historical Park (Quincy Smelting Works)	\$1,000,000
National Park Service	Construction	MI	Keweenaw National Historical Park Union Building	\$1,380,000
National Park Service	Construction	NI	Gateway NRA, Sandy Hook Repair of Historic Gun Batteries	\$800,000
National Park Service	Construction	NI	Paterson Great Falls National Historic Park	\$500,000
National Park Service	Construction	NY	Fire Island Land Trust Historic Restoration	\$250,000
National Park Service	Construction	OH	Cuyahoga Valley National Park Site and Structure Rehabilitation Program	\$500,000

National Park Service	Construction	OK	Chickasaw National Recreation Area Visitor Center	\$500,000
National Park Service	Construction	OR	Crater Lake Visitor Education Center	\$350,000
National Park Service	Construction	PA	Flight 93 National Memorial	\$725,000
National Park Service	Construction	PA	Valley Forge National Park Visitor Center	\$325,000
National Park Service	Construction	TN	Great Smoky Mountains National Park (curatorial facility)	\$1,500,000
National Park Service	Construction	TN	Great Smoky Mountains National Park (Tremont/Cosby water)	\$1,940,000
National Park Service	Construction	TN	Moccasin Bend National Archeological District	\$500,000
National Park Service	Construction	UT	Timpanogos Cave National Monument Interagency Visitors Center	\$1,600,000
National Park Service	Construction	UT	Utah Public Lands Artifact Preservation Act, PL 107-329	\$1,000,000
National Park Service	Construction	VA	Fort Hunt NCO Quarters Restoration	\$250,000
National Park Service	Construction	WI	Apostle Islands Lighthouse Restoration	\$2,000,000
National Park Service	Construction	WI	Ice Age National Scenic Trail	\$265,000
National Park Service	Construction	WV	Harpers Ferry National Historical Park	\$275,000
National Park Service	Construction	WV	New River Gorge National River	\$1,025,000
National Park Service	Land Acquisition	AL	Little River Canyon National Preserve	\$1,500,000
National Park Service	Land Acquisition	CA	Mojave National Preserve, Joshua Tree National Park, Death Valley National Park	\$1,000,000
National Park Service	Land Acquisition	CA	Santa Monica Mountains National Recreation Area	\$1,000,000
National Park Service	Land Acquisition	KY	Cumberland Gap National Historical Park, Fern Lake	\$1,150,000
National Park Service	Land Acquisition	MI	Sleeping Bear Dunes National Lakeshore	\$1,000,000
National Park Service	Land Acquisition	NH	Appalachian National Scenic Trail	\$1,375,000

INTERIOR AND ENVIRONMENT—Continued
[Incorporation of Congressionally Requested Projects]

Agency	Account	State	Project	Amount
National Park Service	Land Acquisition	NM	Petroglyph National Monument	\$1,000,000
National Park Service	Land Acquisition	OH	Cuyahoga Valley National Park	\$4,000,000
National Park Service	Land Acquisition	PA	Appalachian National Scenic Trail	\$1,820,000
National Park Service	Land Acquisition	TN	Shiloh National Military Park	\$250,000
National Park Service	Land Acquisition	TX	Fort Davis National Historic Site	\$500,000
National Park Service	Land Acquisition	VA	Fredericksburg and Spotsylvania National Military Park, Binns property	\$200,000
National Park Service	Land Acquisition	VT	Appalachian National Scenic Trail	\$625,000
National Park Service	Land Acquisition	WI	Ice Age National Scenic Trail	\$2,000,000
U.S. Geological Survey	Surveys, Investigations & Research	AR	South Arkansas Sparta Aquifer Recovery Initiative	\$300,000
U.S. Geological Survey	Surveys, Investigations & Research	AZ, NM	U.S.-Mexico Transboundary Aquifer Assessment Program	\$1,000,000
U.S. Geological Survey	Surveys, Investigations & Research	CA	San Diego formation mapping	\$900,000
U.S. Geological Survey	Surveys, Investigations & Research	CA	San Francisco Bay Salt Ponds restoration monitoring/research	\$1,000,000
U.S. Geological Survey	Surveys, Investigations & Research	HI	Volcano research/monitoring partnership UH-Manoa/HVO	\$250,000
U.S. Geological Survey	Surveys, Investigations & Research	HI	Water resources monitoring, investigations and research	\$500,000
U.S. Geological Survey	Surveys, Investigations & Research	IL	McHenry County groundwater and stormwater protection	\$280,000
U.S. Geological Survey	Surveys, Investigations & Research	LA	Long Term Estuary Assessment Group support	\$400,000
U.S. Geological Survey	Surveys, Investigations & Research	MA	Conte Anadromous Fish Research Lab	\$220,000