

# Federal Parks & Recreation

## Bulletin # 13: December 12, 2011

Dear Subscriber:

This bulletin from Federal Parks & Recreation newsletter reports on the following:

- \* **Approps conference launched, with one week to go**
- \* **GOP eyes \$250M/year of LWCF money to pay for roads**

**NOTE:** This bulletin is a supplement to your regular edition of Federal Parks & Recreation. It is NOT your regular issue. The next issue will be published December 16.  
The Editors

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### **Appropriators go to conference, Christmas deadline near**

With just one week left until a temporary appropriations law expires December 16, a House-Senate conference committee December 8 began negotiations on a fiscal year 2012 appropriations bill for the Interior Department and Related Agencies. It is included in a package of nine remaining spending bills.

If the conferees can't reach agreement this week, Congress may simply extend fiscal 2011 spending again, either for a month or two or, possibly, for the entire fiscal 2012.

Appropriations bills other than the Interior measure are making some progress. Congress completed, and President Obama signed into law November 18, a bill that provides appropriations for both the Department of Agriculture and the Department of Transportation (PL 112-55).

And Congress just may be able to move an Energy and Water appropriations bill (HR 2354), either in the nine-bill package or by itself. The House passed HR 2354 July 15 and the measure has been on the Senate floor off and on in the last two months.

The December 8 conference committee began consideration of the nine remaining, unpassed spending bills including the Interior bill and the Energy and Water bill. They

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Phone: (703) 553-0552 • Fax: (703) 553-0558 • E-Mail: [james@resourcespublishing.com](mailto:james@resourcespublishing.com) • [www.plnfpr.com](http://www.plnfpr.com)

accomplished little last week beyond opening statements and promises to stay under a trillion-dollar spending cap. But the negotiators and their staffs have reportedly made significant progress and are ready to introduce a draft bill late today.

Said Senate Appropriations Committee Chairman Daniel Inouye (D-Hawaii), "While a number of individual issues remain to be resolved, I can assure everyone that the end result will be one that lives up to the Budget Control Act. Our discretionary budget authority will not exceed \$1.043 trillion, and necessary disaster relief funding will not exceed the allowable amount."

The appropriators' game plan is to complete negotiations early this week to allow the House and Senate time to complete a bill by the time a temporary spending bill expires Friday, December 16.

Thus far there has been little cooperation between House Republicans and Senate Democrats when it comes to the Interior bill. The amount of money that should be spent is an obvious problem with a draft Senate Appropriations Committee bill recommending \$1.8 billion more than a bill (HR 2584) that reached the House floor. The Senate would spend \$29.3 billion, the House \$27.5 billion.

Riders appear to be an even bigger hurdle. The House Appropriations Committee included numerous policy amendments in its version of HR 2584, many of them significant initiatives to shut down Clean Air and Clean Water programs managed by EPA.

Other House riders would have more direct impacts on the outdoors. They include amendments that would block an Interior Department initiative to withdraw one million acres of federal land from uranium mining near Grand Canyon National Park and that would prevent BLM from designating any new 'wild lands.'

The Senate committee draft bill contains one major rider – a Montana conservation bill. The provision would designate 669,100 acres of wilderness and protect another 336,000 acres of special management areas in the Kootenai, Beaver Head-Deerlodge and Lolo National Forests and adjacent BLM properties.

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## **Republicans would use LWCF to pay for highway bill**

Seven Republicans on the Senate Finance Committee have proposed using Land and Water Conservation Fund (LWCF) money to pay for the nation's backlog of highway construction work.

Led by ranking committee Republican Orrin Hatch (Utah), the seven (of 11 Republicans on the panel) reasoned that Congress never appropriates full funding of \$900 million per year from LWCF, so Congress might as well allocate \$250 million per year for road construction.

In a letter to Senate Finance Committee Chairman Max Baucus (D-Mont.) the senators said, "If \$250 million were to be diverted annually from the LWCF, it would be unlikely to affect current appropriations from the LWCF, provided they remain consistent with past history. A diversion of \$250 million a year from the LWCF to the (Highway Trust Fund) would deposit an additional \$2.5 billion. . . over 10 years."

The Senate Finance Committee is presently looking for \$12 billion per year to pay for road and bridge construction to supplement the \$28 billion that comes from gasoline taxes paid into the Highway Trust Fund. The additional money would be combined with the gas tax money to pay the \$40 billion per year needed to pay for a two-year surface transportation bill (S 1813) approved by the Senate Environment and Public Works Committee November 9.

The heart of the Senate bill would pay for such traditional surface transportation projects as road and bridge construction. It would also have direct impact on outdoor-related activities by eliminating major stand-alone recreation programs, including transportation enhancements, scenic byways, recreational trails and Safe Routes to School.

The programs would be included in a consolidation of 90 existing programs into 30 broader programs. Recreation would then have to compete with those other programs for money.

The Senate Finance Committee Republicans explained why conservation money should be spent on roads: "We think oil and gas revenues are an appropriate source of highway funding given that current highway funding is largely derived from excise taxes on fuels," they said. Indeed LWCF derives its revenues from offshore oil and gas royalties and enjoys a \$17 billion balance. And gasoline taxes allocate \$28 billion per year to the Highway Trust Fund.

In addition to Hatch the Republican signatories included Sens. Chuck Grassley (Iowa), Olympia Snowe (Me.), Pat Roberts (Kansas), John Cornyn (Texas), Tom Coburn (Okla.) and John Thune (R-S.D.)

The \$250 million from LWCF by itself of course would not meet the \$12 billion highway bill shortfall. The Republicans also recommended using money targeted for advanced technology cars, revenues from a leaking storage tank fund, rescissions of unspent federal funds, and expanded offshore oil and gas exploration.

House Republicans leaders also have their sights set on revenues from public lands energy development to pay for their version of a six-year surface transportation bill. However, the House Transportation Committee has delayed mark-up of a new bill until at least mid-January.

The House Republican proposal has been met by a negative response from the Obama administration, House Democrats and environmentalists. They say the Republican proposal would produce only \$19 billion over the next ten years, well short of the \$72 billion needed.

The Senate and House do have a little time to complete a surface transportation bill because Congress approved an extension of an existing law - the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users - until March 31 (PL 112-30 of September 16).

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