Appropriations Language

For necessary expenses of the United States Fish and Wildlife Service, as authorized by law, and for scientific and economic studies, maintenance of the herd of long-horned cattle on the Wichita Mountains Wildlife Refuge, general administration, and for the performance of other authorized functions related to such resources by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities, [$977,205,000]*$985,563,000*, to remain available until September 30, [2006]*2007*, [except as otherwise provided herein] of which *$91,997,000* is to be derived from the Land and Water Conservation Fund: Provided, [That not less than $1,000,000 shall be provided to local governments in southern California for planning associated with the Natural Communities Conservation Planning (NCCP) program and shall remain available until expended: Provided further,] That $2,000,000 is for high priority projects, which shall be carried out by the Youth Conservation Corps: Provided further, That[,] not to exceed [$16,175,000,] *$18,130,000* shall be used for implementing subsections (a), (b), (c), and (e) of section 4 of the Endangered Species Act, as amended, for species that are indigenous to the United States (except for processing petitions, developing and issuing proposed and final regulations, and taking any other steps to implement actions described in subsection (c)(2)(A), (c)(2)(B)(i), or (c)(2)(B)(ii)), of which not to exceed [$11,400,000]*$12,852,000* shall be used for any activity regarding the designation of critical habitat, pursuant to subsection (a)(3), excluding litigation support, for species listed pursuant to subsection (a)(1) prior to October 1, [2004]*2005*: Provided further, That of the amount available for law enforcement, up to $400,000, to remain available until expended, may at the discretion of the Secretary be used for payment for information, rewards, or evidence concerning violations of laws administered by the Service, and miscellaneous and emergency expenses of enforcement activity, authorized or approved by the Secretary and to be accounted for solely on her certificate: Provided further, That of the amount provided for environmental contaminants, up to $1,000,000 may remain available until expended for contaminant sample analyses. (Department of the Interior and Related Agencies Appropriations Act, 2005.)

Justification of Language Change

1) Deletion: "except as otherwise provided herein"

This language provides two year authority for funding amounts provided within the Resource Management Account.

2) Addition: "of which $91,997,000 is to be derived from the Land and Water Conservation Fund: Provided,"

The budget proposes that funding for Cooperative Conservation Initiative programs be derived from the Land and Water Conservation Fund as part of the President's 2006 budget.

3) Deletion: "That not less than $1,000,000 shall be provided to local governments in southern California for planning associated with the Natural Communities Conservation Planning (NCCP) program and shall remain available until expended: Provided further,"

The service proposes to eliminate dedicated funding to the Natural Communities Conservation Planning program as this direct financial assistance began prior to the Section 6 Endangered Species Conservation Act funding was made available to provide similar financial assistance for planning efforts. Habitat conservation planning is now well underway in southern California and Section 6 funds for Habitat Conservation Planning are available to provide financial assistance. The NCCP partners will be eligible to compete for these Section 6 funds.

funds for Habitat Conservation Planning are available to provide financial assistance. The NCCP partners will be eligible to compete for these Section 6 funds.

Authorizing Statutes

African Elephant Conservation Act, (16 U.S.C. 4201-4245, 1538). Authorizes funding for approved projects for research, conservation, management or protection of African elephants. Authorizes prohibitions against the sale, importation, and exportation of ivory derived from African elephants. Authorization of Appropriations: Expires September 30, 2007.

Agricultural Credit Act of 1987, (P. L. 100-233). Section 616 authorizes the Secretary of Agriculture to transfer lands, interest therein, to Federal or State agencies for conservation purposes. The Fish and Wildlife Service assesses inventory lands to determine when such lands would be of benefit to the National Wildlife Refuge System and makes transfer recommendations.

Airborne Hunting Act (16 U.S.C. 742 j-1). Section 13 of the Fish and Wildlife Act of 1956 prohibits taking or harassing wildlife from aircraft, except when protecting wildlife, livestock, and human health or safety as authorized by a federal or state issued license or permit.

Alaska National Interest Lands Conservation Act of 1980, (16 U.S.C. 410hh-3233, 43 U.S.C 1602-1784). Provides for the designation and conservation of certain public lands in Alaska, including units of the National Wildlife Refuge System, and for the continuing subsistence needs of the Alaska Natives. Sec. 42(g) of this Act makes use of such Native lands subject to refuge regulations.

Alaska Native Claims Settlement Act, (43 U.S.C. 1601-1624). Provided various measures for settling the claims of Alaska Native peoples to land in Alaska, including authorization of selection and ownership of land within National Wildlife Refuges in Alaska by Native Corporations.

Anadromous Fish Conservation Act, (P. L. 89-304). Authorizes the Secretaries of Interior and Commerce to enter into cooperative agreements with the States and other non-Federal interests for the conservation, development, and enhancement of anadromous fish, including those in the Great Lakes, and to contribute up to 50 percent of the costs of carrying out such agreements.

Antarctic Conservation Act of 1978 (16 U.S.C. 2401). Provides for the conservation and protection of the fauna and flora of Antarctica, and their ecosystems.

Archaeological Resources Protection Act of 1979, as amended, (16 U.S.C. 470aa-47011). Provides for protection of archaeological resources and sites on public and tribal lands and for increased cooperation between government authorities, the professional archaeological community, and private collectors with collections obtained before October 31, 1979.

Arctic Tundra Habitat Emergency Conservation Act, (P.L.106-108). Requires the Secretary of the Interior to prepare, and as appropriate implement, a comprehensive, long-term plan for the management of mid-continent light geese and conservation of their habitat. Authorization of Appropriations: Expires September 30, 2002.

Asian Elephant Conservation Act, (16 U.S.C. 4261-4266). Provides for cooperative projects for the conservation and protection of Asian elephants. Authorization of Appropriations: Expires September 30, 2007.

Atlantic Striped Bass Conservation Act, as amended, (16 U. S.C. 1851, as amended). Authorizes studies, and provides for activities to restore Atlantic striped bass. When the Commission recommends, the Secretaries of the Interior and Commerce can declare a moratorium on fishing for these species in coastal waters of States that do not implement and enforce the interstate management plan for striped bass. Authorization of Appropriations: Expires September 30, 2005.

Bald and Golden Eagle Protection Act, as amended, (16 U.S.C. 668-668d). Prohibits the importation, exportation, or taking of bald or golden eagles to sell, purchase, or barter their parts, nests, or eggs, or products made from the animals, their nests or eggs.

Chehalis River Basin Fishery Resources Study and Restoration Act of 1990, (P. L. 101-452). Authorizes a joint federal, state, and tribal study for the restoration of the fishery resources of the Chehalis River Basin, Washington.

Coastal Barrier Resources Act of 1982, as amended by the Coastal Barrier Improvement Act of 1990, (16 U.S.C. 3501 et. seq.) Requires the Secretary (delegated to the Service) to maintain the maps of the Coastal Barrier Resources System, to review the system at least every 5 years for changes which have occurred as a result of natural forces, and to make minor and technical changes to the maps of the System reflecting those natural changes. It also requires the Secretary to submit a study to Congress on the need to include the west coast in the system, and to lead an interagency task force to provide recommendations to Congress for legislative action and federal policies on developed and undeveloped coastal barriers. Authorization of Appropriations: Expires September 30, 2005

Coastal Wetlands Planning, Protection, and Restoration Act of 1990, (16 U.S.C. 3951 et seq). Provides a federal grant program for the acquisition, restoration, management, and enhancement of coastal wetlands of states adjacent to the Atlantic, Gulf of Mexico, the Great Lakes, and the Pacific, including Puerto Rico, the U.S. Virgin Islands, American Samoa, and the Pacific U.S. insular areas. Provides that the Service update and digitize wetlands maps in Texas and conduct an assessment of the status, condition, and trends of wetlands in that state. Provides permanent authorization to appropriate receipts, coastal wetlands conservation grants and North American Wetlands Conservation protects. Authorization of Appropriations: Expires September 30, 2009

Colorado River Storage Project Act, (43 U.S.C. 620). Provides that facilities will be built and operated to mitigate losses of, and improve conditions for, fish and wildlife in connection with the Colorado River Storage.

Comprehensive Environmental Response, Compensation, and Liability Act, as amended, (42 U.S.C. 9601, et seq). Provides that responsible parties, including federal landowners, investigate and clean up releases of hazardous substances. Trustees for natural resources, which includes the Secretary of the Interior, may assess and recover damages for injury to natural resources from releases of hazardous substances and use the damages for restoration, replacement or acquisition of equivalent natural resources. Provides permanent authorization to appropriate receipts from responsible parties.

Emergency Wetlands Resources Act of 1986, as amended, (16 U.S.C. 3901). Provides for the collection of entrance fees, thirty percent of which may be used for refuge operations and maintenance, and for the Secretary to establish and periodically review a national wetlands priority conservation plan for federal and state wetlands acquisition, complete National Wetlands Inventory

maps for the contiguous United States by September 30, 1998, to update the report on wetlands status and trends by September 30, 1990, and at 10-year intervals there after, to produce wetland maps of Alaska by September 30, 2000, to produce a digital database for the United States by September 30, 2004, and to archive and make final maps and digitized data available for distribution.

Endangered Species Act of 1973, as amended, (16 U.S.C. 1531-1544). Prohibits the import, export, or taking of fish and wildlife and plants that are listed as threatened or endangered species; provides for adding species to and removing them from the list of threatened and endangered species, and for preparing and implementing plans for their recovery; provides for interagency cooperation to avoid take of listed species and for issuing permits for otherwise prohibited activities; provides for cooperation with States, including authorization of financial assistance; and implements the provisions of the Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES).

Fallon-Paiute Shoshone Indian Water Settlement Act, (P.L. 101-618). Establishes the Lahontan Valley and Pyramid Lake Fish and Wildlife Fund. Funds are administered by the Service for use in restoring Lahontan Valley wetlands and recovering the endangered and threatened fish of Pyramid Lake. Section 206(a) authorizes the acquisition of water rights for restoring wetlands in Lahontan Valley. The Act stipulates that sufficient water rights be acquired to restore and sustain, on a long term average, approximately 25,000 acres of primary wetland habitat within Nevada's Lahontan Valley.

Federal Insecticide, Fungicide and Rodenticide Control Act, (7 U.S.C. 136-136y). Provides for the registration of pesticides to avoid unreasonable adverse effects to humans or the environment. Such registrations are considered Federal actions and are subject to consultations with the Service under the Endangered Species Act.

Federal Power Act, (161 S.C. 791a et seq). Provides that each license for hydropower projects issued by the Federal Energy Regulatory Commission include fishways prescribed by the Secretary of the Interior or Commerce, and that conditions for the protection, mitigation and enhancement of fish and wildlife based on recommendations of the Service and other agencies.

Federal Water Pollution Control Act (Clean Water Act), as amended, (33 U.S.C. 1251-1387). Section 404 (m) authorizes the Service to comment on permit applications submitted to the U.S. Army Corps of Engineers for the discharge of dredged or fill material into navigable waters of the United States. Section 208(i) authorizes the Service to provide technical assistance to states in developing management practices as part of its water pollution control programs and to continue with the National Wetlands Inventory. Section 320 authorizes the establishment of a state/federal cooperative program to nominate estuaries of national significance and to develop and implement management plans to restore and maintain the biological and chemical integrity of estuarine waters. Authorization of Appropriations: Expired.

Fish and Wildlife Act of 1956, as amended, (16 U.S.C. 742(a)-754). Establishes a comprehensive national fish and wildlife policy and authorizes the Secretary to take steps required for the development, management, advancement, conservation, and protection of fisheries resources and wildlife resources through research, acquisition of refuge lands, development of existing facilities, and other means.

Fish and Wildlife Conservation Act, as amended, (16 U.S.C. 2901-2911). Directs the Secretary to undertake research and conservation activities, in coordination with other federal, state,

international and private organizations, to fulfill responsibilities to conserve migratory nongame birds under existing authorities. The Secretary is required, for all species, subspecies, and migratory nongame birds, to monitor and assess population trends and status; to identify environmental change and human activities; and to identify species in need of additional conservation and identify conservation actions to ensure perpetuation of these species. Authorization of Appropriations: Expired September 30, 1997.

Fish and Wildlife Coordination Act, as amended, (16 U.S.C. 661-666(e)). Directs the Service to investigate and report on proposed federal actions that affect any stream or other body of water and to provide recommendations to minimize impacts on fish and wildlife resources.

Fisheries Restoration and Irrigation Mitigation Act, (16 U.S.C. 777 Note; 114 Stat. 2294). P.L. 106-502 authorized a voluntary cost-sharing program for the design and construction of fish screens at irrigation diversions between the Service and willing farmers. Authorization of Appropriations: Expires September 30, 2005

Fishery Conservation and Management Act of 1976, (Magnuson-Stevens Act), (16 U.S.C. 1801-1882, 90 Stat. 331). Authorizes the conservation and management of the fishery resources found within the Exclusive Economic Zone of the United States, including anadromous species, through eight Regional Fishery Management Councils. Establishes the Service as a nonvoting member of the Councils.

Food Security Act of 1985, as amended, (16 U.S.C. 801-3945). Provides that the Secretary of Agriculture consult with the Secretary of the Interior on the identification of wetlands, determinations of exemptions, and issuance of regulations to carry out the provisions of this Act. Requires the Service to concur in wetland mitigation plans in association with minimal effect exemptions and to concur in conservation plans for lands proposed for inclusion in the Wetlands Reserve program. Establishes a program to protect and restore wetlands on Farmers Home Administration inventory property and provides for the Service to identify such wetlands.

Great Ape Conservation, (16 U.S.C. 6301-6305). Authorizes grants to foreign governments, the CITES secretariat, and non-governmental organizations for the conservation of great apes. The funds are to be a sub-account of the Multinational Species Conservation Fund. Authorization of Appropriations: Expires September 30, 2005

Great Lakes Critical Programs Act of 1990, (P.L. 101-596). Authorization for Service activities are contained in title III, the "Lake Champlain Special Designation Act of 1990". Authorization of Appropriations: Expired September 30, 1995

Great Lakes Fish and Wildlife Restoration Act of 1990, (16 U.S.C. 941-941g). Authorizes the Service to establish fishery resource offices to assist the States, Great Lakes Commission, Indian Tribes, and other parties in conservation of the fish, wildlife and habitat of the Great Lakes Basin, and to fund proposals for their restoration, based on the results of the Great Lakes Fisheries Resources Restoration Study completed under prior authority of this Act. Authorization of Appropriations: Expires September 30, 2004

Great Lakes Fishery Act of 1956, (16 U.S.C. 931-939). Implements the Convention on Great Lakes Fisheries between the United States and Canada, and authorizes the Secretary and the Service to undertake lamprey control and other measures related to the Convention.

Junior Duck Stamp Conservation and Design Program Act, (16 U.S.C. 719). Authorizes an annual Junior Duck Stamp competition and environmental education program for school children; provides for the licensing and marketing of winning designs, with proceeds used for awards and scholarships to participants. Authorization of Appropriations: Expires September 30, 2005

Klamath River Basin Fishery Resources Restoration Act, (16 U.S.C. 746o-ss). Requires the Secretary to develop and implement a restoration plan for the Klamath River Basin. Authorization of Appropriations: Expires September 30, 2006.

Lacey Act Amendments of 1981, (18 U.S.C. 42; 16 U.S.C. 3371-3378). Provides that the Secretary designate injurious wildlife and ensure the humane treatment of wildlife shipped to the United States. Prohibits importation, exportation, transportation, sale, or purchase of fish and wildlife taken or possessed in violation of state, federal, Indian tribal, and foreign laws. Provides for enforcement of federal wildlife laws, and federal assistance to the states and foreign governments in the enforcement of non-federal wildlife laws.

Magnuson Fishery Conservation and Management Act, as amended, (16 U.S.C. 1801-1882). Provides a framework for managing fisheries within the Exclusive Economic Zone and through eight Regional Fishery Management Councils. Establishes the Service as a nonvoting member of the Councils.

Marine Mammal Rescue Assistance Grants, (6 U.S.C. 1371; 114 Stat. 2765. Title II of P.L. 106-555)amended the Marine Mammal Protection Act to authorize grants to non-governmental organizations which participate in the rescue and rehabilitation of stranded marine mammals. Authorization of Appropriations: Expires September 30, 2003

Migratory Bird Conservation Act, (16 U.S.C. 715-715d). Authorizes the Secretary to conduct investigations and publish documents related to North American birds, and establishes a Migratory Bird Conservation Commission (MBCC) to approve areas recommended by the Secretary for acquisition. The MBCC also approves wetlands conservation projects recommended by the North American Wetlands Conservation Council under the North American Wetlands Conservation Act.

Migratory Bird Hunting and Conservation Stamp Act, as amended (16 U.S.C. 718). This Act, commonly referred to as the Duck Stamp Act, requires waterfowl hunters, 16 years of age or older, to purchase and possess a valid Federal waterfowl hunting stamp prior to taking migratory waterfowl. The Secretary is authorized to use $1 million from sales of migratory bird hunting and conservation stamps in FY 1999-2003 to promote additional sales of stamps.

Migratory Bird Treaty Act of 1918, as amended, (16 U.S.C. 703-712). Implements four international treaties that affect migratory birds common to the United States, Canada, Mexico, Japan, and the former Soviet Union. Establishes federal responsibility for protection and management of migratory and non-game birds, including the establishment of season length, bag limits, and other hunting regulations, and the issuance of permits to band, possess or otherwise make use of migratory birds. Except as allowed by implementing regulations, this Act makes it unlawful to pursue, hunt, kill, capture, possess, buy, sell, purchase, or barter any migratory bird, including the feathers or other parts, nests, eggs, or migratory bird products.

National Aquaculture Act of 1980, (16 U.S.C. 2801-2810). Directs the Secretary to participate in the development of a National Aquaculture Development Plan and authorizes research,

development, and other activities to encourage the development of aquaculture in the United States. Authorization of Appropriations: Expired September 30, 1993

National Environmental Policy Act of 1969 (NEPA), as amended, (42 U.S.C. 4321 et seq). Provides that the Service examine the environmental impacts, incorporate environmental information, and use public participation in the planning and implementation of all actions; integrate NEPA with other planning requirements; prepare NEPA documents to facilitate better environmental decision making; and review federal agency environmental plans and documents when the Service has jurisdiction by law or special expertise with respect to any environmental impacts involved.

National Fish and Wildlife Foundation Establishment Act, (16 U.S.C. 3701 et seq). Established a federally chartered, nonprofit corporation to encourage and administer donations to benefit Service programs and other activities to conserve fish, wildlife, and plant resources. Authorization of Appropriations: Expires September 30, 2005

National Historic Preservation Act of 1966, as amended, (16 U.S.C. 470-470b, 470c-470n). Directs federal agencies to preserve, restore, and maintain historic cultural environments.

National Wildlife Refuge System Administration Act of 1966, as amended, (16 U.S.C. 668dd et seq.). Provides authority, guidelines and directives for the Service to improve the National Wildlife Refuge System; administer a national network of lands and waters for the conservation, management, and restoration of fish, wildlife and plant resources and habitat; ensure the biological integrity, diversity, and environmental health of refuges is maintained; define compatible wildlife-dependent recreation as appropriate general public use of refuges; establish hunting, fishing, wildlife observation and photography, and environmental education as priority uses; establish a formal process for determining compatible uses of refuges; and provide for public involvement in developing comprehensive conservation plans for refuges.

The National Wildlife Refuge System Improvement Act of 1997 (P.L. 105-57). Spells out wildlife conservation as the fundamental mission of the refuge system; requires comprehensive conservation planning to guide management of the refuge system; directs the involvement of private citizens in land management decisions; and provides that compatible wildlife-dependent recreation is a legitimate and appropriate use that should receive priority in refuge planning and management.

National Wildlife Refuge System Volunteer and Community Partnership Act of 1998, (P.L. 105-442). Authorizes cooperative agreements with nonprofit partner organizations, academic institutions, or state and local governments to construct, operate, maintain, or improve refuge facilities and services, and to promote volunteer, outreach, and education programs. Authorization of Appropriations: Expires September 30, 2003.

The National Wildlife Refuge System Centennial Act of 2000 (P.L. 106-408). Reinforces *National Wildlife Refuge System Improvement Act* provisions to raise public understanding and appreciation for the refuge system; calls on the Secretary of the Interior to establish a Centennial Commission to oversee special public outreach activities leading up to and during the Centennial year, leverage resources with public and private partners for outreach efforts, and plan and host a major conference in 2003; calls on the Service to develop a long-term plan to address the highest priority operations, maintenance, and construction needs of the National Wildlife Refuge System; and requires an annual report assessing the operations and maintenance backlogs and transition costs associated with newly acquired refuges lands.

Neotropical Migratory Bird Conservation Act of 2000 (16 U.S.C. 6101 et. seq.). Authorizes grants for the conservation of neotropical migratory birds in the United States and Latin America and the Caribbean, with 75 percent of the amounts made available to be expended on projects outside the United States. The funds are to be a sub-account of the Multinational Species Conservation Fund. Authorization of Appropriations: Expires September 30, 2005

New England Fishery Resources Restoration Act of 1990, (P.L. 101-593). Authorizes the Service to formulate, establish, and implement cooperative programs to restore and maintain nationally significant interjurisdictional fishery resources in New England river systems.

Nonindigenous Aquatic Nuisance Species Prevention and Control Act of 1990, as amended by the National Invasive Species Act of 1996, (16 U.S.C. 4701 et. seq.) Authorizes the Service to develop and implement a program to prevent and control infestations of the coastal inland waters of the United States by zebra mussel and other nonindigenous aquatic nuisance species. Authorization of Appropriations: Expires September 30, 2002

North American Wetlands Conservation Act of 1989, (16 U.S.C. 4401 et. seq.). Authorizes grants to public-private partnerships in Canada, Mexico and the U.S. to protect, enhance, restore, and manage waterfowl, other migratory birds and other fish and wildlife, and the wetland ecosystems and other habitats upon which they depend, consistent with the North American Waterfowl Management Plan. Requires at least 50% non-federal matching funds for all grants. Authorization of Appropriations: Expires September 30, 2003

Oil Pollution Act of 1990, (P.L. 101-380). Provides that the Service consult with others on the development of a fish and wildlife response plan for the protection, rescue, and rehabilitation of, and the minimization of risk of damage to fish and wildlife resources and their habitat harmed or jeopardized by an oil discharge.

Partnerships for Wildlife Act, (16 U.S.C. 3741-3744). Authorizes grants to establish partnerships among the United States Fish and Wildlife Service, designated state agencies, the National Fish and Wildlife Foundation and other private organizations and individuals to promote conservation of all wildlife species, especially those not managed as game species. Authorization of Appropriations: Expires September 30, 2003

Pelly Amendment to the Fishermen's Protective Act, (22 U.S.C. 1978). Authorizes the President to embargo wildlife products, including fish, and limit other imports from nations whose nationals are determined by the Secretary of the Interior or Commerce to be engaging in trade or take that undermines the effectiveness of any international treaty or convention for the protection of endangered or threatened species to which the United States is a party.

Public Utility Regulatory Policies Act of 1978, (16 U.S.C. 2602-2645) and **Energy Security Act of 1980**, (16 U.S.C. 792-828(c)). Authorizes the Service to investigate and report on effects of hydropower development on fish and wildlife during the licensing process of the Federal Energy Regulatory Commission.

Recreational Use of Fish and Wildlife Areas, (16 U.S.C. 460k-460k-4). Commonly known as the Refuge Recreation Act of 1962, authorizes the Secretary to administer refuges, hatcheries, and other conservation areas for recreational use when such use does not interfere with the primary purpose for which these areas were established.

Refuge Recreation Act, (16 U.S.C. 460k-460k-4). Public Law 87-714, approved September 28, 1962 (76 Stat.653) as amended by Public Law 89-669, approved October 14, 1966, (80 Stat.930) and Public Law 92-534, approved October 23, 1972, (86 Stat. 1063) authorized the Secretary of the Interior to administer refuges, hatcheries and other conservation areas for recreational use, when such uses do not interfere with the areas primary purposes.

Resource Conservation Recovery Act, as amended, (42 U.S.C. 6901). Establishes standards for federal agencies on the treatment, transportation, storage, and disposal of solid and hazardous wastes on federal lands and facilities.

Rhinoceros and Tiger Conservation Act, (16. U.S.C. 5301-5306). Authorizes grants to other nations and to the CITES Secretariat for programs directly or indirectly assisting in the conservation of rhinoceros and tigers. Prohibits the sale, importation, and exportation of products derived from any species of rhinoceros and tiger. Authorization of Appropriations: September 30, 2007.

Salmon and Steelhead and Conservation and Enhancement Act of 1980, (16 U.S.C. 3301, 11-15, 21-25, 31-36, 41-45). Provides for management and enhancement planning to help prevent a further decline of salmon and steelhead stocks, and to assist in increasing the supply of these stocks within the Columbia River conservation area and the Washington conservation area.

Sikes Act, as amended, (16 U.S.C. 670a-670o). Authorizes the Secretary to cooperate with the Department of Defense, Department of Energy, National Aeronautics and Space Administration, Bureau of Land Management, and state agencies in planning, developing, maintaining and rehabilitating federal lands for the benefit of fish and wildlife resources and their habitat. Authorization of Appropriations: Expires September 30, 2003

Surface Mining Control and Reclamation Act of 1977, (30 U.S.C. 1201 et seq). Authorizes the Secretary to regulate surface mining and reclamation at existing and future mining areas. The Service provides technical assistance for fish and wildlife aspects of the Department of Interior's programs on active and abandoned mine lands.

Water Resources Development Act of 1976, (90 Stat. 2921). Authorizes the Lower Snake River Compensation Plan to mitigate fish and wildlife losses caused by power generation at four Corps of Engineers dams on the Lower Snake River in Washington.

Wild Bird Conservation Act of 1992, (16 U.S.C. 4901-4916). Requires that all trade in wild bird involving the United States is biologically sustainable and to the benefit of the species, and by limiting or prohibiting imports of exotic birds when not beneficial to the species. Authorization of Appropriations: Expired September 30, 1995

Executive Orders

Floodplain Management, (Executive Order 11988). Requires that federally owned floodplains be protected through restricting future activities that would harm the floodplain resource or withhold such properties from lease or disposal to non-federal public or private partners.

Migratory Birds, (Executive Order 13186). Directs federal agencies taking actions that may have measurable negative impacts on migratory bird populations to enter into memoranda of understanding (MOU) with the Service to promote conservation of migratory bird populations and

directs the Secretary of Interior to establish a multi-agency Council for the Conservation of Migratory Birds.

Protection of Wetlands, (Executive Order 11990). Requires that federally owned wetlands proposed for lease or conveyance to non-federal public or private parties be protected through restricting any future uses that would degrade or harm the wetland resource in the conveyance or withhold such properties from lease or disposal.

Recreational Fisheries, (Executive Order 12962). Directs federal agencies to improve the quantity, function, and sustainable productivity, and distribution of U.S. aquatic resources for increased resources for recreational fishing opportunities. The Service and the National Marine Fisheries Service are ordered to promote compatibility and to reduce conflicts between the administration of the *Endangered Species Act* and recreational fisheries. The Secretary is directed to expand the role of the Sport Fishing and Boating Partnership council to monitor specific federal activities affecting aquatic systems and the recreational fisheries they support.

Major Treaties and Conventions

The Service is party to numerous International Treaties and Conventions, all of which cannot be listed here due to space constraints. However, those listed below are a few of the more pertinent to the daily activities of Service programs.

Convention on International Trade in Endangered Flora and Fauna, (TIAS 8249). Parties who signed the Convention in March of 1973 agreed to restrict international trade in all species threatened with extinction (Appendix I species), all species which may be threatened with extinction unless trade is halted or restricted (Appendix II species), and all species which the parties identify as being subject to regulation for the purpose of preventing or restricting exploitation (Appendix III species). Many species listed under CITES are also listed under the *Endangered Species Act*. The Service is responsible for issuing all CITES permits in the United States.

Convention on Nature Protection and Wildlife Preservation in the Western Hemisphere, (56 Stat. 1354). Signed in October of 1940, this Convention authorizes the contracting parties to establish national parks, national reserves, nature monuments, and strict wilderness reserves for the preservation of flora and fauna, especially migratory birds.

Convention on Wetlands of International Importance Especially as Waterfowl Habitat (Ramsar), (TIAS 11084). The Ramsar Convention, ratified by over 90 nations, promotes the sustainable management of important wetlands around the world, especially as habitat for waterfowl. The Service's objective with this initiative is to strengthen worldwide collaboration regarding conservation and management of wetlands habitats which sustain resources stared by or of importance to all countries of the globe.

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Justification of Uncontrollable and Related Changes (Dollars in Thousands)	2005 Budget Change	2005 Revised Change	2006 Change
Additional Operational Costs from 2004 and 2005 January Pay Raises			
2005 Pay Raise **Amount of pay raise absorbed** **2006 Pay Raise** **Amount of pay raise absorbed** These adjustments are for an additional amount needed in 2006 to fund the remaining 3-month portion of the estimated cost of the, on average, 3.5 percent pay increases effective in January 2005 and the additional costs of funding for an estimated 2.3 percent January 2006 pay increase for GS-series employees and the associated pay rate changes made in other pay series.	+4,639 [6,369] N/A	7,971 [12,088] N/A	+4,339 [0] +8,828 [0]
Other Uncontrollable Cost Changes:			
Workers Compensation Payments The adjustment is for actual charges through June 2004, in the costs of compensating injured employees and dependents of employees who suffered accidental deaths while on duty. Costs for 2005 will reimburse the Department of Labor, Federal Employees Compensation Fund, pursuant to 5 U.S.C. 8147(b) as amended by Public Law 94-273.	4,963 [69]	4,963 [69]	-20
Unemployment Compensation Payments The adjustment is for estimated changes in the costs of unemployment compensation claims to be paid to the Department of Labor, Federal Employees Compensation Account, in the Unemployment Trust Fund, pursuant to Public Law 96-499. The amount absorbed in 2005 is due to changes between the estimate of payments for unemployment compensation between the time the 2005 budget was formulated and enacted. The 2006 uncontrollable change includes a catch-up adjustment for the unbudgeted 2005 costs.	1,049	1,373 [324]	+407

Rental Payments to GSA The adjustment is for changes in the costs payable to General Services Administration and others resulting from changes in rates for office and non-office space as estimated by GSA, as well as the rental costs of other currently occupied space. Costs of mandatory office relocations, i.e. relocations in cases where due to external events there is no alternative but to vacate the current occupied space, are also included.	45,823 [3,268]	52,568 [10,013]	+1,892 [9,112]
Department Working Capital Fund Changes The change reflects expected changes in the charges for Department services and other services through the centralized billing portion of the working capital fund. These charges are displayed and explained in the Budget Justification for Department Management. In addition to the 2006 uncontrollable change, the 2006 budget includes requested program changes (e.g., ESN). The change between 2005 Budget and 2005 revised is attributable to bureau requested changes in billing methodologies, 2005 requested program increases for e-government payments that will be collected and paid centrally through the WCF, and changes that were approved by the Working Capital Fund Consortium. These changes are reflected in the Departmental Management Justification. * See also the Construction and Land tables for FY 05 changes.	12,321	14,187	+1,722
Employer Share of Federal Health Benefit Plans **Amount Absorbed** The adjustment is for changes in the Federal government's share of the cost of health insurance coverage for Federal employees. The increase is estimated at 11 percent, the average increase for the past few years. See also the Construction and Land tables for FY 05 changes.	+1,597	+1,597	+4,253
One Less Payday This adjustment reflects the decreased costs resulting from the fact that there is one less payday in 2006 than in 2005.	N/A	N/A	-2,239

SUMMARY OF REQUIREMENTS
RESOURCE MANAGEMENT
(Dollars in thousands)

Comparison by Activity and Subactivity	FY 2004 Actual		FY 2005 Enacted		Internal Transfers		Uncontrollable and Related Changes*		2006 Program Changes		2006 Budget Request		Inc.(+) Dec.(-) from 2005	
	FTE	Amount	*FTE*	Amount	*FTE*	Amount	*FTE*	Amount	*FTE*	Amount	*FTE*	Amount	*FTE*	Amount
Ecological Services														
Endangered Species														
Candidate Conservation	*79*	9,785	*77*	9,255				172	*0*	-1,174	*77*	8,252	*0*	-1,003
Listing	*92*	12,135	*102*	15,960				230	*0*	1,941	*102*	18,130	*0*	2,171
Consultation	*480*	47,074	*480*	48,129				1,082	*0*	273	*480*	49,484	*0*	1,355
Recovery	*518*	67,762	*525*	69,870				1,121	*0*	-6,748	*525*	64,243	*0*	-5,627
Subtotal, Endangered Species	*1,169*	136,756	*1,184*	143,214				2,604	*0*	-5,708	*1,184*	140,110	*0*	-3,104
Habitat Conservation	*624*	87,117	*638*	94,457				1,369	*0*	6,153	*638*	101,978	*0*	7,522
Environmental Contaminants	*98*	10,659	*100*	10,901				234	*0*	-2,648	*100*	8,486	*0*	-2,415
Subtotal, Ecological Services	***1,891***	**234,532**	***1,922***	**248,572**				**4,206**	***0***	**-2,203**	***1,922***	**250,575**	***0***	**2,003**
Refuges and Wildlife**														
Refuge Operations	*3,067*	295,331	*3,075*	289,716	*-664*	-43,718		3,615	*+10*	6,594	*2,421*	256,207	*+10*	-33,509
Refuge Maintenance	*0*	95,891	*0*	91,303	*+664*	43,718		1,390	*0*	1,276	*664*	137,687		46,384
Migratory Bird Management	*208*	32,586	*219*	35,451				498	*+13*	5,686	*232*	41,635	*+13*	6,184
Law Enforcement	*478*	53,647	*478*	55,615				913	*+6*	1,083	*484*	57,612	*+6*	1,997
Subtotal, Refuges and Wildlife	***3,753***	**477,460**	***3,772***	**472,085**	**0**	**0**		**6,416**	***+29***	**14,639**	*3,801*	**493,140**	*+29*	**21,056**
Fisheries														
Hatchery Operations and Maintenance	*459*	57,993	*455*	56,913				841	*0*	217	*455*	57,971	*0*	1,058
Fish and Wildlife Management	*354*	56,328	*355*	58,260				742	*0*	-9,317	*355*	49,685	*0*	-8,575
Subtotal, Fisheries	***813***	**114,321**	***810***	**115,173**				**1,583**	*0*	**-9,100**	***810***	**107,656**	*0*	**-7,517**
General Operations														
Science Excellence Initiative	*0*	0	*0*	0				0	*+3*	2,000	*3*	2,000	*+3*	2,000
Central Office Operations	*287*	17,062	*250*	27,120				453	*-3*	253	*424*	27,826	*-3*	706
Regional Office Operations	*399*	23,494	*422*	39,992				494	*+2*	321	*247*	40,807	*+2*	815
Management Efficiencies		0		0						-2,025		-2,025		-2,025
Operational Support		56,999		25,625				3,368		1,744		30,737		5,112
National Fish and Wildlife Foundation		7,575		7,761				0		-291		7,470		-291
National Conservation and Training Center	*114*	16,772	*117*	17,058				260		511	*117*	17,829		771
International Affairs	*61*	8,472	*64*	9,554				163	*+2*	-167	*66*	9,549	*+2*	-5
Subtotal, General Operations	***861***	**130,374**	***853***	**127,110**			***0***	**4,738**	***+4***	**2,346**	***857***	**134,193**	***+4***	**7,083**
Reprogramming for South Florida from NPS		15,291		[1,083]										
Oil Spill transfer from DOI		5												
Total, Resource Management	***7,318***	**971,978**	***7,357***	**962,940**	**0**	**0**	***0***	**16,942**	***+33***	**5,682**	***7,390***	**985,563**	***+33***	**22,624**

*Uncontrollable and Related Changes includes: Pay and Uncontrollables; +$19,182; Vehicle Reduction -$1,339; Space Reduction -$901, for a total change of +$16,942.

** National Wildlife Refuge System totals do not include the $15.291 million dollar transfer for the National Park Service LWCF account for high-priority Everglades restoration activities benefiting lands and resources in South Florida. The $1.083 million transfer in FY 2005 from the NPS for Everglades Restoration is shown as a non-add.