

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES
 APPROPRIATION BILL, 2004

JULY 10, 2003.—Committed to the Committee of the Whole House on the State of
 the Union and ordered to be printed

Mr. TAYLOR of North Carolina, from the Committee on
 Appropriations, submitted the following

R E P O R T

together with

ADDITIONAL VIEWS

[To accompany H.R. 2691]

The Committee on Appropriations submits the following report in explanation of the accompanying bill making appropriations for the Department of the Interior and Related Agencies for the fiscal year ending September 30, 2004. The bill provides regular annual appropriations for the Department of the Interior (except the Bureau of Reclamation) and for other related agencies, including the Forest Service, the Department of Energy, the Indian Health Service, the Smithsonian Institution, and the National Foundation on the Arts and the Humanities.

CONTENTS

	<i>Page number</i>	
	<i>Bill</i>	<i>Report</i>
Department of the Interior:		
Bureau of Land Management	2	13
U.S. Fish and Wildlife Service	12	24
National Park Service	20	35
U.S. Geological Survey	29	52
Minerals Management Service	32	58
Office of Surface Mining Reclamation and Enforcement	34	60
Bureau of Indian Affairs	36	64
Departmental Offices	44	73
General Provisions	51	85
Related Agencies:		

	<i>Page number</i>	
	<i>Bill</i>	<i>Report</i>
Forest Service, USDA	90	87
Department of Energy	106	108
Fossil Energy	107	108
Naval Petroleum and Oil Shale Reserves	109	114
Energy Conservation	109	117
Economic Regulation	110	123
Strategic Petroleum Reserve	110	124
Energy Information Administration	110	125
Indian Health Service, DHHS	113	125
Office of Navajo and Hopi Indian Relocation	120	132
Institute of American Indian and Alaska Native Culture and Arts Development	121	132
Smithsonian Institution	122	133
National Gallery of Art	125	135
John F. Kennedy Center for the Performing Arts	127	137
Woodrow Wilson International Center for Scholars	127	137
National Foundation on the Arts and the Humanities	128	138
Commission of Fine Arts	130	142
Advisory Council on Historic Preservation	131	143
National Capital Planning Commission	131	143
United States Holocaust Memorial Museum	131	144
Presidio Trust	132	144
Title III—General Provisions	132	145

COMPARISON WITH BUDGET RESOLUTION

Section 308(a)(1)(A) of the Congressional Budget and Impoundment Control Act of 1974 (Public Law 93–344), as amended, requires that the report accompanying a bill providing new budget authority contain a Statement detailing how the authority compares with the reports submitted under section 302 of the Act for the most recently agreed to concurrent resolution on the budget for the fiscal year. This information follows:

[In millions of dollars]

	Sec. 302(b)		This bill—	
	Discretionary	Mandatory	Discretionary	Mandatory
Budget authority	\$19,627	64	\$19,627	64
Outlays	19,400	70	19,400	70

SUMMARY OF THE BILL

The Committee has conducted hearings on the programs and projects provided for in the Interior and Related Agencies Appropriations bill for 2004. The hearings are contained in 8 published volumes totaling nearly 8,500 pages.

During the course of the hearings, testimony was taken at 9 hearings on 8 days, not only from agencies which come under the jurisdiction of the Interior Subcommittee, but also from Members of Congress, and, in written form, from State and local government officials, and private citizens.

The bill that is recommended for fiscal year 2004 has been developed after careful consideration of all the facts and details available to the Committee.

The Committee recommends \$194,469,000 for the abandoned mine reclamation fund, an increase of \$20,000,000 above the request and \$3,971,000 above the 2003 funding level. The Committee recognizes the great amount of reclamation work that remains to be done and has increased funding above the request for this program. The Committee has continued the authority for the Appalachian clean streams initiative at \$10,000,000 and the emergency funding and authorities as in fiscal year 2003, and discontinued the special authority for Maryland.

BUREAU OF INDIAN AFFAIRS

The Bureau of Indian Affairs was created in 1824. Its mission is founded on a government-to-government relationship and trust responsibility that results from treaties with Native groups. The Bureau delivers services to over one million Native Americans through 12 regional offices and 83 agency offices. In addition, the Bureau provides education programs to Native Americans through the operation of 117 day schools, 54 boarding schools, and 14 dormitories. The Bureau administers more than 45 million acres of tribally owned land, and 10 million acres of individually owned land and over 309,000 acres of Federally owned land, which is held in trust status.

OPERATION OF INDIAN PROGRAMS

Appropriation enacted, 2003	\$1,845,246,000
Budget estimate, 2004	1,889,735,000
Recommended, 2004	1,902,106,000
Comparison:	
Appropriation, 2003	+56,860,000
Budget estimate, 2004	+12,371,000

The amounts recommended by the Committee compared with the budget estimates by activity are shown in the following table:

	FY 2003 Enacted	FY 2004 Request	(dollars in thousands) Recommended	Recommended versus Enacted	Request Request
Operation of Indian Programs					
Tribal Budget System					
Tribal Priority Allocations					
Tribal government.....	386,421	390,494	391,614	+5,193	+1,120
Human services.....	149,970	148,588	148,588	-1,382	---
Education.....	49,839	49,991	49,991	+152	---
Public safety and justice.....	1,373	1,244	1,244	-129	---
Community development.....	40,461	40,467	40,467	+6	---
Resources management.....	61,117	63,029	63,029	+1,912	---
Trust services.....	58,004	58,373	58,373	+369	---
General administration.....	25,296	25,503	25,503	+207	---
Subtotal, Tribal Priority Allocations.....	772,481	777,889	778,809	+6,328	+1,120
Other Recurring Programs					
Education					
School operations					
Forward-funded.....	445,073	458,524	458,524	+13,451	---
Other school operations.....	67,489	69,991	69,991	+2,502	---
Subtotal, School operations.....	512,562	528,515	528,515	+15,953	---
Continuing education.....	42,838	39,206	39,206	-3,632	---
Subtotal, Education.....	555,400	567,721	567,721	+12,321	---
Resources management.....	42,324	34,342	41,572	-752	+7,230
Subtotal, Other Recurring Programs.....	597,724	602,063	609,293	+11,569	+7,230

(dollars in thousands)				
	FY 2003 Enacted	FY 2004 Request	Recommended Enacted	Recommended versus Request
Non-Recurring Programs				
Community development.....	2,235	---	---	-2,235
Resources management.....	32,850	36,287	36,587	+300
Trust services.....	37,400	37,256	37,256	-144
Subtotal, Non-Recurring Programs.....	72,485	73,543	73,843	+300
Total, Tribal Budget System.....				
	1,442,690	1,453,295	1,461,945	+8,650
BIA Operations				
Central Office Operations				
Tribal Government.....	3,133	2,653	3,153	+20
Human services.....	901	907	907	+6
Community development.....	869	875	875	+6
Resources management.....	3,465	3,488	3,488	+23
Trust services.....	8,766	5,317	5,317	-3,449
General administration				
Education program management.....	2,393	2,413	2,413	+20
Education personnel services.....	2,116	2,134	2,134	+18
Other general administration.....	47,936	81,574	76,574	+28,638
Subtotal, General administration.....	52,445	86,121	81,121	+28,676
Subtotal, Central Office Operations.....				
	69,579	99,361	94,861	+25,282
Total, Central Office Operations.....				
	1,512,269	1,552,656	1,556,806	+4,500

	FY 2003 Enacted	FY 2004 Request	(dollars in thousands) Recommended	Recommended Enacted	versus Request
Regional Office Operations					
Tribal government.....	1,327	1,345	1,345	+18	--
Human services.....	3,141	3,192	3,192	+51	--
Community development.....	847	857	857	+10	--
Resources management.....	5,414	5,474	5,474	+60	--
Trust services.....	24,225	24,435	24,435	+210	--
General administration.....	28,851	29,178	29,178	+327	--
Subtotal, Regional Office Operations.....	63,805	64,481	64,481	+676	--
Special Programs and Pooled Overhead					
Education.....	16,366	16,254	16,254	-112	--
Public safety and justice.....	162,306	171,147	174,647	+12,341	+3,500
Community development.....	8,576	1,061	5,782	-2,794	+4,721
Resources management.....	1,299	1,306	1,306	+7	--
General administration.....	80,625	82,830	82,830	+2,205	--
Subtotal, Special Programs and Pooled Overhead..	269,172	272,598	280,819	+11,647	+8,221
Total, BIA Operations.....	402,556	436,440	440,161	+37,605	+3,721
Total, Operation of Indian Programs.....					
	1,845,246	1,889,735	1,902,106	+56,860	+12,371

The Committee recommends \$1,902,106,000 for the operation of Indian programs, \$12,371,000 above the budget request and \$56,860,000 above the 2003 enacted level.

Tribal Priority Allocations.—The Committee recommends \$778,809,000 for tribal priority allocations, \$1,120,000 above the budget request and \$6,328,000 above the fiscal year 2003 enacted level. The increase above the budget request is to provide base funding for six new tribes.

Other Recurring Programs.—The Committee recommends \$609,293,000 for other recurring programs, \$7,230,000 above the budget request and \$11,569,000 above the fiscal year 2003 enacted level including increases above the budget request of \$4,000,000 for the restoration of timber-fish-wildlife program of which \$920,000 is for the mass marking of hatchery fish as required by Public Law 108–7, \$500,000 for shellfish management as required by the courts in the Bolt decision, \$1,000,000 for Chippewa/Ottawa treaty fisheries to be allocated to the tribes based on the allocation in House Report 108–10, \$630,000 for Lake Roosevelt management, \$600,000 to restore the wetlands/waterfowl (circle of flight) program, and \$500,000 to restore funding for the inter-tribal bison program.

The Committee fully supports the President's education reform efforts and agrees with the Department that tribes that want to manage their own schools should be given that opportunity. Therefore, the Committee has agreed to the inclusion of \$3,000,000 for start-up administrative costs, and overhead as incentives for tribal school boards to begin to assume responsibility for the remaining schools that are still being managed by the Bureau. Based on this initiative, a separate fund would be established, similar to the Indian Self Determination Fund, to enable the conversion of Bureau operated schools without compromising funding for tribally operated schools.

The Committee notes with approval the past participation of the Department of the Interior in the Washington Semester Indian Program (WINS), a collaborative effort whereby American University provides education, housing, meals, and other academic and social activities for participating American Indian/Alaska Native (AI/AN) students and places these students in a funded internship program. WINS, located in Washington, D.C., serves the educational and economic development needs of the AI/AN community by providing opportunities for AI/AN students to obtain academically supervised internships and supporting rigorous coursework designed to serve as the foundation for long-term career planning and development. The Committee believes that the WINS program is an excellent way to advance the goals of Executive Order 13270, which directs all Federal agencies to take steps to enhance access to Federal opportunities and resources for AI/AN students from tribal colleges and other post-secondary institutions. The Committee believes that there is great merit to expanding the WINS program and strongly urges the Department in fiscal year 2004, as part of its Three-Year plan pursuant to Executive Order 13270, to expand the number of internship slots it makes available for the program and to accommodate participants in a second-year internship program.

Non Recurring Programs.—The Committee recommends \$73,843,000 for non recurring programs, \$300,000 above the budget request and \$1,358,000 above the fiscal year 2003 enacted level. The increase above the budget request is for water management planning and predevelopment for the Seminole tribe to address water quality programs as part of Everglades restoration efforts.

Central Office Operations.—The Committee recommends \$94,861,000 for central office operation, \$4,500,000 below the budget request and \$25,282,000 above the fiscal year 2003 enacted level, including an increase above the budget request of \$500,000 to restore funding to the branch of acknowledgement and a decrease of \$5,000,000 for ADP central program management.

The Committee is aware of the significant information technology needs of the Bureau both from the perspective of managing their day-to-day operations and for the need to continue to move forward on its trust reform efforts. This reduction to the significant increase proposed in the budget request is a result of the current fiscal and budget situation and should not be viewed as a repudiation of the Bureau's information technology initiative. The Committee appreciates that the Bureau is taking a Bureau-wide comprehensive approach to its information technology needs.

Regional Office Operations.—The Committee recommends \$64,481,000 for regional office operations, the same as the budget request and \$676,000 above the fiscal year 2003 enacted.

Special Programs and Pooled Overhead.—The Committee recommends \$280,819,000 for special programs and pooled overhead, \$8,221,000 above the budget request and \$11,647,000 above the fiscal year 2003 enacted level including increases above the budget request of \$3,500,000 for detention center operations for facilities that are constructed by the Department of Justice but operated by the Bureau, \$3,000,000 for the United Tribes Technical College, \$521,000 for the national ironworkers training program, and \$1,200,000 for the Crownpoint Institute of Technology.

The Committee is concerned about the growing number of tribes with an existing reservation in one State that are attempting to claim reservation rights that would allow them to engage in gaming operations in States where they have no reservation or trust land status. For example, the Seneca-Cayuga tribe of Oklahoma is attempting to open a gaming operation in the State of New York. Trust status for gaming purposes on non-contiguous lands requires that a tribe engage in a rigorous approval process requiring approval by the Governor of an affected State as well as input and support from the local community. The Committee expects the Department of the Interior and the National Indian Gaming Commission to implement fully the existing rules and regulations governing these types of gaming operations.

Bill Language.—Bill language is included under operation of Indian programs establishing a separate fund similar to the Indian Self Determination Fund to enable the conversion of Bureau operated schools without compromising funding for tribally operated schools.

CONSTRUCTION

Appropriation enacted, 2003	\$345,988,000
Budget estimate, 2004	345,154,000
Recommended, 2004	345,154,000
Comparison:	
Appropriation, 2003	- 834,000
Budget estimate, 2004	0

The amounts recommended by the Committee compared with the budget estimates by activity are shown in the following table:

	(dollars in thousands)			
	FY 2003	FY 2004	Recommended	Recommended versus
	Enacted	Request	Enacted	Request
Construction				
Education.....	293,795	292,634	292,634	-1,161
Public safety and justice.....	5,013	5,044	5,044	+31
Resources management.....	38,918	39,162	39,162	+244
General administration.....	2,168	2,181	2,181	+13
Construction management.....	6,094	6,133	6,133	+39
	=====	=====	=====	=====
Total, Construction.....	345,988	345,154	345,154	-834
	=====	=====	=====	=====

The Committee recommends \$345,154,000 for construction, the same as the budget request and \$834,000 below the fiscal year 2003 enacted level.

Education.—The Committee recommends \$292,634,000 for education construction, the same as the budget request and \$1,161,000 below the fiscal year 2003 enacted level. The funding for replacement school construction is sufficient to build seven replacement schools.

Public Safety and Justice.—The Committee recommends \$5,044,000 for public safety and justice, the same as the budget request and \$31,000 above the fiscal year 2003 enacted.

Resources Management.—The Committee recommends \$39,162,000 for resources management, the same as the budget request and \$244,000 above the fiscal year 2003 enacted.

General Administration.—The Committee recommends \$8,314,000 for general administration, the same as the budget request and \$52,000 above the fiscal year 2003 enacted.

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS
PAYMENTS TO INDIANS

(INCLUDING TRANSFER OF FUNDS)

Appropriation enacted, 2003	\$60,552,000
Budget estimate, 2004	51,375,000
Recommended, 2004	60,551,000
Comparison:	
Appropriation, 2003	-1,000
Budget estimate, 2004	+9,176,000

The Committee recommends \$60,551,000 for Indian land and water claim settlements and miscellaneous payments to Indians, \$9,176,000 above the budget request and \$1,000 below the 2003 enacted level. Funding includes \$629,000 for White Earth, \$252,000 for Hoopa-Yurok, \$21,467,000 for the Ute settlement, \$143,000 for Pyramid Lake, \$33,000 for Rocky Boys, \$123,000 for the Schiviwtz Band, \$9,884,000 for Santo Domingo Pueblo, \$8,052,000 for Colorado Ute, \$10,000,000 for Arkansas Riverbed, and \$9,968,000 for the North Boundary Settlement Agreement of which \$4,968,000 is derived by transfer from the U.S. Fish and Wildlife Service land acquisition account.

Bill Language.—Language is included providing \$9,968,000 for payment to the Quinault Indian Nation for the North Boundary Settlement Agreement of which \$4,968,000 is derived by transfer from prior year appropriations to the U.S. the Fish and Wildlife Service land acquisition account.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

Appropriation enacted, 2003	\$5,457,000
Budget estimate, 2004	6,497,000
Recommended, 2004	6,497,000
Comparison:	
Appropriation, 2003	+1,040,000
Budget estimate, 2004	0

The Committee recommends \$6,497,000 for the Indian guaranteed loan program account, the same as the budget request and \$1,040,000 above the fiscal year 2003 enacted level.

Appropriation enacted, 2003	\$5,501,000
Budget estimate, 2004	5,633,000
Recommended, 2004	5,633,000
Comparison:	
Appropriation, 2003	+132,000
Budget estimate, 2004	0

The Committee recommends \$5,633,000, the budget request, for the natural resource damage assessment fund, an increase of \$132,000 above the fiscal year 2003 level.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

The Committee recommends continuing several provisions carried in previous bills as follows. Sections 101 and 102 provide for emergency transfer authority with the approval of the Secretary. Section 103 provides for warehouse and garage operations and for reimbursement for those services. Section 104 provides for vehicle and other services. Section 105 provides for uniform allowances. Section 106 provides for twelve-month contracts. Sections 107 through 110 prohibit the expenditure of funds for Outer Continental Shelf (OCS) leasing activities in certain areas. These OCS provisions are addressed under the Minerals Management Service in this report. Section 111 limits the investment of Federal funds by tribes and tribal organizations to obligations of the United States or obligations insured by the United States. Section 112 prohibits the National Park Service from reducing recreation fees for non-local travel through any park unit. Section 113 permits the transfer of funds between the Bureau of Indian Affairs and the Office of Special Trustee for American Indians.

Section 114 provides for the renewal of grazing permits under the Federal Land Policy and Management Act of 1976 as amended until the Department completes its environmental analysis.

Section 115 continues a provision allowing the hiring of administrative law judges to address the Indian probate backlog.

Section 116 continues a provision permitting the redistribution of tribal priority allocation and tribal base funds to alleviate funding inequities.

Section 117 continues a provision requiring the allocation of Bureau of Indian Affairs postsecondary schools funds consistent with unmet needs.

Section 118 continues a provision limiting the use of the Huron Cemetery in Kansas City to religious purposes.

Section 119 continues a provision permitting the conveyance of the Twin Cities Research Center of the former Bureau of Mines for the benefit of the National Wildlife Refuge System.

Section 120 continues a provision authorizing a cooperative agreement with the Golden Gate National Parks Association.

Section 121 continues a provision permitting the Bureau of Land Management to retain funds from the sale of seeds and seedlings.

Section 122 continues a provision permitting the sale of improvements and equipment at the White River Oil Shale Mine in Utah and the retention and use of those funds by the Bureau of Land Management and the General Services Administration.

Section 123 continues a provision authorizing the Secretary of the Interior to use helicopter or motor vehicles to capture and transport horses and burros at the Sheldon and Hart National Wildlife Refuges.

Section 124 authorizes federal funds for Shenandoah Valley Battlefield NHD and Ice Age NST to be transferred to a State, local government, or other governmental land management entity for acquisition of lands.

Section 125 continues a provision prohibiting the closure of the underground lunchroom at Carlsbad Caverns NP, NM.

Section 126 continues a provision preventing the demolition of a bridge between New Jersey and Ellis Island.

Section 127 continues a provision prohibiting the posting of signs at Canaveral National Seashore as clothing optional areas if it is inconsistent with county ordinance.

Section 128 continues a provision limiting compensation for the Special Master and Court Monitor appointed by the Court in *Cobell v. Norton* to 200 percent of the highest Senior Executive Service rate of pay.

Section 129 continues a provision allowing the Secretary to pay private attorney fees for employees and former employees incurred in connection with *Cobell v. Norton*.

Section 130 continues a provision dealing with the U.S. Fish and Wildlife Service's responsibilities for mass marking of salmonid stocks.

Section 131 continues a provision permitting the transfer of Departmental Management funds for operational needs at the Midway Atoll National Wildlife Refuge airport.

Section 132 continues a provision prohibiting the use of funds to study or implement a plan to drain or reduce water levels in Lake Powell.

Section 133 amends section 122 of Division F of Public Law 108-7 to allow schools that are not funded by the Bureau of Indian Affairs to participate in the tribal school demonstration program with the understanding that only construction funds and no funding for school operations or facilities operations and maintenance will be provided to these schools.

Section 134 requires the Secretary of the Interior to report to the Committee within 180 days of enactment on the educational facilities of the Eastern Band of Cherokee Indians and land availability for new or replacement facilities.

Section 135 provides for a land exchange at the Mojave National Preserve.

Section 136 establishes the Blue Ridge National Heritage Area.

Section 137 establishes a resolution process regarding individual Indian money account claims. Claims would be resolved either through a voluntary settlement process with account holders, or by using a sound statistical methodology to estimate a rate of past accounting error, which would be applied to each account. In no case would there be any downward adjustment to any account and account holders would have the right to appeal any account adjustment to the Court of Appeals for the District of Columbia.

Section 138 limits the use of funds for the Klamath Fishery Management Council. The Council has overstepped its legislative mandate by advocating policy positions that are outside the scope of its authority.

Section 139 permits the U.S. Fish and Wildlife Service to use funds to encourage public participation in Service programs and for contracts for employment-related legal services.

Appropriation enacted, 2003	\$5,961,000
Budget estimate, 2004	5,000,000
Recommended, 2004	5,000,000
Comparison:	
Appropriation, 2003	- 961,000
Budget estimate, 2004	0

The Committee recommends \$5,000,000, the budget request, for the Northeast Home Heating Oil Reserve, a decrease of \$961,000 below the fiscal year 2003 level.

The Congress created the Northeast Home Heating Oil Reserve to address heating oil shortages that have been experienced over the years during the winter heating season in the Northeast. To date, the reserve has never been used. While the Committee appreciates that the heating oil reserve is for addressing supply disruptions and not price spikes, it is concerned that the Department of Energy may be defining the term “supply disruption” too narrowly. Therefore, the Committee asks that the Department report to the House and Senate Committees on Appropriations on the circumstances under which the reserve will be used. The Department should submit the report no later than December 1, 2003, and it should provide various scenarios and the underlying assumptions for each of those scenarios.

ENERGY INFORMATION ADMINISTRATION

The Energy Information Administration is a quasi-independent agency within the Department of Energy established to provide timely, objective, and accurate energy-related information to the Congress, executive branch, State governments, industry, and the public. The information and analysis prepared by the EIA is widely disseminated and the agency is recognized as an unbiased source of energy information by government organizations, industry, professional statistical organizations and the public.

Appropriation enacted, 2003	\$80,087,000
Budget estimate, 2004	80,111,000
Recommended, 2004	82,111,000
Comparison:	
Appropriation, 2003	+2,024,000
Budget estimate, 2004	+2,000,000

The Committee recommends \$82,111,000 for the Energy Information Administration, an increase of \$2,000,000 above the budget request and \$2,024,000 above the fiscal year 2003 level. The increase above the request is to cover partially fixed cost increases and to make necessary data and analysis improvements to maintain the quality of EIA products.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

The provision of Federal health services to Indians is based on a special relationship between Indian tribes and the U.S. Government first set forth in the 1830s by the U.S. Supreme Court under Chief Justice John Marshall. Numerous treaties, statutes, constitutional provisions, and international law have reconfirmed this relationship. Principal among these is the Snyder Act of 1921, which

provides the basic authority for most Indian health services provided by the Federal Government to American Indians and Alaska Natives. The Indian Health Service (IHS) provides direct health care services in 36 hospitals, 58 health centers, 4 school health centers, and 44 health stations. Tribes and tribal groups, through contracts with the IHS, operate 13 hospitals, 161 health centers, 3 school health centers, and 249 health stations (including 170 Alaska Native village clinics). The IHS, tribes and tribal groups also operate 11 regional youth substance abuse treatment centers and 2,252 units of staff quarters.

Appropriation enacted, 2003	\$2,475,916,000
Budget estimate, 2004	2,502,393,000
Recommended, 2004	2,556,082,000
Comparison:	
Appropriation, 2003	+80,166,000
Budget estimate, 2004	+53,689,000

The amounts recommended by the Committee compared with the budget estimates by activity are shown in the following table:

	FY 2003 Enacted	FY 2004 Request	(dollars in thousands) Recommended	Recommended versus Enacted	Request
Indian Health Services					
Clinical Services					
IHS and tribal health delivery					
Hospital and health clinic programs.....	1,211,988	1,194,600	1,266,523	+54,535	+71,923
Dental health program.....	99,633	105,566	105,817	+6,184	+251
Mental health program.....	50,237	53,959	53,959	+3,662	--
Alcohol and substance abuse program.....	136,849	139,975	139,975	+3,126	--
Contract care.....	475,022	493,046	478,046	+3,024	-15,000
Subtotal, Clinical Services.....	1,973,789	1,987,146	2,044,320	+70,531	+57,174
Preventive Health					
Public health nursing.....	39,616	43,112	43,112	+3,496	--
Health education.....	10,991	11,940	11,940	+949	--
Community health representatives program.....	50,444	51,633	51,633	+1,189	--
Immunization (Alaska).....	1,546	1,580	1,580	+34	--
Subtotal, Preventive Health.....	102,597	108,265	108,265	+5,668	--
Urban health projects.....					
Indian health professions.....	31,323	31,568	32,014	+691	+446
Tribal management.....	31,114	35,417	31,158	+44	-4,259
Direct operations.....	2,390	2,406	2,406	+16	--
Self-governance.....	60,176	56,607	61,471	+1,295	+4,864
Contract support costs.....	5,553	10,250	5,714	+161	-4,536
Subtotal, Urban Health.....	268,974	270,734	270,734	+1,760	--
Medicaid/Medicare Reimbursements					
Hospital and clinic accreditation (Est. collecting).....	(449,985)	(567,620)	(567,620)	(+117,635)	--
Total, Indian Health Services.....					
	2,475,916	2,502,393	2,556,082	+80,166	+53,689

The Committee recommends \$2,556,082,000 for Indian health services, an increase of \$53,689,000 above the budget request and \$80,166,000 above the fiscal year 2003 level. Changes to the budget request are discussed below.

Hospitals and Clinics.—The Committee recommends an increase of \$71,923,000 for hospital and health clinic programs, including increases of \$31,317,000 to restore base program funding, \$30,170,000 to restore the budget assessments for management and information savings, \$6,436,000 for increased payments to the Department of Health and Human Services for the unified financial management system, \$2,500,000 for the Indian health care improvement fund, and \$1,500,000 to complete the phase-in of new staffing at the Lawton, OK hospital.

Dental Health.—The Committee recommends an increase of \$251,000 for dental health to expand the volunteer program.

Contract Health Care.—The Committee recommends a decrease of \$15,000,000 below the budget request for contract health care services, which leaves an increase of more than \$3,000,000 for these services in fiscal year 2004.

Urban Health Programs.—The Committee recommends an increase of \$446,000 for urban health programs to restore the “management savings” assessment proposed in the budget request.

Indian Health Professions.—The Committee recommends a decrease of \$4,259,000 for Indian health professions, which continues the program level provided in fiscal year 2003.

Direct Operations.—The Committee recommends an increase of \$4,864,000 for direct operations, which continues the fiscal year 2003 program level.

Self-Governance.—The Committee recommends a decrease of \$4,536,000 for self-governance, which continues the fiscal year 2003 program level.

The Committee agrees to the following:

1. The Committee has not agreed with the unrealistic management and information savings proposed in the budget, which could only be achieved at the expense of critical, ongoing health services and the Committee urges the Department to refrain from proposing such reductions in the future.

2. The funding increase for the Lawton, OK hospital staffing completes the phase-in of new staffing and operations costs, which was begun last year.

3. Any costs paid by the Indian Health Service to any entity within the Department of Health and Human Services should be fully justified and explained in the budget request. The Service should not be required to “absorb” any increases in such costs.

4. The Committee should be kept fully informed of consolidation efforts in HHS that affect the Indian Health Service. Given the fact that the Indian Health Service’s staffing is far from adequate, the Committee does not agree with FTE reductions for the Service. The current proposal to consolidate human resources functions has not been sufficiently explained or justified. Indeed, the Department has been unable to identify the costs to the Service of the consolidation for fiscal years 2003 or 2004. The Service should not pay any bills to the Department for the consolidation of human resources functions without Committee approval through the reprogramming process. The cost to the Service of the consolidation should not ex-

ceed what it currently costs to operate human resources functions within the Indian Health Service.

5. Funds for the pharmacy residency program remain in the base for fiscal year 2004.

6. The fiscal year 2001 direction on the use of loan repayment program funding should continue to be followed in fiscal year 2004.

7. The Service should consider expanding the use of Joslin diabetes programs using the increase provided separately for special diabetes program funding.

Bill language is recommended, under Title III—General Provisions, continuing the demonstration program of the Cheyenne River Sioux Tribe in South Dakota, which provides bonus payments to health professionals. The Committee has not received a report on the effectiveness of this program even though the Service was required to submit one by April 1, 2004.

INDIAN HEALTH FACILITIES

The need for new Indian health care facilities has not been fully quantified but it is safe to say that many billions of dollars would be required to renovate existing facilities and construct all the needed new hospitals and clinics. Safe and sanitary water and sewer systems for existing homes and solid waste disposal needs currently are estimated to amount to over \$876 million for those projects that are considered to be economically feasible.

Appropriation enacted, 2003	\$373,745,000
Budget estimate, 2004	387,269,000
Recommended, 2004	392,560,000
Comparison:	
Appropriation, 2003	+18,815,000
Budget estimate, 2004	+5,291,000

The amounts recommended by the Committee compared with the budget estimates by activity are shown in the following table:

(dollars in thousands)				
	FY 2003	FY 2004	Recommended	Recommended versus
	Enacted	Request	Enacted	Request

Indian Health Facilities				
Maintenance and improvement.....	49,507	47,331	49,507	---
Sanitation facilities.....	93,217	114,175	94,175	+958
Construction facilities.....	81,585	69,947	92,062	+10,477
Facilities and environmental health support.....	132,254	139,522	139,522	---
Equipment.....	17,182	16,294	17,294	+112
	=====	=====	=====	=====
Total, Indian Health Facilities.....	373,745	387,269	392,560	+18,815
	=====	=====	=====	=====

The Committee recommends \$392,560,000 for Indian health facilities, an increase of \$5,291,000 above the budget request and \$18,815,000 above the fiscal year 2003 level. Changes to the budget request include increases of \$2,176,000 for maintenance and improvement, \$1,000,000 for equipment, and \$22,115,000 for hospital and clinic construction, and a decrease of \$20,000,000 for sanitation facilities construction.

The Committee agrees to the following distribution of hospital and clinic construction funds:

Project	2004 request	Committee recommendation	Difference
Pinon, AZ clinic	\$21,573,000	\$19,577,000	-\$1,996,000
Red Mesa, AZ clinic	30,000,000	30,000,000	
St. Paul, AK clinic	0	6,520,000	6,520,000
Metlakatla, AK clinic	14,511,000	9,205,000	-5,306,000
Sisseton, SD clinic	3,863,000	17,960,000	14,097,000
Eagle Butte, SD clinic		2,800,000	2,800,000
Bethel, AK staff quarters		5,000,000	5,000,000
Dental units		1,000,000	1,000,000
Total	\$69,947,000	\$92,062,000	\$22,115,000

The Committee agrees to the following:

1. The funding recommended for the Bethel, St. Paul, and Metlakatla, AK projects and for the Pinon, AZ clinic will complete those construction projects. The funding recommended for the Eagle Butte, SD clinic is for design.

2. The maintenance program funding increase needs to remain in the base budget for 2004 and beyond. Further increases will be necessary as existing facilities get older and as more hospitals and clinics are built and expanded.

3. The increase for equipment should be focused on replacing outdated analog medical devices with digital medical devices and telemedicine equipment and should remain in the base budget. Further increases will be necessary as existing equipment becomes outdated and as more hospitals and clinics are built and expanded.

4. The Service should continue to work on needed improvements to the facilities priority system so that the full range of need for facilities in Indian country is given appropriate consideration.

5. The methodology used to distribute facilities funding should address the fluctuating annual workload and maintain parity among IHS areas and tribes as the workload shifts.

6. Funds for sanitation facilities for new and renovated housing should be used to serve housing provided by the Bureau of Indian Affairs Housing Improvement Program, new homes and homes renovated to like-new condition. Onsite sanitation facilities may also be provided for homes occupied by the disabled or sick who have physician referrals indicating an immediate medical need for adequate sanitation facilities at home.

7. Sanitation funds should not be used to provide sanitation facilities for new homes funded by the housing programs of the Department of Housing and Urban Development. The HUD should provide any needed funds to the IHS for that purpose.

8. The IHS may use up to \$5,000,000 in sanitation funding for projects to clean up and replace open dumps on Indian lands pursuant to the Indian Lands Open Dump Cleanup Act of 1994.

TITLE III—GENERAL PROVISIONS

Section 301 continues a provision providing for public availability of information on consulting services contracts.

Section 302 continues a provision prohibiting activities to promote public support or opposition to legislative proposals.

Section 303 continues a provision providing for annual appropriations unless expressly provided otherwise in this Act.

Section 304 continues a provision limiting the use of personal cooks, chauffeurs or servants.

Section 305 revises a provision regarding the Committee's concern that agencies funded in the Interior and Related Agencies appropriations bill have not rigorously complied with the previous prohibition on program assessments. To ensure compliance with the intent of this provision, the Committee has revised the text of this section to require that assessments, charges and billings levied against any program, budget activity, subactivity, or project be presented to and approved by the Committees on Appropriations. This requirement includes, but is not limited to, working capital fund charges, billings under intra-agency reimbursable support agreements, and any charges or deductions, reserves or holdbacks from program funding to support governmentwide, departmental, agency, or bureau administrative functions or headquarters, regional or central office operations.

Each department, agency and bureau should clearly delineate proposed assessments, charges or billings in annual budget justifications. For fiscal year 2004, any anticipated assessments, charges or billings not so presented must be submitted to the Committees for consideration within 30 days of the date of enactment of this Act. Any additional fiscal year 2004 assessments, charges or billings proposed after this initial report must be promptly submitted through the established reprogramming procedures printed in the front of this report.

Section 306 continues a provision limiting the sale of giant sequoia.

Section 307 continues a limitation on accepting and processing applications for patents and on the patenting of Federal lands; permits processing of grandfathered applications; and permits third-party contractors to process grandfathered applications.

Section 308 continues a provision limiting payments for contract support costs in past years to the funds available in law and accompanying report language in those years for the Bureau of Indian Affairs and the Indian Health Service.

Section 309 continues provision specifying reforms and limitations dealing with the National Endowment for the Arts.

Section 310 continues a provision permitting the collection and use of private funds by the National Endowment for the Arts and the National Endowment for the Humanities.

Section 311 continues direction to the National Endowment for the Arts on funding distribution.

Section 312 continues a limitation on completing and issuing the five-year program under the Forest and Rangeland Renewable Resources Planning Act.

Section 313 continues a provision prohibiting the use of funds to support government-wide administrative functions unless they are

justified in the budget process and approved by the House and Senate Appropriations Committees.

Section 314 prohibits the use of funds for GSA Telecommunication Centers.

Section 315 permits the Secretaries of Agriculture and Interior to limit competition for watershed restoration project contracts under the "Jobs in the Woods" program.

Section 316 continues a provision which permits the Forest Service to use the roads and trails fund for backlog maintenance and priority forest health treatments.

Section 317 continues a provision limiting the use of answering machines during core business hours except in case of emergency and requires an option of talking to a person. The American taxpayer deserves to receive personal attention from public servants.

Section 318 continues a provision carried last year regulating the export of western redcedar from National forest system lands in Alaska.

Section 319 continues a provision prohibiting the Forest Service from using projects under the recreation fee demonstration program to supplant existing concessions.

Section 320 continues a provision clarifying the Forest Service land management planning revision requirements.

Section 321 continues a provision limiting preleasing, leasing and related activities within the boundaries of National monuments.

Section 322 extends the Forest Service Conveyances Pilot Program.

Section 323 continues for 2004 and thereafter a provision providing authority for the staff of Congressionally established foundations to use GSA contract airfare rates and Federal government hotel accommodation rates when on official business.

Section 324 continues, with minor technical changes, a provision providing the Secretary of the Interior and the Secretary of Agriculture the authority to enter into reciprocal agreements with foreign nations concerning the personal liability of firefighters.

Section 325 continues a provision, as amended in the 2003 supplemental Appropriations Act, dealing with processing expired grazing permits by the Bureau of Land Management and the Forest Service.

Section 326 continues a provision authorizing a demonstration program for the Cheyenne River Sioux Tribe, which permits the Eagle Butte service unit to pay higher salaries and bonuses to attract health professionals, if they can do so at no additional cost. The tribe has reported that part-time contract employees currently are costing more than it would cost the tribe to hire full-time permanent employees under this demonstration program.

Section 327 continues a provision prohibiting the transfer of funds to other agencies other than provided in this Act.

Section 328 continues a legislative provision limiting funds for oil or gas leasing or permitting on the Finger Lakes National Forest, NY.

Section 329 continues a provision limiting the use of funds for the planning, design, or construction of Pennsylvania Avenue in front of the White House.

Section 330 continues a provision which authorizes the Secretary of the Interior and the Secretary of Agriculture to give consider-

ation to rural communities, local and non-profit groups, and disadvantaged workers in entering into contracts for hazardous fuel and watershed projects.

Section 331 continues a provision which limits the use of funds for filing of declaration of takings or condemnations. This provision does not apply to the Everglades National Park Protection and Environmental Act.

Section 332 extends the Recreation Fee Demonstration program for two years.

Section 333 extends hereafter existing procurement authorities for the Land Between the Lakes NRA, KY and TN.

Section 334 amends and extends the pilot program for the harvest of botanical products on Forest Service lands.

Section 335 limits the use of funds for competitive sourcing studies to those already initiated in fiscal years 2002 and 2003. An in-depth report should be submitted by each agency no later than March 1, 2004, detailing the results of completed studies, including schedules, plans, and cost estimates for future outsourcing competitions.

RESCISSIONS

Pursuant to clause 3(f)(2), rule XIII of the Rules of the House of Representatives, the following table is submitted describing the rescissions recommended in the accompanying bill:

<i>Department and activity</i>	<i>Amounts recommended for rescission</i>
Department of the Interior: Land and Water Conservation Fund (contract authority)	\$30,000,000

TRANSFERS OF FUNDS

Pursuant to clause 3(f)(2), rule XIII of the Rules of the House of Representatives, the following table is submitted describing the transfers of funds provided in the accompanying bill.

APPROPRIATION TRANSFERS RECOMMENDED IN THE BILL

Account from which transfer is to be made	Amount	Account to which transfer is to be made	Amount
United States Fish and Wildlife Service, Land Acquisition.	\$4,968,000	Bureau of Indian Affairs, Indian Land and Water Claim Settlements and Miscellaneous Payments to Indians.	\$4,968,000
National Park Service, Land Acquisition and State Assistance.	5,000,000	United States Fish and Wildlife Service, Resource Management.	5,000,000
National Park Service, Land Acquisition and State Assistance.	Indefinite	U.S. Army Corps of Engineers, Construction, General.	Indefinite

CHANGES IN APPLICATION OF EXISTING LAW

Pursuant to clause 3, rule XIII of the Rules of the House of Representatives, the following Statements are submitted describing the effect of provisions in the accompanying bill, which directly or indirectly change the application of existing law. In most instances these provisions have been included in prior appropriations Acts.

The bill provides that certain appropriations items remain available until expended or extends the availability of funds beyond the fiscal year where programs or projects are continuing in nature

under the provisions of authorizing legislation but for which that legislation does not specifically authorize such extended availability. This authority tends to result in savings by preventing the practice of committing funds at the end of the fiscal year.

The bill includes, in certain instances, limitations on the obligation of funds for particular functions or programs. These limitations include restrictions on the obligation of funds for administrative expenses, travel expenses, the use of consultants, and programmatic areas within the overall jurisdiction of a particular agency.

The Committee has included limitations for official entertainment or reception and representation expenses for selected agencies in the bill.

Language is included in the various parts of the bill to continue ongoing activities of those Federal agencies, which require annual authorization or additional legislation which to date, has not been enacted.

Language is included under Bureau of Land Management, Management of lands and resources, permitting the use of receipts from the Land and Water Conservation Act of 1965; providing funds to the National Fish and Wildlife Foundation under certain conditions; permitting the use of fees from communication site rentals; limiting the use of funds for destroying wild horses and burros; and permitting the collection of fees for processing mining applications and for certain public land uses; permitting the use of these fees for program operations, and providing for a Youth Conservation Corp.

Language is included under Bureau of Land Management, Wildland fire management, permitting the use of funds from other accounts for firefighting; permitting the use of funds for lodging and subsistence of firefighters; permitting the acceptance and use of funds for firefighting; permitting the use of grants, contracts and cooperative agreements for hazardous fuels reduction, including cost-sharing and local assistance; permitting reimbursement to the Fish and Wildlife Service and the National Marine Fisheries Service for consultation activities under the Endangered Species Act; permits the use of firefighting funds for the leasing of properties or the construction of facilities; providing for the transfer of funds between the Department of the Interior and the Department of Agriculture; and providing funds for support of Federal emergency response actions.

Language is included under Bureau of Land Management, Central hazardous materials fund, providing that sums received from a party for remedial actions shall be credited to the account, and defining non-monetary payments.

Language is included under Bureau of Land Management, Oregon and California grant lands, authorizing the transfer of receipts to the Treasury.

Language is included under Bureau of Land Management, Forest ecosystems health and recovery fund, permitting the use of salvage timber receipts.

Language is included under Bureau of Land Management, Service charges, deposits, and forfeitures, allowing the use of funds on any damaged public lands.

Language is included under Bureau of Land Management, Administrative provisions, permitting the payment of rewards for information on violations of law on Bureau lands; providing for cost-sharing arrangements for printing services; and permitting the use of fees offsetting the cost of mining law administration.

Language is included under United States Fish and Wildlife Service, Resource management, allowing for the maintenance of the herd of long-horned cattle on the Wichita Mountains Wildlife Refuge. Without this language, the long-horned cattle would have to be removed from the refuge. Language also is included providing for the Natural Communities Conservation Planning program and for a Youth Conservation Corps; limiting funding for certain Endangered Species Act listing programs; permitting payment for information or rewards in the law enforcement program; and earmarking funds for contaminant analysis.

Language is included under United States Fish and Wildlife Service, Land acquisition, prohibiting the use of project funds for overhead expenses.

Language is included under United States Fish and Wildlife Service, Landowner incentive program, providing matching grants to States and territories.

Language is included under United States Fish and Wildlife Service, Stewardship grants, providing for grants for private conservation efforts.

Language is included under United States Fish and Wildlife Service, State and tribal wildlife grants, specifying the distribution formula and planning and cost-sharing requirements and requiring that funds unobligated after two years be reapportioned.

Language is included under United States Fish and Wildlife Service, Administrative provisions, providing for repair of damage to public roads; providing options for the purchase of land not to exceed \$1; providing for installation of certain recreation facilities; and permitting the maintenance and improvement of aquaria and other facilities, the acceptance of donated aircraft, and cost-shared arrangements for printing services. Language also is included limiting the use of funds for establishing new refuges.

Language is included under National Park Service, Operation of the National park system, allowing road maintenance service to trucking permittees on a reimbursable basis. This provision has been included in annual appropriations Acts since 1954. Language also is included providing for a Youth Conservation Corps program, and permitting reimbursement to the Park Police for special events under limited circumstances.

Language is included under National Park Service, National recreation and preservation, prohibiting the use of cooperative agreements and any form of cash grant for the rivers, trail, and conservation assistance program.

Language is included under National Park Service, Historic preservation fund, providing grants for Save America's Treasures to be matched by non-Federal funds; individual projects are only eligible for one grant and are subject to prior approval; and funds for Federal projects are available by transfer to individual agencies.

Language is included under National Park Service, construction, limiting salaries to no more than 160 FTE's for the Denver Service Center; requiring approval of new facilities in excess of \$5,000,000;

and conditioning moneys available for modified water deliveries project.

Language is included under National Park Service, Land and water conservation fund, rescinding \$30,000,000 in contract authority.

Language is included under National Park Service, Land acquisition and State assistance, permitting the use of funds to assist the State of Florida with Everglades restoration; making the use of funds for Everglades contingent on certain conditions; limiting the use of funds to establish a contingency fund for State grants; and redirecting previously appropriated grants to the State of Florida for environmental projects for the South Florida Restoration Initiative.

Language is included under National Park Service, Administrative provisions, preventing the implementation of an agreement for the redevelopment of the southern end of Ellis Island; limiting the use of funds for the United Nation's Biodiversity Convention; permitting the use of funds for workplace safety needs; and authorizing reimbursable agreements in advance of receipt of funds.

Language is included under U.S. Geological Survey, Surveys, investigations and research, providing for two-year availability of funds for biological research and for the operations of cooperative research units; prohibiting the conduct of new surveys on private property without permission; and requiring cost sharing for cooperative topographic mapping and water resource data collection activities.

Language is included under U.S. Geological Survey, Administrative provisions, permitting contracting for certain mapping and surveys; permitting construction of facilities; permitting acquisition of land for certain uses; allowing payment of expenses for the National Committee on Geology; permitting payments to interstate compact negotiators; permitting the use of certain contracts, grants, and cooperative agreements; and allowing cooperative agreements for research with Federal, State, and academic partners including the use of space and cooperator facilities.

Language is included under Minerals Management Service, Royalty and offshore minerals management, permitting the use of excess receipts from Outer Continental Shelf leasing activities; providing for reasonable expenses related to volunteer beach and marine clean-up activities; providing for refunds for overpayments on Indian allottee leases; providing for collecting royalties and late payment interest on amounts received in settlements associated with Federal and Indian leases; permitting the use of revenues from a royalty-in-kind program; and provides that royalty-in-kind be equal to, or greater than, royalty-in-value.

Language is included under Office of Surface Mining Reclamation and Enforcement, Regulation and technology, permitting the use of moneys collected pursuant to assessment of civil penalties to reclaim lands affected by coal mining after August 3, 1977 and permitting payment to State and tribal personnel for travel and per diem expenses for training.

Language is included under Office of Surface Mining Reclamation and Enforcement, Abandoned mine reclamation fund, limiting the amounts available for emergency reclamation projects; allowing

the use of debt recovery to pay for debt collection; and earmarking funds for acid mine drainage.

Language is included under Bureau of Indian Affairs, Operation of Indian programs, limiting funds for contract support costs and for administrative cost grants for schools; permitting the use of tribal priority allocations for general assistance payments to individuals, for contract support costs, and for repair and replacement of schools; allowing the transfer of certain forestry funds; and providing for an Indian self-determination fund.

Language is included under Bureau of Indian Affairs, Construction, providing that six percent of Federal Highway Trust Fund contract authority may be used for management costs; providing for the transfer of Navajo irrigation project funds to the Bureau of Reclamation; providing Safety of Dams funds on a non-reimbursable basis; requiring the use of administrative and cost accounting principles for certain school construction projects and exempting such projects from certain requirements; requiring conformance with building codes and health and safety standards; and specifying the procedure for dispute resolution.

Language is included under Bureau of Indian Affairs, Administrative provisions, prohibiting funding of Alaska schools; limiting the number of schools and the expansion of grade levels in individual schools; limiting the use of funds for contracts, grants and cooperative agreements; and allows tribes to return appropriated funds for distribution to other tribes.

Language is included under Departmental Offices, Insular Affairs, Assistance to Territories, requiring audits of the financial transactions of the Territorial governments by the General Accounting Office; providing grant funding under certain terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands; providing a grant to the Close-Up foundation; allowing appropriations for disaster assistance to be used as non-Federal matching funds for hazard mitigation grants; and providing for capital infrastructure in various Territories.

Language is included under Departmental Offices, Departmental management, salaries and expenses, permitting payments to former Bureau of Mines workers; limiting the establishment of additional reserves in the working capital fund, and cancelling \$20,000,000 in unobligated balances in the working capital fund.

Language is included under Departmental Offices, Payments in lieu of taxes, to exclude any payment that is less than \$100.

Language is included under Departmental Offices, Office of special trustee for American Indians, specifying that the statute of limitations shall not commence on any claim resulting from trust funds losses; exempting quarterly statements for accounts less than \$1; requiring annual statements and records maintenance; and permitting the use of recoveries from erroneous payments.

Language is included under Departmental Offices, Indian land consolidation, permitting transfers of funds for administration and permitting cooperative agreements with tribes to acquire fractional interests.

Language is included under Departmental Offices, Administrative provisions, prohibiting the use of working capital or consolidated working funds to augment certain offices and allowing the

acquisition of aircraft through various means and the sale of existing aircraft with proceeds used to offset the purchase price of replacement aircraft.

Language is included under General Provisions, Department of the Interior, allowing transfer of funds in certain emergency situations and requiring replacement with a supplemental appropriation request and designating certain transferred funds as "emergency requirements" under the Balanced Budget and Emergency Deficit Control Act of 1985.

Language is included under General Provisions, Department of the Interior, permitting the Department to consolidate services and receive reimbursement for said services. Language also is included providing for uniform allowances.

Language is included under General Provisions, Department of the Interior, allowing obligations in connection with contracts issued for services or rentals for periods not in excess of 12 months beginning at any time during the fiscal year.

Language is included under General Provisions, Department of the Interior, restricting various oil and gas preleasing, leasing, exploration and drilling activities within the Outer Continental Shelf in the Georges Bank-North Atlantic planning area, Mid-Atlantic and South Atlantic planning area, Eastern Gulf of Mexico planning area, North Aleutian Basin planning area, Northern, Southern and Central California planning areas, and Washington/Oregon planning area.

Language is included under General Provisions, Department of the Interior, limiting the investment of Federal funds by Indian tribes, and prohibiting fee exemptions for non-local traffic through National Parks.

Language is included under General Provisions, Department of the Interior, permitting the transfer of funds between the Bureau of Indian Affairs and the Office of Special Trustee for American Indians; allowing for the renewal of grazing permits based on certain terms and conditions; providing for administrative law judges to handle Indian issues; permitting the redistribution of certain Indian funds with limitations; directing allocation of funds for Bureau of Indian Affairs funded post-secondary schools; limiting the use of the Huron Cemetery to religious and cultural activities; permitting the conveyance of the Twin Cities Research Center; authorizing a cooperative agreement with the Golden Gate National Parks Association; permitting the Bureau of Land Management to retain funds from the sale of seeds and seedlings; permitting the sale of equipment and interests at the White River Oil Shale Mine in Utah and the retention of receipts; and allowing the use of helicopters and motor vehicles on Sheldon and Hart National Wildlife refuge; authorizing funding transfers for Shenandoah Valley Battlefield NHD and Ice Age NST; prohibiting the closure of the underground lunchroom at Carlsbad Caverns NP.

Language is included under General Provisions, Department of the Interior, prohibiting demolition of the bridge between New Jersey and Ellis Island; prohibiting posting of clothing optional signs at Canaveral NS; limiting compensation for the Special Master and Court Monitor for the Cobell v. Norton litigation; allowing payment of attorney fees for Federal employees related to the Cobell v. Norton litigation; requiring the Fish and Wildlife Service to mark

hatchery salmon; and allowing for the transfer of certain Departmental Management funds to the U.S. Fish and Wildlife Service for Midway Island Refuge airport; and preventing funds to study or reduce the water level at Lake Powell.

Language is included under General Provisions, Department of the Interior, providing for expansion of a tribal school demonstration program; requiring the Secretary of the Interior to report to the Committee on educational facilities for the Eastern Band of Cherokee Indians; providing for a land exchange at the Mojave National Preserve; establishing the Blue Ridge National Heritage Area in North Carolina; establishing a resolution process regarding individual Indian money account claims so that claims would be resolved either through a voluntary settlement process or through a historical accounting.

Language is included under General Provisions, Department of the Interior, limiting the use of funds for the Klamath Fishery Management Council and permitting the U.S. Fish and Wildlife Service to use funds to encourage public participation in Service programs and for contracts for employment-related legal services.

Language is included under Forest Service, State and private forestry, requiring House and Senate Appropriations Committee notification before releasing forest legacy project funds; requiring that each forest legacy grant be for a specific project or task; and requiring that States demonstrate cost-share on forest legacy grants.

Language is included under Forest Service, National forest system, allowing 50 percent of the fees collected under the Land and Water Conservation Fund Act to remain available until expended; requiring the fiscal year 2005 budget justification to display unobligated balances available at the start of fiscal year 2005; and permitting the transfer of funds to the Bureau of Land Management for wild horse and burro management and for cadastral surveys.

Language is included under Forest Service, Wildland fire management, allowing the use of funds to repay advances from other accounts and requiring 50 percent of any unobligated balances remaining at the end of fiscal year 2003, excepting hazardous fuels funding, to be transferred to the Knutson-Vandenberg Fund as repayment for past advances; permitting the use of funds for the Joint Fire Science program; providing for grants and cooperative agreements with local communities; providing for use of funds on adjacent, non-Federal lands for hazard reduction; providing contract authority for fuel reduction projects; and providing for the transfer of funds between the Department of Interior and the Department of Agriculture.

Language is included under Forest Service, Capital improvement and maintenance, allowing funds to be used for road decommissioning and requiring that no road decommissioning be funded until notice and an opportunity for public comment has been provided.

Language is included under Forest Service, Range betterment fund, providing that six percent of the funds may be used for administrative expenses.

Language is included under Forest Service, Administrative provisions, providing that proceeds from the sale of aircraft may be used to purchase replacement aircraft; permitting the transfer of funds for emergency firefighting from other Forest Service accounts

under certain circumstances; and allowing funds to be used through the Agency for International Development and the Foreign Agricultural Service for work in foreign countries and to support other forestry activities outside of the United States.

Language is included under Forest Service, Administrative provisions, prohibiting the following without advance approval: (1) the transfer of funds under the Department of Agriculture transfer authority; (2) reprogramming of funds; and (3) transfer of funds in excess of the level transferred during fiscal year 2000 to the working capital fund of the Department of Agriculture.

Language is included under Forest Service, Administrative provisions, providing for a Youth Conservation Corps program; providing for matching funds and administrative expenses for the National Forest Foundation and also matching funds for the National Fish and Wildlife Foundation; providing funds for sustainable rural development; providing payments to counties within the Columbia River Gorge National Scenic Area; dealing with a report on special use permits for outfitters and guides on the Inyo and the Sierra National Forests; permitting limited reimbursements to the Office of General Counsel in USDA; allowing the limited use of funds for law enforcement emergencies; authorizing the sale of buildings and facilities on the Green Mountain National Forest; allowing the transfer of funds to the Department of the Interior for endangered species consultation; and providing Federal employee status for certain individuals employed under the Older American Act of 1965.

Language is included under Department of Energy, Clean coal technology, deferring certain funding for one year.

Language is included under Department of Energy, Fossil energy, specifying certain conditions for the Clean Coal Power Initiative; limiting the field testing of nuclear explosives for the recovery of oil and gas; and permitting the use of funds from other programs accounts for the National Energy Technology Laboratory.

Language is included under Department of Energy, Naval petroleum and oil shale reserves, permitting the use of unobligated balances.

Language is included under the Department of Energy, Energy conservation, providing allocations of grants for weatherization and State energy conservation.

Language is included under Administrative provisions, Department of Energy, providing for vehicle and guard services and uniform allowances; limiting programs of price supports and loan guarantees to what is provided in appropriations Acts; providing for the transfer of funds to other agencies of the Government; providing for retention of revenues by the Secretary of Energy on certain projects; requiring certain contracts be submitted to Congress prior to implementation; prohibiting issuance of procurement documents without appropriations; and permitting the use of contributions and fees for cooperative projects.

Language is included under Indian Health Service, Indian health services, providing that certain contracts and grants may be performed in two fiscal years; exempting certain tribal funding from fiscal year constraints; limiting funds for catastrophic care, loan repayment and certain contracts; capping contract support cost spending; providing for use of collections under Title IV of the Indian Health Care Improvement Act; and permitting the use of In-

dian Health Care Improvement Fund monies for facilities improvement.

Language is included under Indian Health Service, Indian health facilities, providing that funds may be used to purchase land, modular buildings and trailers; providing for certain staff quarters construction in Alaska; providing for certain purchases and for a demolition fund; and providing authority for contracts for small ambulatory facilities.

Language is included under Indian Health Service, Administrative provisions, providing for payments for telephone service in private residences in the field, purchase of reprints, and purchase and erection of portable buildings and allowing deobligation and reobligation of funds applied to self-governance funding agreements.

Language is included under Indian Health Service, Administrative provisions, providing that health care may be extended to non-Indians at Indian Health Service facilities and providing for expenditure of funds transferred to IHS from the Department of Housing and Urban Development.

Language is included under Indian Health Service, Administrative provisions, preventing the Indian Health Service from billing Indians in order to collect from third-party payers until Congress has agreed to implement a specific policy.

Language is included under Indian Health Service, Administrative provisions, allowing payment of expenses for meeting attendance; specifying that certain funds shall not be subject to certain travel limitations; prohibiting the expenditure of funds to implement new eligibility regulations; providing that funds be apportioned only in the appropriation structure in this Act; prohibiting changing the appropriations structure without approval of the Appropriations Committees; and permitting the sale of goods and services for fees and for the use of those fees.

Language is included under Office of Navajo and Hopi Indian Relocation, Salaries and expenses, defining eligible relocatees; prohibiting movement of any single Navajo or Navajo family unless a new or replacement home is available; limiting relocatees to one new or replacement home; and establishing a priority for relocation of Navajos to those certified eligible who have selected and received homesites on the Navajo reservation or selected a replacement residence off the Navajo reservation.

Language is included under Smithsonian Institution, Salaries and expenses, allowing for advance payments to independent contractors performing research services or participating in official Smithsonian presentations; providing that funds may be used to support American overseas research centers; and permitting the use of certain funds for the Victor Building.

Language is included under Smithsonian Institution, facilities capital, permitting the Smithsonian Institution to select contractors for certain purposes on the basis of contractor qualifications as well as price.

Language is included under Smithsonian Institution, Administrative provisions, precluding any changes to the Smithsonian science program without prior approval of the Board of Regents; limiting the design or expansion of current space or facilities without prior approval of the Committee; limiting reprogramming of funds and

the use of funds for the Holt House; and establishing a voluntary separation incentive program.

Language is included under National Gallery of Art, Salaries and expenses, allowing payment in advance for membership in library, museum, and art associations or societies; providing uniform allowances and for restoration and repair of works of art by contract without advertising; and providing no-year availability of funds for special exhibitions.

Language is included under National Gallery of Art, Repair, restoration and renovation of buildings, permitting the Gallery to perform work by contract or otherwise and to select contractors for certain purposes on the basis of contractor qualifications as well as price.

Language is included under National Endowment for the Humanities, Matching grants, allowing obligation of current and prior year funds of gifts, bequests, and devises of money for which equal amounts have not previously been appropriated.

Language is included under National Foundation on the Arts and the Humanities, Administrative provisions, requiring certain language in contracts and grants permitting the use of non-appropriated funds for reception expenses, and allowing the chairperson of the NEA to approve small grants under limited circumstances.

Language is included under Commission of Fine Arts, Salaries and expenses, permitting the charging and use of fees for its publications.

Language is included under National Capital Arts and Cultural Affairs, Administrative Provisions, limiting the use of funds to study the alteration or transfer of this program.

Language is included under Advisory Council on Historic Preservation, Salaries and expenses, restricting hiring at Executive Level V or higher.

Language is included under National Capital Planning Commission, Salaries and expenses, providing a daily equivalent pay level at the rate of Executive Level IV for all appointed members for fiscal year 2004 and thereafter.

Language is included under Holocaust Memorial Council, providing no-year funding availability for repair and rehabilitation and museums exhibitions.

Language is included under Title III—General Provisions, providing for availability of information on consulting services contracts; prohibiting the use of funds to distribute literature either to promote or oppose legislative proposals on which Congressional action is incomplete; prohibiting the use of funds to provide personal cooks, chauffeurs or other personal servants to any office or employee; specifying that funds are for one year unless provided otherwise; prohibiting assessments against programs funded in this bill; and prohibiting the sale of giant sequoia trees in a manner different from 2002.

Language is included under Title III—General Provisions, continuing a limitation on accepting and processing applications for patents and on the patenting of Federal lands; permitting processing of grandfathered applications; and permitting third-party contractors to process grandfathered applications.

Language is included under Title III—General Provisions, limiting the use of funds for contract support costs on Indian contracts.

Language is included under Title III—General Provisions, making reforms in the National Endowment for the Arts, including funding distribution reforms; permitting the National Endowments for the Arts and the Humanities to collect, invest and use private donations; limiting funds for completing or issuing the five-year program under the Forest and Rangeland Renewable Resources Planning Act; limiting the use of funds for any government-wide administrative functions; permitting the use of Forest Service road and trail funds for maintenance and forest health; limiting the use of telephone answering machines; and limiting the sale for export of western red cedar in Alaska.

Language is included under Title III—General Provisions, prohibiting the Forest Service from using projects under the recreation fee demonstration program to supplant existing concessions and permitting the use of Forest land management plans pending completion of required revisions.

Language is included under Title III—General Provisions, limiting leasing and preleasing activities within National Monuments; extending and expanding the pilot program allowing the Forest Service to dispose of certain excess structures and reinvest the proceeds for maintenance and rehabilitation; providing authority hereafter for the staff of Congressionally established foundations to use GSA contract airfare rates and Federal government hotel accommodation rates when on official business; providing the Secretary of the Interior and the Secretary of Agriculture the authority to enter into reciprocal agreements with foreign nations concerning the personal liability of firefighters; providing for processing expired grazing permits by the Bureau of Land Management and the Forest Service; authorizing a demonstration program for the Cheyenne River Sioux Tribe, which permits the Eagle Butte service unit to pay higher salaries and bonuses to attract health professionals; prohibiting the transfer of funds to other agencies other than provided in this Act; and limiting the use of funds to prepare or issue a permit or lease for oil or gas drilling in the Finger Lakes National Forest, NY.

Language is included under Title III, General Provisions limiting funds on planning, design, and construction to Pennsylvania Avenue in front of the White House; providing contracting and grant authority for hazardous fuel projects in forest-dependent rural communities; certain limitation on funds for Federal land takings excluding Everglades National Park Protection and Expansion Act; extending recreation fee program; continues existing procurement authorities at the Land Between the Lakes NRA; and extending a pilot botanical forest product harvest program.

Language is included under Title III, General Provisions limiting the use of funds for competitive sourcing studies to those already initiated in fiscal years 2002 and 2003.

APPROPRIATIONS NOT AUTHORIZED BY LAW

Pursuant to clause 3(f)(1) of rule XIII of the Rules of the House of Representatives, the following table lists the appropriations in the accompanying bill which are not authorized by law: