

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES  
APPROPRIATION BILL, 1985

JUNE 29, 1984.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. YATES of Illinois, from the Committee on Appropriations,  
submitted the following

REPORT

together with

SUPPLEMENTAL, MINORITY, AND ADDITIONAL VIEWS

[To accompany H.R. 5973]

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, 1985. 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 Smithsonian Institution, and the National Foundation on the Arts and the Humanities.

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bility and leads to increased maintenance costs and potentially more time when the equipment is inoperable. At the recommended level, EIA is still \$500,000 below the fiscal year 1984 total for its automatic data processing requirements.

In accordance with the practice established in the fiscal year 1984 budget justification, EIA should specifically identify the amounts in support of other agencies with a description of that support. The fiscal year 1986 budget justification should also list the statutory requirements for which no funds are requested with the amounts that would be required if the statutory requirements were to be accomplished.

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### HEALTH SERVICES ADMINISTRATION

#### INDIAN HEALTH SERVICES

Appropriation, 1984.....	\$770,408,000
Budget estimate, 1985.....	741,950,000
Recommended, 1985.....	817,992,000
Comparison:	
Appropriation, 1984.....	+47,584,000
Budget estimate, 1985.....	+76,042,000

The amount recommended by the Committee for fiscal year 1985 compared with the budget estimate by activity is shown in the following table:

	Budget Estimates	Committee Bill	Committee Bill compared to Budget Estimates
Hospital and health clinic programs.....	411,787,000	434,216,000	22,429,000
Dental health program.....	25,147,000	25,476,000	329,000
Mental health program.....	11,277,000	11,409,000	132,000
Alcoholic program.....	24,487,000	25,642,000	1,155,000
Maintenance and repair.....	8,745,000	8,745,000	---
Contract care.....	145,482,000	147,992,000	2,510,000
Sanitation.....	17,457,000	20,843,000	3,386,000
Public health services.....	18,244,000	12,348,000	(5,896,000)
Health education.....	2,717,000	3,470,000	753,000
Community health representative program.....	---	27,000,000	27,000,000
Immunization.....	1,000,000	1,000,000	---
Urban health projects.....	---	10,000,000	10,000,000
Indian health manpower.....	4,432,000	4,432,000	---
Tribal management.....	---	2,434,000	2,434,000
Direct operations.....	58,473,000	48,992,000	(9,481,000)
Medicare/Medicaid Reimbursements.....	(55,408,000)	(45,000,000)	(10,408,000)
<b>Total, Indian Health Services.....</b>	<b>741,950,000</b>	<b>817,992,000</b>	<b>76,042,000</b>

The Committee has recommended \$817,992,000, an increase of \$76,042,000 over the budget estimate for Indian health services. Again this year, the Committee has found it necessary to address the shortcomings of the budget as presented by the Administration. The recommended increases are necessary to maintain the provision of health services to the Indian people at approximately the same level as fiscal year 1984, including the continuation of programs which had been recommended for termination. However, the Committee has been made aware through testimony from Departmental witnesses that this budget will still fall short of providing the unmet health care needs of the Indian people, as well as con-

tinuing a pattern of providing a lower level of health care services, on a per capita basis, than is available to the U.S. population as a whole. The Committee understands that the Indian Health Service is updating its estimates of the unmet health care needs of the Indian people, as well as the funding that would be required to bring the level of Indian health care services up to "parity" with the U.S. population in general. The Committee expects the results of this effort to be submitted to the Committee as soon as they are available. A summary of this information, and a discussion of how the unmet need and lack of "parity" are being addressed in the budget as proposed to the Congress, should be included in the fiscal year 1986 budget justification.

In addition to the issue of the overall level of funding, many tribes and tribal groups continue to raise questions regarding the methodology used by IHS in allocating the funds available to it. The budget request included no additional funds for the Equity Fund, and the Committee has not recommended an increase for this purpose. However, the Committee is concerned that IHS's handling of this issue has not addressed adequately the concerns of various tribal groups on the equity of its allocation methodology. Therefore, the Committee expects IHS to work with those tribes or groups and submit a report to the Committee by December 31, 1984, reporting on the results of their joint efforts, and what changes, if any, will be made to the allocation methodology to reflect tribal concerns.

*Hospitals and clinics.*—The Committee recommends an increase of \$22,429,000, which consists of the following:

Activity	Recommended increase
Model diabetes.....	+ \$500,000
Emergency medical services.....	+ 4,000,000
Mandatory cost increases.....	+ 17,482,000
Staff for new facilities.....	+ 447,000
<b>Total.....</b>	<b>+ 22,429,000</b>

The increase for the model diabetes program will allow two new model sites to be established, as well as strengthening the program at existing sites and providing additional outreach. It will also allow laser equipment to be purchased for IHS medical centers which provide ophthalmology services in support of the model projects.

The amount recommended for mandatory cost increases was proposed by the IHS to be made available from the collection of reimbursements. The Committee notes that estimates of Medicare and Medicaid reimbursements have been optimistic in the past. Therefore, the Committee has recommended direct appropriation of the funds required to meet the mandatory cost increases. Within the increase, not less than \$500,000 should be made available for funding of a new contract health service delivery area for the Poarch Band of Creek Indians. The contract health service delivery area shall include Escambia County, Alabama, Monroe County, Alabama, Baldwin County, Alabama, and Escambia County, Florida.

An increase of \$447,000 is recommended to fund 15 positions required for newly-opened facilities (Inscription House, Arizona, and Tahlequah, Oklahoma).

**Dental Health.**—An increase of \$323,000 is recommended, consisting of \$263,000 to restore the proposed program decrease in the budget, and \$60,000 for two new positions at the Tahlequah hospital.

**Mental health.**—The Committee recommends an increase of \$111,000, to restore the proposed program decrease.

**Alcoholism.**—An increase of \$455,000 is recommended for alcoholism, including \$255,000 to restore the program decrease. An increase of \$200,000 is also proposed, for continuation of a pilot alcoholism treatment program being conducted by the Warm Springs Tribe of Oregon. The expansion will provide a larger data base for a more thorough evaluation of the program, for possible use in other locations.

The Committee is aware of the ongoing research on alcoholism at the University of Oklahoma, and on fetal alcohol syndrome at the University of Washington, and expects funds to be made available to those institutions to continue these research efforts in fiscal year 1985 at least at the 1984 funding level, within available funding.

**Contract care.**—The Committee recommends an increase of \$2,200,000, including \$1,700,000 to restore the proposed program decrease. The additional \$500,000 is for the highest priority non-emergency backlog cases of deferred surgery.

**Preventive health.**—An increase of \$6,481,000 is recommended for sanitation, public health nursing, and health education, including \$5,132,000 to restore program decreases, and \$1,349,000 for 39 positions for new facilities (21 at Chinle, Arizona; 2 at Lodge Grass, Montana; 12 at Inscription House, Arizona; and 4 at Fort Duchesne, Utah). By activity, the increases are as follows:

Activity	Recommended increase
Sanitation.....	+ \$3,184,000
Public health nursing.....	+ 2,324,000
Health education.....	+ 973,000
<b>Total.....</b>	<b>+ 6,481,000</b>

The Committee also recommends restoration of funding for the community health representatives program, at \$27,000,000. This will allow a 4 percent increase over the 1984 level.

**Urban health projects.**—The Committee recommends \$10,000,000 for the urban health program, including a 4 percent increase for existing projects. The balance of \$640,000 may be used for upgrading of health care levels in existing programs where warranted.

**Health manpower.**—An increase of \$2,000,000 is recommended to provide continued funding for both ongoing and new scholarships. Also included are \$275,000 for administration of the Indians into Medicine (INMED) program at the University of North Dakota; and \$220,000 for the four Masters in Public Health (MPH) programs.

**Tribal management.**—The Committee recommends an increase of \$2,634,000, which will allow this program to continue at the fiscal year 1984 level.

*Direct operations.*—An increase of \$2,409,000 is recommended, to restore the proposed program decrease, and allow IHS to provide program direction and administrative support to the increased program levels recommended by the Committee.

*Administrative provision.*—The Committee has continued the bill language first included in the fiscal year 1984 supplemental appropriations act, with appropriated adjusted figures, to provide a floor for IHS full-time equivalent (FTE) positions. This language is necessary in order to allow IHS to utilize fully the funds recommended by the Committee for IHS programs.

#### INDIAN HEALTH FACILITIES

Appropriation, 1984.....	\$53,595,000
Budget estimate, 1985.....	
Recommended, 1985.....	96,137,000
Comparison:	
Appropriation, 1984.....	+42,542,000
Budget estimate, 1985.....	+96,137,000

The amount recommended by the Committee for fiscal year 1985 compared with the budget estimates by activity is shown in the following table:

	Budget Estimates	Committee Estimate	Committee Bill compared to Budget Estimates
<b>Hospitals</b>			
New and replacement.....	---	22,151,000	22,151,000
Modernization and repair.....	---	7,946,000	7,946,000
Subtotal, Hospitals.....	---	40,097,000	40,097,000
Outpatient care facilities.....	---	14,421,000	14,421,000
Sanitation facilities.....	---	10,000,000	10,000,000
Personnel quarters.....	---	11,619,000	11,619,000
<b>Total, Indian Health Facilities.....</b>	---	<b>96,137,000</b>	<b>96,137,000</b>

Last year, the Committee expressed concern about delays in releasing planning and construction funds for Indian health facilities within the Department, and indicated an investigative study would be undertaken on this subject. The study found numerous examples of the delays cited, and pointed out several ways in which the process could be streamlined. For example, delays often result when there are serious disagreements within the Department, or between the agency and the tribe, as to the appropriate solution to meet a particular health care requirement, such as constructing a new facility, renovating an existing facility, or using other available resources. To avoid or resolve such situations and resulting extended delays, the Committee believes the Department should consider contracting with experienced health care planning firms to analyze alternative health care solutions and to develop adequate program justifications. The Department also needs to undertake initiatives to resolve design disputes in a more timely manner. It appears that many of the delays experienced are caused by the many layers of review IHS projects must go through, as well as the propensity of organizational levels above IHS to change program.

information documents without changing IHS criteria. Therefore, the planning documents and criteria may end up in conflict. The Committee expects the Department to examine ways in which the process can be streamlined, and disagreements resolved in a more timely manner. The Department is requested to report to the Committee on the results of this review by February 1, 1985.

The Committee is also concerned about the possible impacts the reductions in the Regional Operations for Facilities Engineering and Construction (ROFEC) offices will have on the IHS facilities program. The Department is requested to submit a report with the fiscal year 1986 budget describing the specific actions taken to offset the reductions in ROFEC staffing and resources.

Unfortunately, the Committee can take no direct action to force the Administration, including the Department and Office of Management and Budget, to recognize their responsibilities to request adequate funding for the design and construction of facilities to meet the health care needs of the Indian people. Therefore, the Committee has found it necessary to recommend total funding of \$96,137,000, compared to the budget request of zero.

**Hospitals.**—The Committee recommends funding of \$40,097,000, as follows:

Project	Recommended amount
<b>New and replacement:</b>	
Crownpoint, NM—phase II construction.....	\$9,064,000
Kanakanak, AK—phase II construction.....	5,157,000
Rosebud, SD—phase I construction.....	9,430,000
Sacaton, AZ—phase I construction.....	8,500,000
Subtotal.....	<u>32,151,000</u>
<b>Modernization and repair:</b>	
Energy conservation retrofit projects.....	2,000,000
Ada, OK, renovation.....	117,000
Phoenix, AZ, modifications.....	270,000
Keams Canyon, AZ:	
Repairs and renovations.....	320,000
Replace A/C.....	376,000
Whiteriver, AZ, interior alterations.....	399,000
Talihina, OK, repairs.....	223,000
Gallup, NM, repairs.....	800,000
Browning MT, renovation of quarters.....	442,000
Belcourt, ND, repairs.....	378,000
Navajo Area renovation of quarters.....	750,000
Fort Yates, ND, general repairs.....	239,000
Cherokee, NC, repairs.....	211,000
Warm Springs, OR, installation of HVAC system.....	152,000
Santa Rosa, AZ, repairs.....	194,000
Sells, AZ, repairs and improvements.....	75,000
Repair and improvement fund.....	1,000,000
Subtotal.....	<u>7,946,000</u>
Total, hospitals.....	<u>40,097,000</u>

The Committee recommendation includes \$32,151,000 for construction of 4 new and replacement hospitals. The Committee is particularly distressed that no funds were requested for Phase II construction of the Crownpoint, NM, and Kanakanak, AK, hospitals, since Phase I funds will be exhausted during fiscal year 1985. If the projects were stopped at that point, the cost of shut down

and start up later when funds become available could amount to an additional 20 percent of total construction costs.

The Committee has recommended funding for Phase I construction for both the Rosebud, SD, and Sacaton, AZ, hospitals, in the expectation that the design phase will be completed in time to allow construction to begin by the end of the fiscal year.

No funds have been included for planning and design for the next hospitals or ambulatory facilities on the priority lists, as revised in 1984. In line with the investigative study and the testimony of Department officials, the Committee would like to give the Department the opportunity to show its good faith by completing expeditiously the necessary program information documents on the top priority projects, and coming forward to the Congress with recommendations as to facility construction and related funding requests. The Committee also expects a detailed discussion of all components of the facilities program, including the status of all projects under design or in construction, and the status of the top five projects on each priority list, to be included in the fiscal year 1986 budget justification.

*Outpatient care facilities.*—The Committee recommends an appropriation of \$14,421,000 for outpatient care facilities, as follows:

Projects	Recommended Amount
Kyle, SD, construction.....	\$3,070,000
Fort Thompson, SD, construction.....	3,315,000
Wolf Point, MT, construction.....	3,525,000
Puyallup, WA, design and construction.....	4,511,000
Total .....	14,421,000

The recommended amounts will allow completion of these facilities. As discussed above, the Committee expects the Department to complete its review of the next highest priority projects and to submit to Congress its recommendations for construction, along with funding requests.

*Sanitation facilities.*—The Committee recommends an appropriation of \$30,000,000 for sanitation facilities. This should provide service to approximately 4,000 Indian homes under construction by the Bureau of Indian Affairs, tribes, or other groups, or already existing homes without service. The Committee expects a detailed discussion of the status of requirements for sanitation facilities to be included in the fiscal year 1986 budget justification, including the number of homes expected to be under construction by various groups and the required costs to provide sanitation facilities for those homes, as well as the backlog of existing homes still requiring first service and the costs of that service.

*Personnel quarters.*—The Committee recommends an appropriation of \$11,619,000 for personnel quarters needed for hospitals or clinics under construction or already completed, as follows:

Projects	Recommended Amount
Crownpoint, NM—36 units.....	\$3,420,000
Kyle, SD—25 units.....	2,450,000
Fort Thompson, SD—28 units.....	2,744,000
Wolf Point, MT—10 units.....	820,000

Projects	Recommended Amount
Tsaile, AZ—23 units.....	2,185,000
<b>Total</b> .....	<b>11,619,000</b>

As with the other components of the facilities program, the Committee expects a detailed discussion of the requirements for personnel quarters construction to be included in the fiscal year 1986 budget justification, including requirements related to ongoing hospital and clinic construction and how those needs will be met (existing quarters, local housing, or new construction).

**DEPARTMENT OF EDUCATION**  
**OFFICE OF ELEMENTARY AND SECONDARY EDUCATION**  
**INDIAN EDUCATION**

Appropriation, 1984.....	\$68,780,000
Budget estimate, 1985.....	68,780,000
Recommended, 1985.....	68,780,000
Comparison:	
Appropriation, 1984.....	.....
Budget estimate, 1985.....	.....

The Indian Education Act of 1972 (P.L. 93-318, Title IV, as amended) provides support for the special educational needs of American Indians and Alaskan Natives, and authorizes the Secretary of Education to operate a variety of programs, including supplementary educational services, experimental, demonstration, and dissemination activities. Among the major Indian education problems are low student achievement and high dropout rates, combined with specialized needs created by rural isolation, urban assimilation, and cultural differences.

To continue efforts to reduce these problems, the Committee is recommending \$68,780,000 for fiscal year 1985, the fiscal year 1984 level as follows:

	Budget Estimates	Committee Bill	Committee Bill compared to Bill Budget Estimates
Part A—Payments to school districts.....	51,350,000	51,350,000	---
Part B—Special projects for Indian students.....	12,000,000	12,000,000	---
Part C—Special projects for Indian adults.....	3,000,000	3,000,000	---
Administration.....	2,430,000	2,430,000	---
<b>Total: Indian Education.....</b>	<b>68,780,000</b>	<b>68,780,000</b>	<b>---</b>

The Committee believes in light of the actions of the Department of Education that it is necessary to restate that *all* authorized sections are to be funded with consideration given to new awards as well as continuation of awards. In addition, to the maximum extent possible, Indian Parent Committees are to be allowed to participate in curriculum decisions. The Committee also feels that responsibilities between Indian Parent Committees and Local Educational Agencies should be delineated as in prior years.

*Part A.*—The Committee recommends \$51,350,000 for Part A grants. Of this amount, \$46,850,000 is for payments to local educa-



tional agencies and tribal schools, and \$4,500,000 is for payments to Indian-controlled schools.

*Part B.*—The Committee recommends \$12,000,000 for Part B grants, to be allocated as follows:

Program	Recommended Amount
Planning, Pilot, and Demonstration—1005(b).....	\$2,500,000
Educational Services—1005(c).....	3,500,000
Educational personnel development—1005(d).....	1,200,000
Educational personnel development—Section 422.....	1,000,000
Fellowships—Section 423.....	1,500,000
Resource and Evaluations Center—1005(e).....	2,300,000
<b>Total</b> .....	<b>12,000,000</b>

*Part C.*—The Committee recommends \$3,000,000 for Part C, adult education.

*Administration.*—The amount recommended for administration is \$2,430,000, of which \$230,000 is to be utilized to support the operations of a 15 member National Advisory Council on Indian Education and a four-person staff for fiscal year 1985.

The Committee is pleased to see the change of attitude by the Administration towards Indian education in its request for funding for educational purposes instead of termination as in fiscal year 1984, and hopes that the effectiveness of Title IV programs in addressing the needs of Indian students will ensure requests for adequate funding for educational purposes in future years.

#### OTHER RELATED AGENCIES

##### NAVAJO AND HOPI INDIAN RELOCATION COMMISSION

###### SALARIES AND EXPENSES

Appropriation, 1984.....	\$18,783,000
Budget estimate, 1985.....	20,736,000
Recommended, 1985.....	16,986,000
Comparison:	
Appropriation, 1984.....	-1,797,000
Budget estimate, 1985.....	-3,750,000

The Commission was established by Public Law 93-531, which provides for settlement of conflicting rights and interests of Navajo and Hopi Tribes in a joint-use area first established by Executive Order in 1882. The activities of the Commission were expanded by the Navajo and Hopi Indian Relocation Amendments of 1980 (P.L. 96-305). The Commission's task has been difficult and complicated, involving the relocation of members of both tribes into new areas and homes.

The Committee recommends \$16,986,000, a decrease of \$3,750,000 from the estimate. The committee is distressed to learn of problems with the land exchanges and is recommending the withholding of 25 percent of the relocation operations funding until progress on these land exchanges takes place. The Committee will consider supplemental appropriations when that action takes place and expresses hope that the two tribes will continue to press forward on land exchange negotiations.

According to the Commission's March, 1984 Program Update and Report, of the 252 homes acquired through July, 1983, 97 have been