

MAKING APPROPRIATIONS FOR THE DEPARTMENT OF THE
INTERIOR AND RELATED AGENCIES

OCTOBER 15, 1986.—Ordered to be printed

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

CONFERENCE REPORT

[To accompany H.R. 5234]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5234) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1987, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 9, 12, 17, 19, 27, 29, 30, 31, 32, 37, 41, 44, 45, 48, 54, 70, 73, 77, 79, 80, 81, 82, 83, 84, 85, 92, 107, 108, 113, 117, 121, 148, 149, 151, 152, 158, and 167.

That the House recede from its disagreement to the amendments of the Senate numbered 4, 11, 28, 50, 51, 55, 57, 64, 76, 99, 102, 116, 129, 131, 135, 140, 146, 153, 157, 159, 161, 164, 166, 168, 170, and 172, and agree to the same.

Amendment numbered 6:

That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$54,524,000; and the Senate agree to the same.

Amendment numbered 7:

That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$9,253,000; and the Senate agree to the same.

Amendment numbered 14:

That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$7,000,000; and the Senate agree to the same.

Amendment numbered 22:

That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$10,628,000; and the Senate agree to the same.

Amendment numbered 23:

That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$24,250,000; and the Senate agree to the same.

Amendment numbered 26:

That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$87,220,000; and the Senate agree to the same.

Amendment numbered 36:

That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$418,665,000; and the Senate agree to the same.

Amendment numbered 38:

That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$160,697,000; and the Senate agree to the same.

Amendment numbered 39:

That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$44,904,000; and the Senate agree to the same.

Amendment numbered 47:

That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$203,720,000; and the Senate agree to the same.

Amendment numbered 49:

That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment, amended as to read as follows: *Provided further, That the Secretary of the Interior may deny fifty percent of an Abandoned Mine Reclamation fund*

grant, available to a State pursuant to title IV of Public Law 95-87, in accordance with the procedures set forth in section 521(b) of the Act, when the Secretary determines that a State is systematically failing to administer adequately the enforcement provisions of the approved State regulatory program. Funds will be denied until such time as the State and the Office of Surface Mining Reclamation and Enforcement have agreed upon an explicit plan of action for correcting the enforcement deficiency. A State may enter into such agreement without admission of culpability. If a State enters into such agreement, the Secretary shall take no action pursuant to section 521(b) of the Act as long as the State is complying with the terms of the agreement; and the Senate agree to the same.

Amendment numbered 53:

That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert **\$55,668,000**; and the Senate agree to the same.

Amendment numbered 61:

That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert **\$76,101,000**; and the Senate agree to the same.

Amendment numbered 66:

That the House recede from its disagreement to the amendment of the Senate numbered 66, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert **\$78,224,000**; and the Senate agree to the same.

Amendment numbered 67:

That the House recede from its disagreement to the amendment of the Senate numbered 67, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert **\$75,501,000**; and the Senate agree to the same.

Amendment numbered 75:

That the House recede from its disagreement to the amendment of the Senate numbered 75, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert **\$20,880,000**; and the Senate agree to the same.

Amendment numbered 88:

That the House recede from its disagreement to the amendment of the Senate numbered 88, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment, amended to read as follows:

In lieu of the section number named insert: **115**; and the Senate agree to the same.

Amendment numbered 89:

That the House recede from its disagreement to the amendment of the Senate numbered 89, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment, amended to read as follows:

In lieu of the section number named insert: *116.*; and the Senate agree to the same.

Amendment numbered 96:

That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *\$128,882,000*; and the Senate agree to the same.

Amendment numbered 97:

That the House recede from its disagreement to the amendment of the Senate numbered 97, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *\$6,000,000*; and the Senate agree to the same.

Amendment numbered 98:

That the House recede from its disagreement to the amendment of the Senate numbered 98, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *\$58,946,000*; and the Senate agree to the same.

Amendment numbered 104:

That the House recede from its disagreement to the amendment of the Senate numbered 104, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *\$261,436,000*; and the Senate agree to the same.

Amendment numbered 105:

That the House recede from its disagreement to the amendment of the Senate numbered 105, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *\$25,332,000*; and the Senate agree to the same.

Amendment numbered 106:

That the House recede from its disagreement to the amendment of the Senate numbered 106, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *\$236,104,000*; and the Senate agree to the same.

Amendment numbered 124:

That the House recede from its disagreement to the amendment of the Senate numbered 124, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *\$26,500,000*; and the Senate agree to the same.

Amendment numbered 126:

That the House recede from its disagreement to the amendment of the Senate numbered 126, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *\$280,129,000*; and the Senate agree to the same.

Amendment numbered 128:

That the House recede from its disagreement to the amendment of the Senate numbered 128, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment, amended to read as follows: : *Provided further, That \$2,000,000 of the amount provided under this heading shall be available for continuing a research and development initiative with the National Laboratories for new technologies up to proof-of-concept testing to increase significantly the energy efficiency of processes that produce steel: Provided further, That obligation of funds for these activities shall be contingent on an agreement to provide cash or in-kind contributions to the initiative or to other collaborative research and development activities related to the purpose of the initiative equal to 30 percent of the amount of Federal Government obligations: Provided further, That existing facilities, equipment, and supplies, or previously expended research or development funds are not acceptable as contributions for the purpose of this appropriation, except as amortized, depreciated, or expensed in normal business practice: Provided further, That the total Federal expenditure under this proviso shall be repaid up to one and one-half times from the proceeds of the commercial sale, lease, manufacture, or use of technologies developed under this proviso, at a rate of one-fourth of all net proceeds; and the Senate agree to the same.*

Amendment numbered 130:

That the House recede from its disagreement to the amendment of the Senate numbered 130, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$60,301,000; and the Senate agree to the same.

Amendment numbered 138:

That the House recede from its disagreement to the amendment of the Senate numbered 138, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$47,200,000; and the Senate agree to the same.

Amendment numbered 139:

That the House recede from its disagreement to the amendment of the Senate numbered 139, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$14,568,000; and the Senate agree to the same.

Amendment numbered 145:

That the House recede from its disagreement to the amendment of the Senate numbered 145, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$183,920,000; and the Senate agree to the same.

Amendment numbered 150:

That the House recede from its disagreement to the amendment of the Senate numbered 150, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$3,322,000; and the Senate agree to the same.

Amendment numbered 154:

That the House recede from its disagreement to the amendment of the Senate numbered 154, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$28,420,000; and the Senate agree to the same.

Amendment numbered 155:

That the House recede from its disagreement to the amendment of the Senate numbered 155, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$20,000,000; and the Senate agree to the same.

Amendment numbered 156:

That the House recede from its disagreement to the amendment of the Senate numbered 156, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$109,990,000; and the Senate agree to the same.

Amendment numbered 162:

That the House recede from its disagreement to the amendment of the Senate numbered 162, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$21,250,000; and the Senate agree to the same.

Amendment numbered 165:

That the House recede from its disagreement to the amendment of the Senate numbered 165, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$2,397,000; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 1, 2, 3, 5, 8, 10, 13, 15, 16, 18, 20, 21, 24, 25, 33, 34,

35, 40, 42, 43, 46, 52, 56, 58, 59, 60, 62, 63, 65, 68, 69, 71, 72, 74, 78,
 86, 87, 90, 91, 93, 94, 95, 100, 101, 103, 109, 110, 111, 112, 114, 115,
 118, 119, 120, 122, 123, 125, 127, 132, 133, 134, 136, 137, 141, 142,
 143, 144, 147, 160, 163, 169, 171, 173, 174, 175, 176, 177, and 178.

SIDNEY R. YATES,
 JOHN P. MURTHA,
 NORMAN D. DICKS,
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 LES AU COIN,
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 JAMIE L. WHITTEN,
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 SILVIO O. CONTE,

Managers on the Part of the House.

JAMES A. MCCLURE,
 TED STEVENS,
 PAUL LAKALT,
 JAKE GARN,
 THAD COCHRAN,
 MARK ANDREWS,
 WARREN RUDMAN,
 LOWELL P. WEICKER, Jr.,
 ROBERT C. BYRD,
 J. BENNETT JOHNSTON,
 DENNIS DECONCINI,
 QUENTIN N. BURDICK,
 DALE BUMPERS,
 ERNEST F. HOLLINGS,

Managers on the Part of the Senate.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

*Health Resources and Services Administration**Indian health services*

Amendment No. 132: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment which appropriates \$841,809,000 for Indian health services instead of \$836,336,000 as proposed by the House and \$833,106,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The net increase over the amount proposed by the Senate consists of decreases of \$305,000 for direct operations and \$147,000 for two urban health demonstration projects; and increases of \$407,000 for mandatory costs in hospitals and health clinics, \$1,000,000 to expand the model diabetes program, \$2,500,000 for tribal contracting costs, \$93,000 for dental health, \$55,000 for mental health, \$1,300,000 for alcoholism prevention programs, \$2,000,000 for community health representatives, \$200,000 for urban health programs, and \$1,600,000 for health manpower.

In addition to the alcoholism prevention and fetal alcohol syndrome (FAS) programs proposed by the House, the Indian Health Service should use base resources in the alcoholism program to implement the recommendations contained in the recent review of the alcohol and substance abuse programs. In the FAS program, \$100,000 is provided for the University of Washington research program.

Of the amount provided for direct operations, \$600,000 is to provide salary costs for personnel transferred to the Indian Health Service and \$600,000 is for the management fellowship program.

Prior to implementation of any changes in eligibility, the managers direct that a summary of the major issues raised during the comment period and how IHS has responded to them be provided to the Committees on Appropriations for review.

The Indian Health Service should continue to advise the Committees of any shortfalls in tribal contracting and what steps are being taken to meet these costs.

The new policy covering contract care payments should be implemented on an area-by-area basis and IHS should continue working with the tribes to ensure that needed health services are provided. A report on the costs of the new system, as well as cost savings realized by the program should be presented to the Committees on Appropriations once sufficient data is compiled.

The managers agree that the staffing levels provided for the Kakanak, AK hospital shall be sufficient to ensure a deficiency rate no greater than 11 percent.

The health manpower program includes \$240,000 for the MPH program and \$323,000 for INMED.

Amendment No. 133: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which establishes a Catastrophic Health Care Fund.

Indian health facilities

Amendment No. 134: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment which appropriates \$65,555,000 for Indian health facilities instead of \$54,921,000 as proposed by the House and \$60,920,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The net increase over the amount recommended by the Senate includes increases of \$807,000 for planning and design of the Harlem, MT health center; \$428,000 for planning and design of the Fort Hall, ID health clinic, and \$5,000,000 for sanitation facilities; and decreases of \$100,000 to new and replacement hospitals, and \$1,500,000 for the ventilation project at the Mount Edgecumbe, AK hospital. The managers direct that the Mount Edgecumbe project is to be accomplished with \$1,500,000 of available unobligated balances in this account.

With regard to the Parker, AZ outpatient health clinic, the IHS is directed to perform an engineering analysis, within available funds, to determine the condition of the existing Parker health center, including structural, mechanical and electrical systems, and report to the Committee prior to the fiscal year 1988 hearings.

Within funds appropriated for the Rosebud hospital, the IHS is directed to enclose totally the third floor of the facility.

The managers agree that the IHS should provide a new temporary facility of 2,600 square feet at Sisseton, SD, within available funds.

Amendment No. 135: Deletes language proposed by the House regarding allocation of resources.

Although bill language regarding changes in allocation methodology, as proposed by the House, has not been included, the managers agree that any allocation using the new Area Resource Allocation Methodology (ARAM) shall follow the general outline of the report, dated August 11, 1986, as submitted to the House and Senate Appropriations Committees. In no case should the allocation affect more than three percent of the base resources of the IHS for fiscal year 1987, unless the IHS submits a report to the Committees sixty days in advance on the proposed changes in excess of three percent, including the reason for the proposed changes and the likely effects. The report should also include a statement certifying that the IHS has held consultations regarding the proposed allocation of base resources with all Indian tribes or tribal organizations affected by the proposed allocation. The managers recognize the importance of continued tribal participation in development of the new ARAM methodology, both on policy matters and on technical issues, and direct IHS to continue to provide tribes with the most current information on ARAM, consult with tribes, and consider their views carefully. As major developments in ARAM occur, IHS should continue its practice of holding national and area workshops that will both inform tribes and provide a vehicle for consideration.

Amendment No. 136: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which allows for exchange of land in Anchorage and Kotzebue, AK, as proposed by the Senate.

The managers agree that the provisions set forth in Public Law 96-126 restricting authority for initial leasing of permanent structures by the Indian Health Service shall not apply whenever such arrangements are completed in accordance with established General Services Administration procedures (for space to be occupied by Federal employees).

DEPARTMENT OF EDUCATION

Office of Elementary and Secondary Education

Indian education

Amendment No. 137: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the sum stricken and inserted, insert the following: *and on the condition that funds appropriated for fiscal year 1987 under this or any other Act to carry out part A of title IV of Public Law 92-318 (Indian Education Act) shall be distributed under the same proof of eligibility requirements as applied in fiscal year 1986, \$64,036,000*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Appropriates \$64,036,000 instead of \$67,236,000 as proposed by the House and \$62,000,000 as proposed by the Senate.

Bill language has been included as proposed by the House in H.J. Res. 738 which prohibits the Department of Education from implementing eligibility requirements for the Part A Indian Education program in fiscal year 1987. This language ensures that school districts have adequate time to review any new eligibility requirements before they are forced to include them in their grant requests to the Department of Education.

The allowance includes a reduction of \$198,000 from the House level for administration.

Amendment No. 138: Provides \$47,200,000 for Part A instead of \$50,021,000 as proposed by the House and \$46,832,000 as proposed by the Senate. The change over the amount proposed by the Senate includes an increase of \$368,000 for Part A for Indian controlled schools.

Amendment No. 139: Provides \$14,568,000 for Parts B and C instead of \$14,749,000 as proposed by the House and \$12,900,000 as proposed by the Senate. The change over the amount proposed by the Senate includes increases of \$261,000 for Part B fellowships; \$1,845,000 for Part B projects for Indian children; and \$62,000 for Part B educational personnel development. The offsetting decrease is \$500,000 from Part B planning, pilot and demonstration.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 1987 recommended by the Committee of Conference, with comparisons to the fiscal year 1986 amount, the 1987 budget estimates, and the House and Senate bills for 1987 follow:

New budget (obligational) authority, fiscal year 1986	\$8,210,987,000
Budget estimates of new (obligational) authority, fiscal year 1987	6,617,320,000
House bill, fiscal year 1987	8,151,795,000
Senate bill, fiscal year 1987	7,855,704,000
Conference agreement, fiscal year 1987	8,333,076,000
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1986	+122,089,000
Budget estimates of new (obligational) authority, fiscal year 1987	+1,715,756,000
House bill, fiscal year 1987	+181,281,000
Senate bill, fiscal year 1987	+477,372,000

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Managers on the Part of the Senate.

