

DEPARTMENT OF THE INTERIOR AND RELATED  
AGENCIES APPROPRIATIONS BILL, 1991

OCTOBER 2, 1990.—Committed to the Committee of the Whole House on the State of  
the Union and ordered to be printed

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

REPORT

[To accompany H.R. 5769]

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, 1991. 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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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. 307(b)		This bill	
	Discretionary	Mandatory	Discretionary	Mandatory
Budget authority.....	\$12,800	\$71	\$12,799	\$72
Outlays.....	12,000	71	11,986	305
Direct loans.....	9		9	
Primary guarantees.....	45		45	

The bill provides no new spending authority as described in section 401(c)(2) of the Congressional Budget and Impoundment Control Act of 1974 (Public Law 93-344), as amended.

SUMMARY OF THE BILL

The Committee has conducted extensive hearings on the programs and projects provided for in the Interior and Related Agencies Appropriations bill for 1991. The hearings are contained in 13 published volumes totaling over 15,000 pages.

During the course of the hearings testimony was taken by more than 860 witnesses, not only from agencies which come under the jurisdiction of the Interior Subcommittee, but also from Members of Congress, State and local government officials, and private citizens.

The bill which is recommended for 1991 has been developed after careful consideration of all the facts and details available to the Committee.

BUDGET AUTHORITY RECOMMENDED IN BILL BY TITLE

Activity	Budget estimates, fiscal year 1991	Committee bill, fiscal year 1991	Committee bill compared with budget estimates
Title I, Department of the Interior: New Budget (obligational) authority.....	\$4,958,133,000	\$6,102,157,000	+\$1,144,024,000
Title II, related agencies: New Budget (obligational) authority.....	4,899,763,000	5,781,986,000	+ 883,217,000
Grand total, New Budget (obligational) authority.....	9,856,902,000	11,884,143,000	+ 2,027,241,000

TOTAL APPROPRIATIONS FOR THE DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES

In addition to the amounts in the accompanying bill, which are reflected in the table above, permanent legislation authorizes the continuation of certain government activities without consideration by the Congress during the annual appropriations process.

Details of these activities are listed in tables at the end of this report. In fiscal year 1990, these activities are estimated to total \$2,741,233,000. The estimate for fiscal year 1991 is \$2,633,739,000.

The following table reflects the total budget (obligational) authority contained both in this bill and in permanent appropriations for fiscal years 1990 and 1991.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES TOTAL BUDGET AUTHORITY FOR FISCAL YEARS 1990-91

Item	Fiscal year		Change
	1990	1991	
Interior and related agencies appropriations bill.....	\$11,409,598,000	\$11,884,143,000	+\$474,545,000
Permanent appropriations, Federal funds.....	1,782,531,000	1,672,343,000	- 110,188,000
Permanent appropriations, trust funds.....	958,702,000	961,336,000	+ 2,634,000
Total, budget authority.....	14,150,831,000	14,517,822,000	+ 367,051,000

REVENUE GENERATED BY AGENCIES IN BILL

The following tabulation indicates total new obligational authority to date for fiscal years 1989 and 1990, and the amount recommended in the bill for fiscal year 1991. It compares receipts generated by activities in this bill on an actual basis for fiscal year 1989 and on an estimated basis for fiscal years 1990 and 1991.

Earthquake and volcano hazards reduction.....	0,000
Coastal studies.....	40,000
Water research.....	+ 1,638,000
<b>Energy:</b>	
Control technology and coal preparation.....	+ 20,735,000
Coal combustion.....	+ 15,922,000
Fuel cells.....	+ 38,135,000
Heat engines.....	+ 15,296,000
Magnetohydrodynamics.....	+ 40,250,000
Coal liquefaction.....	+ 32,478,000
Oil shale.....	+ 17,148,000
Industrial conservation.....	+ 18,050,000
Buildings conservation.....	+ 6,500,000
Transportation conservation.....	+ 21,550,000
Weatherization and schools and hospitals.....	+ 216,185,000

**LAND AND WATER CONSERVATION FUND**

Following is a comparison of the Land and Water Conservation Fund by agency. More specific information can be found in each agency's land acquisition account.

**LAND AND WATER CONSERVATION FUND**

(In thousands of dollars)

	Enacted fiscal year 1990	Estimated fiscal year 1991	Recommended	Changes from estimate
Assistance to States:				
Matching grants.....	\$16,501		\$46,700	+ \$46,700
Administrative expenses.....	3,261	\$3,300	3,300	
Subtotal, assistance to State.....	19,762	3,300	50,000	+ 46,700
Federal programs:				
Bureau of Land Management.....	12,556	24,278	16,228	- 8,050
Forest Service.....	63,433	86,869	92,579,000	+ 3,710,000
Fish and Wildlife Service.....	73,990	56,700	84,750,000	+ 28,050,000
National Park Service.....	67,740	76,853	102,386	+ 26,563
Subtotal, Federal programs.....	217,719	246,700	295,943	+ 49,243
<b>Total, LWCF.....</b>	<b>237,481</b>	<b>250,000</b>	<b>345,943</b>	<b>+ 95,943</b>

With the decrease in funds available for land acquisition, more emphasis has been placed on land exchanges to continue adding valuable lands to help create new or fill out existing refuges, recreation areas and park areas. Although land exchanges can be useful, they also create some problems. Staff time necessary to complete exchange is in most cases much more extensive than with fee acquisition because it frequently takes years to complete an exchange. The Committee is concerned that the Congress does not have enough information to know what agency plans are in this regard. Accordingly, the Committee directs that each land acquisition agency continue to provide in annual budget justification, a detailed statement of expenditures proposed for exchanges and a listing of the exchanges under consideration. The Committee expects the approval process now in place to continue in fiscal year 1991.

Item	fiscal year -		
	1989	1990	1991
New obligatory authority			
Receipts:			
Department of the Interior	\$10,228,751,000	\$11,409,538,000	\$11,884,143,000
Forest Service	5,210,500,000	4,942,400,000	5,467,200,000
Naval petroleum reserves	1,391,157,000	1,328,800,000	1,339,650,000
Total	631,000,000	630,000,000	620,000,000
Total	7,232,657,000	6,901,200,000	7,476,850,000

**APPLICATION OF GENERAL REDUCTIONS**

The level at which reductions shall be taken pursuant to the Deficit Reduction Act of 1985, if such reductions are required in fiscal year 1991, is defined by the Committee as follows:

As provided for by section 252(a)(1)(B)(i) of Public Law 99-177 and for the purposes of a Presidential Order issued pursuant to section 252 of said Act, the term "program, project, and activity" for items under the jurisdiction of the Appropriations Subcommittees on the Department of the Interior and Related Agencies of the House of Representatives and the Senate is defined as (1) any item specifically identified in tables or written material set forth in the Interior and Related Agencies Appropriations Act, or accompanying committee reports or the conference report and accompanying joint explanatory statement of the managers of the committee of conference; (2) any Government-owned or Government-operated facility; and (3) management units, such as national parks, national forests, fish hatcheries, wildlife refuges, research units, regional, state and other administrative units and the like, for which funds are provided in fiscal year 1991.

The Committee emphasizes that any item for which a specific dollar amount is mentioned in an accompanying report, including all increases over the budget estimate approved by the Committee, shall be subject to a percentage reduction no greater or less than the percentage reduction applied to all non-defense accounts.

**COMMITTEE INITIATIVES**

Many of the Committee's initiatives relate to the protection of natural resources on public lands, to the development of new energy sources, and to implementing actions taken by authorizing committees. In support of such initiatives, the Committee has recommended increases above the budget estimates as shown in the following table:

Public resources:	+ \$9,000,000
Soil, water and air management (BLM and FS).....	+ 25,500,000
Wildlife habitat management (BLM and FS).....	+ 20,000,000
Recreation resources management (BLM and FS).....	+ 46,700,000
Land and Water Conservation Fund: State grants.....	+ 20,000,000
Urban Park and Recreation Fund.....	+ 13,000,000
Urban forestry assistance.....	+ 5,000,000
Forest trail maintenance.....	+ 5,000,000
Fire protection.....	+ 19,021,000
Forest research.....	+ 9,700,000
Forest pest management.....	+ 12,228,000
Forest management and utilization.....	

## INDIAN PROGRAMS

The Committee recommends appropriations of new budget authority aggregating \$3,300,732,000 for Indian programs in fiscal year 1991. This is an increase of \$711,916,000 above the budget request for fiscal year 1991, and an increase of \$580,695,000 above the amount appropriated for fiscal year 1990. Major increases over the budget, recommended by the Committee, include the following:

Education .....	+\$20,218,000
Social services .....	+18,400,000
Self-determination services .....	+9,000,000
Tribal courts and law enforcement .....	+2,922,000
Wildlife and parks .....	+9,678,000
Buildings and utilities construction .....	+11,450,000
Buildings and utilities construction .....	+2,039,000
Fish hatcheries .....	+42,524,000
Irrigation systems .....	+3,500,000
Housing .....	+78,617,000
Hospitals and clinics .....	+30,508,000
Contract health care .....	+3,141,000
Urban health projects .....	+81,842,000
Hospital/clinic construction and rehabilitation .....	+72,238,000
Sanitation facilities .....	+72,238,000

Spending for Indian Services by the Federal Government in total is included in the following table:

### FEDERAL FUNDING OF INDIAN PROGRAMS

(In thousands of dollars)

	Budget authority	
	fiscal year 1989 actual	fiscal year 1990 estimate
Department of Agriculture .....	\$100,000	\$102,000
Department of Commerce .....	4,000	2,000
Department of Education .....	402,000	418,000
Department of Energy .....	1,000	1,000
Department of HHS .....	1,279,000	1,519,000
Department of HUD .....	232,000	302,000
Department of the Interior .....	1,190,000	1,498,000
Department of Labor .....	72,000	71,000
Department of Transportation .....	80,000	79,000
Environmental Protection Agency .....	8,000	9,000
Total .....	3,368,000	4,003,000
		3,735,000

### ENERGY PROGRAMS

Recent events in the Middle East have focussed attention on energy, particularly the United States' growing dependence on imported oil. In addition, clean air legislation and related environmental concerns including the possible global climate change have raised questions involving the use of fossil energy resources utilizing existing technologies. Criticism abounds that the Nation has no "energy policy", and pundits yearn for a simple solution to these problems. "Op Ed" pieces are reminiscent of those in former "crises" expounding solutions favorable to the particular viewpoint, resource, or industry to which the writer is attached, or propounding vague generalities as policy.

This Committee and Congress have been supporting action for a decade which do form a basis for reasonable energy policy. They are diverse and do not provide global solutions to problems. We see no reason to change these basic approaches, although the current situation may draw more attention to them. It is also possible that additional efforts in other areas may be necessary.

In the 1970's both the Administration and Congress provided ample funding for research and development in energy conservation and fossil energy as a result of the original "energy crisis" of 1973. In addition, funds were provided to support the construction and filling of the Strategic Petroleum Reserve. From 1981 forward, however, Administrations have refused to support continuation of adequate research and development. It has only been because of this Committee's efforts and constant support that adequate funds have been provided for conservation and fossil energy programs, always over Administration objections. Appropriations have been at least twice the Administration's requests in these areas since 1981. Even the clean coal technology program, now a cornerstone of Administration policy, was, when proposed by Congress, opposed by the Administration. The Strategic Petroleum Reserve, now relied upon as a vital link in providing price and supply stability and insurance, was subject to repeated Administration attempts at curtailment and "freezes" during the 1980's. We believe that Clean Coal technology, the Strategic Petroleum Reserve, and energy conservation research and development programs currently supported by the Administration are in large part in existence because of the constancy of support by this Committee and Congress.

From both an oil import and an environmental point of view, conservation of energy resources makes sense. Although this year's budget request finally recognized conservation as a genuine priority, it was at levels less than the Committee believes are necessary. In addition, the Committee recommends significant increases over previous levels in grant programs providing for low income building-ization and conservation improvements to institutional buildings such as schools and hospitals. Overall, the Committee recommends for energy conservation programs is \$497,684,000, a 134% increase over the budget request of \$212,591,000 and 22% above fiscal year 1990 levels.

The Committee has also increased fossil energy research from the budget request of \$202,309,000 to \$443,258,000, a 119% increase. The increases provide substantial funding to investigate substitutes for imported oil from coal and oil shale, increase domestic oil and gas production, and burn coal more cleanly and efficiently. Funding for the successful clean coal technology program was provided previously and allows for two more procurement rounds for demonstrating technology cleaner and more efficient in the use of coal than current technologies.

Finally, the Committee supports continued funding for filling of Strategic Petroleum Reserves at rates that approximate those of recent years. The Reserve surely has provided a cushion against possible oil shortages in the current situation and mediated against even larger price increases because of panic.

None of the programs just described are glamorous or breath-taking; none provide an instantaneous solution to energy concerns;

the long-term nature of prospective financial commitments and liabilities inherent in such activities.  
 The Committee has also recommended bill language to allow contractors at the Bartlesville, Oklahoma site to be either for-profit or non-profit.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE  
 INDIAN HEALTH SERVICES

Appropriation enacted, 1990	\$1,178,337,000
Budget estimate, 1991	1,278,924,000
Recommended, 1991	1,419,700,000
Comparison:	
Appropriation, 1990	+ 241,363,000
Budget estimate, 1991	+ 140,776,000

The amount recommended for fiscal year 1991 for Indian Health Services is \$1,419,700,000, an increase of \$241,363,000 over the fiscal year 1990 appropriation of \$1,178,337,000 and \$140,776,000 over the fiscal year 1991 request. The amount recommended by the Committee as compared to the budget estimate by activity is shown in the following table:

	FY 1990 Enacted	(In thousands of dollars) Budget Estimate	Committee Bill	Change from Estimate
Hospital and health clinic programs	694,173	787,888	836,806	+148,917
Dental health program	37,339	25,500	27,789	+12,289
Mental health program	31,044	34,880	36,766	+2,886
Maintenance and repair	12,075	12,420	16,010	+3,590
Contract care	234,571	250,378	288,243	+37,867
Sanitation/nursing	15,075	16,462	17,418	+1,956
Health education	4,822	5,196	5,818	+1,622
Community health representative program	31,005	32,786	36,218	+4,433
Indian health projects	13,049	14,128	17,270	+3,141
Indian health manpower	9,840	12,600	12,600	---
Tribal management	4,867	48,310	48,310	---
Medical/medicaid reimbursements	(80,000)	(84,000)	(84,000)	---
<b>Total, Indian Health Services</b>	<b>1,178,337</b>	<b>1,278,924</b>	<b>1,419,700</b>	<b>+140,776</b>

Despite efforts by the Congress to augment substantially the funds requested by the Administration in annual budget submissions, the Indian Health Service budget base gradually has been eroded over the past several years. This has been due primarily to underfunding for inflation and the lack of funding to provide for population growth. As these costs have been absorbed by the IHS, services have been reduced. Tribal representatives have told the Committee of many instances in which staffing has been cut back, hours of operation reduced and restrictions placed on the distribution of medications. Currently the Indian Health Service is meeting only 62 percent of needed basic health services. In some, more-specialized areas the level of need being met falls far below the 62 percent average for basic services. For example, at the current funding level, the IHS is meeting about one-half of the estimated need for drug and alcohol treatment and abuse prevention services and only about one-third of the need for dental health services. Further exacerbating this acknowledged underfunding situation is the fact

the unmet needs of urban Indians are not included in the IHS allocation methodology for clinical and preventive health services. With respect to health care facilities, the need for hospital and outpatient facilities has not been quantified by the IHS but it is safe to say that billions of dollars would be required to renovate existing facilities and construct all the needed new hospitals and clinics. In addition, the backlog of needed maintenance for existing IHS facilities is well over \$100 million.

Safe and sanitary water and septic systems for existing homes and solid waste disposal needs recently have been estimated by the IHS to amount to \$572 million for those projects that are considered to be economically feasible. That amount will continue to grow as new projects are added to the list and as inflation increases the cost of addressing the projects currently listed.

The Committee recommendations for IHS include funds to begin to address some of these issues in fiscal year 1991 and direction to the IHS to begin to quantify more specifically, and place priorities on, the unmet needs in the areas of dental health, drug and alcohol abuse treatment and prevention, and AIDS treatment, prevention and education. The Committee regrets that it is unable to do more, given current budget constraints. The need is far greater than available funds in any single year. The funds added by the Committee cannot be viewed as a one-time remedy. These funding levels need to be continued in the IHS base. Further, the Committee believes that IHS needs to develop a plan for addressing unmet needs and include in future budget justifications an explanation of how the budget request demonstrates progress against that plan for each budget subactivity.

In those areas in which the Committee has added funding to keep pace with the growing population served by the IHS, the Committee expects the IHS to allocate these funds equitably and to allow their use for high priority activities identified by the areas and the tribes. For example, the Winnebago Tribe of Nebraska has identified as its highest priority the continued operation of its drug dependency unit which provides services to clients from several different tribes throughout the region and has been funded for several years under the hospitals and health clinics activity.

The Committee expects the IHS to include in future budget requests details on major programs, such as the Community Health Aide Program in Alaska, including descriptions of the programs, actual obligations for the most recently completed fiscal year, estimated obligations for the current fiscal year and estimated funding in the budget request. The IHS budget justification also should address specifically how Congressionally-directed increases or decreases are included or excluded in the budget base.

Future IHS budget justifications also should include information on the distributions of the Catastrophic Health Emergency Fund and the Indian Health Care Improvement Fund as well as information on the amount of funds requested for these programs as compared with the most recent appropriation.

The Oneida Nation has reported to the Committee that it has a unique situation with respect to the distribution of its tribal members in six non-contiguous counties in New York. This situation has caused a problem with defining the health services delivery area

The committee encourages the IHS to include dentists in the loan program in fiscal year 1991. Tribes have expressed concerns about the Resource Allocation Methodology (RAM) used by the IHS. The Committee believes IHS should continue to review and improve the RAM and coordinate with the tribes on revisions to the methodology to ensure that funds are equitably distributed.

The Committee asks that the IHS work with the Health Care Financing Administration (HCFA) to explore the direct transfer of Medicaid and Medicare dollars from HCFA to IHS in lieu of submitting individual claims.

The IHS needs to develop estimates of needed services and priorities for meeting those needs in the area of alcohol and drug abuse treatment and prevention and the area of AIDS treatment, prevention and education. The Committee expects the IHS to prepare reports by February 1, 1991, for each of these areas, detailing program needs including the needs of urban Indians, associated costs and priorities for funding.

**Dental health.**—The Committee recommends \$43,479,000 for the dental health program, an increase of \$7,479,000 over the budget request. Increases include \$5,000,000 to begin to address the large unmet need in this area, \$500,000 for supplies and equipment, \$424,000 to fund inflation fully, \$301,000 for pay costs and \$1,254,000 to keep pace with population growth.

The IHS is currently meeting only about one-third of needed dental services. The funds added by the Committee in the dental health area obviously are not sufficient to address a large portion of the need for dental services. The Committee expects the IHS to prepare a report by February 1, 1991 detailing dental program needs, associated costs and priorities for funding those needs.

The Committee encourages the IHS to use a portion of the additional funds for dental health to purchase and deploy mobile dental units.

The Committee is concerned by reports from the American Dental Association that the use of smokeless tobacco products is common in Alaskan Native children as young as five years of age. Unless abated, this practice will result in increased oral cancer, periodontal disease, caries and tooth abrasion. The Committee has added \$100,000 in the health education account for a special initiative to address this problem. The Committee also has written to the Governor of Alaska requesting that the State assist with this initiative.

**Mental health.**—The Committee recommends \$27,299,000 for the mental health program, an increase of \$4,501,000 over the budget request. Increases include \$3,000,000 to address unmet needs in this area, \$328,000 to fund inflation fully, \$171,000 for special pay for physicians, \$166,000 for other pay costs and \$836,000 to keep pace with population growth.

The IHS is to provide \$100,000 of the funds recommended for mental health for the Hopi Special Child Abuse Project and to work with the Bureau of Indian Affairs on an evaluation of this project. The evaluation should include an assessment of the need for the continuation of this project along with recommendations on

The committee asks that the IHS continue to work closely with the Navajo Nation to address this problem. The Committee is concerned about the impact on IHS employees in the event a decision is made to relocate a portion of its headquarters operation to the field. The Committee expects the IHS to request and receive approval from the Committee, under established reprogramming procedures, before implementing any reorganization of operations.

The Committee has not agreed to proposed bill language which would provide two separate accounts for tribal health administration and Federal health administration. The Committee continues to believe the best way to encourage more tribal contracting is to provide adequate funding for tribal contracts. Indeed, the Committee expects the IHS to comply fully with its statutory responsibility to fund self-determination contracts at the same level as IHS health care delivery programs. Creating a more-cumbersome accounting system to provide for separate appropriations does nothing to make sorely needed additional funding available. The administrative costs associated with separate accounting may well decrease the funds available for health services.

The Committee recommends \$1,241,461,000 for clinical services, an increase of \$126,581,000 over the budget request. The distribution of this increase by subactivity is discussed below.

**Hospitals and health clinics.**—The Committee recommends \$336,605,000 for the hospitals and health clinics program, an increase of \$78,617,000 over the budget request. Increases include \$13,313,000 to fund inflation fully, \$8,958,000 for special pay for physicians, \$4,702,000 for other pay costs, \$26,144,000 to keep pace with population growth, \$19,000,000 to fund the Indian Health Care Improvement Fund at the authorized level, \$1,000,000 to expand the current diabetes program in response to the large unmet need in that area, \$1,000,000 for emergency services, \$2,000,000 for the loan repayment program, \$1,000,000 for a nursing initiative to address understaffing problems and \$1,500,000 to initiate a competitive procurement to enter into joint ventures with up to 3 Tribes for new facility construction and operation.

The \$1,500,000 added by the Committee for joint ventures with Tribes is to be used only for costs associated with equipping and operating facilities. The Committee expects the costs of facility construction to be borne by the Tribes. The participating Tribes are expected to provide the facilities lease-free to the IHS. The IHS is to be responsible for all costs associated with equipping and operating the facilities. The Committee has endorsed this approach, on a demonstration program basis, in response to indications from some Tribes that they would be willing to pay for the cost of constructing needed health facilities in return for assurances from IHS that funds for staffing, equipping and operating these facilities would be forthcoming. The Committee expects the IHS to keep the Committee fully informed of the progress of this demonstration program. Bill language also has been included to provide for this program.

The American Dental Association reported to the Committee that the extension of the IHS loan repayment program to dentists has enabled the program to retain dentists in more remote areas.

project modifications or enhancements and cost estimates for the program.

**Alcoholism.**—The Committee recommends \$36,766,000 for the alcoholism program, an increase of \$1,886,000 above the budget request. Increases include \$882,000 to fund inflation fully, \$4,000 for pay costs and \$1,000,000 to expand the Gallup, New Mexico alcohol treatment program.

The Committee is pleased that the IHS has recognized the value of the Fetal Alcohol Syndrome research project at the University of Washington and has, for the first time, requested funds for the project in its budget. The Committee recommends \$100,000, the amount requested, and fully supports the continuation of this important research effort.

**Maintenance and repair.**—The Committee recommends \$16,010,000 for the maintenance and repair program, an increase of \$3,000,000 to \$3,590,000 over the budget request. Increases include \$3,000,000 to address a portion of the large maintenance and repair backlog and \$590,000 to fund inflation fully.

**Contract care.**—The Committee recommends \$281,302,000 for the contract care program, an increase of \$30,508,000 over the budget request. Increases include \$10,000,000 to fund the shortfall in contract care services, \$5,000,000 for deferred services, \$6,341,000 to fund inflation fully, \$9,000 for pay costs and \$9,158,000 to keep pace with population growth.

The Committee recommends \$89,430,000 for preventive health, an increase of \$6,182,000 over the budget request. The distribution of this increase by subactivity is discussed below.

**Sanitation.**—The Committee recommends \$28,243,000 for the sanitation program, an increase of \$667,000 above the budget request. Increases include \$238,000 for pay costs and \$429,000 to fund inflation fully.

**Public health nursing.**—The Committee recommends \$17,418,000 for the public health nursing program, an increase of \$956,000 above the budget request. Increases include \$200,000 to fund inflation fully, \$148,000 for pay costs and \$608,000 to keep pace with population growth.

**Health education.**—The Committee recommends \$5,915,000 for the health education program, an increase of \$719,000 over the budget request. Increases include \$500,000 for AIDS prevention training, \$100,000 for an initiative to establish a smokeless tobacco education program for Alaskan children, \$93,000 to fund inflation fully, and \$26,000 for pay costs.

**Community health representatives.**—The Committee recommends \$36,636,000 for the community health representatives program, an increase of \$3,810,000 over the budget request. Increases include \$3,000,000 to hire additional CHRs and \$810,000 to fund inflation fully.

The Committee is concerned that the IHS is only meeting a small percent of need in the community health representatives program. There are currently about 1,400 CHR positions and the IHS estimates that approximately 3,000 more are needed. The IHS should address this situation in future budget requests and explain in the fiscal year 1992 budget justification how the request provides for more fully meeting the needs in this area.

**Hepatitis B and Haemophilus influenzae immunization program.**—The Committee recommends \$1,218,000 for the Alaska immunization program, an increase of \$30,000 to fund inflation fully.

**Urban health projects.**—The Committee recommends \$17,270,000 for the urban health program, an increase of \$3,141,000 above the budget request. Increases include \$1,000,000 for mental health services, \$1,000,000 for the alcoholism program, \$300,000 for AIDS education and prevention, \$500,000 for urban health services in St. Paul, Minnesota and \$341,000 to fund inflation fully.

**Indian health manpower.**—The Committee recommends \$12,600,000 for the Indian health manpower program which is the authorized level for this program and the amount included in the budget request.

**Tribal management.**—The Committee recommends \$4,257,000 for tribal management, an increase of \$126,000 to fund inflation fully.

**Direct operations.**—The Committee recommends \$54,682,000 for direct operations, an increase of \$4,746,000 over the budget request. Increases include \$2,000,000 for a third party billing system to improve the service's ability to make collections from private insurers, \$1,339,000 to fund inflation fully, \$903,000 for special pay for physicians and \$504,000 for other pay costs.

**Bill language.**—Under administrative provisions, the Committee has continued to include bill language to prohibit the expenditure of funds to implement the proposed IHS eligibility regulations until a budget request accurately reflecting the changes in costs likely to occur as a result of the regulations has been submitted to the Congress and enacted into law. Bill language also has been included to require that funds be apportioned to the IHS as appropriated. The Committee is concerned that the IHS is establishing separate accounting systems for tribal and Federal health services despite the Committee's clear direction that such a separation is not acceptable.

The Committee has included language under General Provisions to make permanent the extension of Federal Tort Claims protection to tribal contractors.

#### INDIAN HEALTH FACILITIES

Appropriation enacted, 1990	\$71,633,000
Budget estimate, 1991	13,156,000
Recommended, 1991	167,236,000
Comparison:	
Appropriation, 1990	+ 95,603,000
Budget estimate, 1991	+ 154,080,000

The amount recommended for fiscal year 1991 for Indian Health Facilities is \$167,236,000, an increase of \$95,603,000 over the fiscal year 1990 appropriation of \$71,633,000 and an increase of \$154,080,000 over the fiscal year 1991 request. The amount recommended by the Committee as compared to the budget estimate by activity is shown in the following table:

**Outpatient care facilities.**—The Committee recommends \$28,461,000 for outpatient care facilities. No funds were included for these facilities in the budget request. The funds recommended by the Committee include \$18,403,000 for construction at Belcourt, North Dakota; \$8,735,000 for construction at Tohatchi, New Mexico; \$750,000 for design of the Montezuma Creek, Utah facility; and \$573,000 for design of the Stilwell, Oklahoma facility.

**Personnel quarters.**—The Committee recommends \$12,457,000 for staff quarters at Pine Ridge, South Dakota. No funds were included for personnel quarters in the budget request.

**Regional treatment centers/youth.**—The Committee recommends \$1,620,000 for renovation and construction of youth regional treatment centers for drug and alcohol abuse treatment. No funds were included for this activity in the budget request. The Committee recommendation includes \$1,000,000 to complete the centers in the Phoenix and Tucson areas at Schurz, Nevada and Gila River, Arizona; \$400,000 to complete the Sitka and Fairbanks, Alaska projects; and \$220,000 to complete design of the Inland Tribal Consortium center to be constructed in Spokane, Washington.

**Sanitation facilities.**—The Committee recommends \$72,238,000 for sanitation facilities for new and existing homes. No funds were included for this activity in the budget request. The Committee recommendation includes \$35,000,000 for newly constructed or renovated homes; \$30,000,000 to begin to address the backlog of needed sanitation projects for existing homes; and \$7,238,000 to complete sanitation projects funded in earlier appropriations including \$2,115,000 for the Cattaraugus Reservation of the Seneca Tribe, \$2,123,000 for the Rocky Boys Reservation of the Chippewa-Cree Tribe, \$250,000 for Fort Berthold, and \$2,750,000 for the Navajo "New Lands" water system.

Within available funds the IHS may reprogram up to \$451,000 for construction of the Sallisaw clinic and up to \$200,000 for planning studies for facilities on the priority list.

DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

INDIAN EDUCATION

Appropriation enacted, 1990	\$73,620,000
Budget estimate, 1991	75,762,000
Recommended, 1991	75,762,000
Comparison:	
Appropriation, 1990	+ 2,142,000
Budget estimate, 1991	

The Indian Education Act of 1972 (Public Law 93-318, Title IV), amended by Public Law 100-297, provides support for the special educational needs of American Indian and Alaskan Native children, college students and adults. Through this Act, the Secretary of Education is given the authority to operate a variety of programs, including supplementary educational services, experimental, demonstration, and dissemination activities. Indians have traditionally been among the most disadvantaged, and the special pro-

	FY 1990 Enacted	(in thousands of dollars) Budget Estimate	Committee Estimate	Change from Enacted
Hospitals replacement	3,308	3,155	42,460	39,304
Repair and improvement	9,690	10,000	10,000	---
Subtotal, hospitals	13,238	13,155	52,460	39,304
Outpatient care facilities	16,940	---	28,461	28,461
Sanitation facilities	30,677	---	72,238	41,561
Personnel quarters	12,457	---	12,457	---
Unobligated balances	---	---	---	---
Regional treatment centers (youth)	---	---	1,620	1,620
<b>Total, Indian Health Facilities</b>	<b>71,632</b>	<b>13,155</b>	<b>167,236</b>	<b>164,000</b>

Over the past 10 years the Indian Health Service has constructed 11 hospitals and 7 health centers. Nineteen inpatient and outpatient facilities are currently on the IHS construction priority list and the IHS estimates it will take \$520 million to complete construction of these 19 facilities. During the most recent request for proposals to be considered under the health facilities construction priority system, the IHS received nearly 100 proposals for outpatient facilities and over 20 proposals for inpatient facilities. Many tribes have reported to the Committee their frustrations with the long wait to be placed on the priority list. Other tribes have reported they are unable to meet the criteria to be considered for an inpatient or outpatient facility and that by the time they do qualify, if ever, they will have to wait for an undetermined number of years before being placed on the priority list. The IHS estimates that once a project is placed on the list, it will take between 4 and 7 years to complete construction.

The IHS also has a backlog of over \$100 million in needed repair and improvement projects. At the current funding level of \$10 million dollars a year that backlog is increasing. The IHS has reported that it would need approximately \$30 million a year to maintain an adequate repair and improvement program. Funds in addition to that amount are needed if the repair backlog is to be reduced.

The Committee has recommended additions to the budget request for construction of needed facilities in the belief that an active construction program will help reduce the needed repair backlog as those facilities in the worst condition are replaced. The Committee regrets that funding constraints do not allow for the large increases needed to fund more fully the repair and improvement program and encourages the IHS to include in future budget requests both a more ambitious construction program and a more satisfactory level of funding for the repair and improvement program.

**New and replacement hospitals.**—The Committee recommends \$42,460,000 for new and replacement hospitals, an increase of \$39,304,000 above the budget request. Increases include \$1,000,000 to complete design and site development of the Anchorage, Alaska medical center; \$12,982,000 to complete construction of the Pine Ridge, South Dakota hospital; and \$25,322,000 to begin construction of the Kotzebue, Alaska hospital.

**Repair and improvement.**—The Committee recommends \$10,000,000 for repair and improvement activities which is the amount included in the budget request.



ed and to provide that proceeds from the sale of aircraft may be used to purchase replacement aircraft.

Language is included under the Forest Service, Administrative Provisions, to prevent a change in the Forest Service appropriation structure without advance approval of the House and Senate Committees on Appropriations, and for a Youth Conservation Corps program.

Language is included under the Forest Service, Administrative Provisions, allowing funds to be used through the Agency for International Development and the Office of International Cooperation and Development for work in foreign countries, and to support forestry activities outside of the United States. Money collected from States for fire suppression may be used for authorized programs. Language is included under the Forest Service, Administrative Provisions, to prohibit transfer of funds among appropriations with-out advance approval of the House and Senate Committees on Appropriations, and to prohibit transfer of funds to the working capital fund of the Department of Agriculture without approval of the Chief of the Forest Service.

Language is included under the Forest Service, Administrative Provisions, allowing the reimbursement of employees for employment-related expenses, prohibiting issuance of a special use authorization in California until two required studies have been submitted to the Congress and reviewed, naming a mountain peak for Hulda Crooks providing for nonmonetary awards, providing for cooperative agreements under the challenge cost-share program, and limiting the amount of funds to be made available for the Tongass NF from the Tongass Timber Supply Fund.

Language is included under the Forest Service, Administrative Provisions, prohibiting the use of funds to be spent on even-age management practices in two National Forests, prohibiting the use of funds to issue a permit for a motel-restaurant in the Allegheny NF, and authorizing a non-competitive exchange of timber in Colorado.

Language is included under the Department of Energy, Clean coal technology, allowing unneeded funds from one procurement to be applied to other procurements for projects for which cooperative agreements are already in place, allowing withholding of confidential information for up to five years, establishing an employment minimum, and adjusting reporting requirements from legislative to calendar days at the end of a Congressional session.

Language is included under the Department of Energy, Fossil energy research and development, which places a limitation on the field testing of nuclear explosives for the recovery of oil and gas, which provides for cost-shared programs in magnetohydrodynamics and Western oil shale, and which establishes a cost-shared cooperative program with States.

Language is included in the Department of Energy, Naval Petroleum and Oil Shale Reserves, providing that revenues from certain gas wells may be used for additional gas protection activity.

Language is included under the Department of Energy, Energy conservation, which provides for an allocation of grants to State and local programs, for a cost-shared steel and aluminum research program, and for a metal casting research center.

Language is included under the Department of Energy, Strategic Petroleum Reserve, prohibiting leasing of facilities.

Language is included under the Department of Energy, SPR Petroleum Reserve account, which allows the sale of Naval Petroleum Reserve oil notwithstanding SPR fill rate limitations, which prohibits leasing of petroleum or petroleum products, and which places an outlay ceiling on the account.

Language is included under Administrative provisions, Department of Energy, limiting programs of price supports, loan guarantees, or leasing of facilities or petroleum and petroleum products for the Strategic Petroleum Reserve 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; allowing acceptance of contributions and carrying out cooperative projects; providing for emergency transfer of funds to the Emergency preparedness appropriation; allowing contractors at Bartlesville, Oklahoma facilities to be for-profit or non-profit; and allowing obligations in connection with contracts for supplies and services for a period of not to exceed 12 months at any time during the fiscal year in annual appropriation accounts.

Language is included under Indian Health Service, Indian health services, for payments for telephone service in private residences in the field and purchase of reprints; providing an educational loan program for physicians and health care professionals; providing for expenditure of funds transferred to IHS from the Department of Housing and Urban Development; providing for purchase and erection of portable buildings; providing that contracts and grants may be performed in two fiscal years and for a Self-Determination Fund; providing for use of collections under Title IV of the Indian Health Care Improvement Act, with limitations on types of projects; and providing for a competitive program for three health centers.

Language is included under Indian Health Service, Indian health facilities, for the purchase of trailers and providing that construction funds may be used for site acquisition.

Language is included under Indian Health Service, Administrative provisions, providing that health care may be extended to non-Indians at Indian Health Service facilities.

Language is included under Indian Health Service, Administrative provisions, providing that no funds shall be available for initial lease of permanent structures, and to prevent 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, prohibiting imposition of personnel ceilings, specifying that certain funds shall not be subject to certain travel limitations, prohibiting the expenditure of funds to implement new eligibility regulations, and providing that funds be apportioned only in the appropriation structure in this Act.

Language is included under Office of Navajo and Hopi Indian Relocation, Salaries and expenses, defining eligible relocatees; prohib-