

DEPARTMENT OF THE INTERIOR AND RELATED
AGENCIES APPROPRIATIONS BILL, 1992

JUNE 19, 1991.—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. 2686]

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, 1992. The bill provides regular annual appropriations for the Department of the Interior (except the Bureau of Reclamation) and for other related agencies, including the Forest Service, the Department of Energy, the Indian Health Service, the Smithsonian Institution, and the National Foundation on the Arts and the Humanities.

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last three years, with the reprogrammings becoming progressively larger in each year. The shortfall for fiscal year 1991 is estimated to be in excess of \$10 million. The Committee will not continue to agree to borrow from State grants to fund emergency program shortfalls. Indeed, under the recommended bill language for fiscal year 1992, it will not be an option. The OSM has been negligent in its duty to inform the Committee of emergency program shortfalls in a timely manner, waiting until all funds have been exhausted and relying on the Committee to agree to reprogram funds on an emergency basis to prevent a program shutdown. The Committee will not operate under those terms in the future and the OSM is placed on notice to improve its performance in this area.

While the funds provided by the Committee for RAMP do not provide for the greatly expanded role of this program envisioned by the AML reauthorization, the program will be maintained at the fiscal year 1991 level.

Small Operator Assistance Program.—The Committee recommends an increase of \$375,000 for the small operator assistance program to provide for the increased level of demand for this program anticipated as a result of the AML reauthorization. The threshold for a small operator was changed by the reauthorization from 100,000 tons of production per year to 300,000 tons of production. Thus more operators are expected to qualify for SOAP assistance in fiscal year 1992 and beyond.

General Administration.—The Committee recommends a decrease of \$446,000 for general administration, including reductions of \$32,000 for total quality management, \$16,000 for the women and minorities initiative, \$32,000 for the Hispanic opportunities initiative, \$14,000 for audited financial statements, \$342,000 for the Federal financial system and \$10,000 for the take pride in America program. Reductions for these activities also are recommended in the Regulation and Technology account.

The Committee recommends restoration of \$192,000 in proposed reductions to be achieved through administrative and staffing efficiencies, and has provided an additional \$844,000 to fund the full cost of the 1992 pay raise. These increases are needed in fiscal year 1992 to ensure there is no erosion of mission-essential programs. These funds should be distributed equitably to each program. Similar increases are recommended in the Regulation and Technology account.

Bill Language.—The Committee has included bill language specifying that the OSM is to maintain 23 FTEs for the anthracite reclamation program at the Wilkes-Barre, Pennsylvania field office.

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

Appropriation enacted, 1991.....	\$1,320,044,000
Budget estimate, 1992.....	750,657,000
Recommended, 1992.....	1,283,630,000
Comparison:	
Appropriation, 1991.....	—36,414,000
Budget estimate, 1992.....	+532,973,000

The amounts recommended by the Committee for fiscal year 1992 compared with the budget estimates by activity are as follows:

	(in thousands of dollars)			
	FY 1991 Enacted	Budget Estimates	Committee Bill	Change from Estimates
Education				
School operations.....				
Johnson O'Malley educational assistance.....	243,620	—	327,584	+327,584
Continuing education.....	24,931	—	23,826	+23,826
Tribe/Agency operations.....	34,977	—	36,519	+36,519
Forward funding.....	32,117	—	33,739	+33,739
	208,900	—	42,695	+42,695
Subtotal, Education.....	544,545	—	464,363	+464,363
Indian Services				
Tribal government services.....				
Social services.....	10,602	10,481	10,851	+370
Law enforcement.....	110,490	103,085	121,493	+18,408
Self-determination services.....	5,405	7,074	7,074	—
Employment development.....	58,061	71,449	67,449	-4,000
Tribe/Agency operations.....	2,588	2,234	2,684	+450
	151,785	189,112	189,912	+600
Subtotal, Indian Services.....	338,931	383,435	399,463	+16,028
Navejo-Hopi settlement program.....				
	1,379	1,139	1,139	—
Economic Development and Employment Programs				
Business enterprise development.....				
Tribe/Agency operations.....	10,853	18,976	18,976	—
	3,742	3,947	3,947	—
Subtotal, Economic Development & Employment.....	14,595	22,923	22,923	—
Natural Resources Development				
Natural resources, general.....				
Agriculture.....	3,355	3,279	3,279	—
Forestry.....	11,807	13,519	13,919	+400
Water resources.....	16,115	14,464	16,664	+2,200
Wildlife and parks.....	11,123	7,672	10,572	+3,000
Minerals and mining.....	32,316	20,098	29,762	+9,664
Tribe/Agency operations.....	5,276	4,566	4,816	+250
	59,702	57,983	58,083	+100
Subtotal, Natural Resources Development.....	139,694	121,581	137,195	+15,614
Trust Responsibilities				
Rights protection.....				
Real estate and financial trust services.....	23,431	17,269	23,679	+6,410
Tribe/Agency operations.....	26,452	28,137	28,487	+350
	24,832	27,893	27,893	—
Subtotal, Trust Responsibilities.....	74,715	73,299	80,059	+6,760
Facilities Management.....				
Essential tribal services.....	94,179	30,039	30,039	—
General administration.....			15,000	+15,000
Administrative and staffing efficiencies.....	112,006	118,241	122,676	+4,435
Pay restoration.....	—	—	5,391	+5,391
	—	—	5,382	+5,382
Total, Operation of Indian Programs.....	1,320,044	750,657	1,283,630	+532,973

Education.—The Committee recommends \$464,363,000 for education, an increase of \$45,747,000. Of this amount, \$42,695,000 is included, with related bill language, to allow the balance of the education program, except for the facilities O&M program, to be put on a forward funding basis. Most of the education program was forward-funded in the 1991 appropriations Act, and this will complete this effort. The Committee has also included bill language changing the date on which education funds will be provided to grant schools from August 1, as proposed, to July 1, the same as non-grant schools.

The Committee has not agreed with the proposal of the Bureau to fund the education programs in a separate account. This proposal was linked to the original reorganization proposals of the Bureau, which were stopped in the fall of 1991 in order to allow a joint tribal-Bureau-Department task force to review the reorganization proposals, hold more extensive consultations with tribes, and report to Congress with final recommendations for reorganization of the Bureau when this process is complete. Since the final report is not yet available, the Committee has not agreed to any major restructuring at this time, and has transferred the amount included in the proposed separate Education appropriation, \$418,616,000, back to the Operation of Indian programs account. Of this amount,

\$412,906,000 is transferred to the Education line item, and \$5,710,000 for education program management, as adjusted by the Committee, is transferred to the general administration line item.

For school operations, there is a net increase of \$600,000, including reductions of \$400,000 to parental and community involvement and \$2,000,000 to the new initiative for Education 2000 grants. This will delete the funds for the school improvement portion of this effort, leaving a \$2,000,000 increase for student achievement grants. An increase of \$3,000,000 is included for facilities O&M, to provide the amount called for by the FACCOM system.

The Committee still expects the student transportation formula to be changed in order to provide a more equitable allocation of transportation funds, and understands this is being reviewed by the Reorganization Task Force.

For the Johnson-O'Malley program, there is an increase of \$4,300,000, which will restore the program to the 1991 level.

An increase of \$3,862,000 is recommended for continuing education. Included are increases of \$977,000 for Haskell Indian Junior College, \$737,000 for the Southwestern Indian Polytechnic Institute, \$648,000 for special higher education scholarships, and \$1,500,000 for tribally controlled community colleges. In the special higher education program, the increase includes \$160,000 for the Pre-Law Summer Institute for American Indians administered by the American Indian Law Center at the University of New Mexico. The balance will provide for additional graduate level scholarships in all fields, including those identified as the priority fields. Within the increase provided for the tribal colleges is \$750,000 for Title I colleges, \$250,000 for the Navajo Community College, and \$500,000 to restore the endowment fund to the 1991 level.

The Committee will address changes to tribe/agency operations under the new line item entitled "Essential tribal services".

Indian services.—An increase of \$16,028,000 is recommended for Indian services. Under tribal government services, new tribes funding, there are increases of \$70,000 for the Coquille tribe, \$150,000 for the economic development plan for the Ponca tribe, and \$250,000 for the Yurok Interim Council. The Committee recognizes that additional funding may be required for the Yurok Council once it is established, and expects the Bureau to propose a reprogramming to provide the funding needed once the correct amount is determined. There is also a decrease of \$100,000 for the United Keetoowah Band of Cherokees in Oklahoma. While a 1946 Act of Congress may have permitted the United Keetoowah Band to organize as a band of Cherokees within the Cherokee Nation, the Congress never intended to create a duplicative or competing Cherokee tribal government, or to supplant the Cherokee Nation's governance. Therefore, the Committee believes it is inappropriate for the Federal Government to appropriate funds for the United Keetoowah Band as long as the Cherokee Nation continues to provide services to the members within its jurisdiction.

An increase of \$18,408,000 is recommended for social services. Of this amount, \$11,808,000 is provided to restore the welfare assistance program to the 1991 level. While the Committee does not disagree with the Bureau's proposal to increase its efforts to work with general assistance recipients to prepare and implement em-

ployability plans so that they might eventually reenter the work force and no longer need to receive such assistance, testimony from the Bureau made it clear that general assistance payments will need to be maintained while this effort is underway. The Committee has also been impressed with the successes within the EARN initiative, and believes that at least \$2-\$3,000,000 from within welfare assistance should be provided to continue these successful efforts, including Acoma, Cherokee, Flathead and Mississippi Choctaw, as well as to allow other tribes such as the Kalispel tribe to undertake EARN programs. There is also an increase of \$5,000,000, which is required because of the reinstatement of the general assistance program in the State of Alaska. The Bureau should report promptly to the Committee if additional funds will be required for this effort, including administrative costs. Finally, there is an increase of \$1,600,000, which is the amount estimated to be needed for the final retroactive payments in the State of Washington, under court order.

Under self-determination services, there is a net decrease of \$4,000,000. Included is an increase of \$2,000,000 for contract support costs, and a decrease of \$1,000,000 for employee displacement costs. There is also a decrease of \$5,000,000 for self-determination grants. The Committee supports the efforts of the Bureau to reinstate this program, but could not agree to the entire increase of \$9,000,000 due to the budget constraints with which it is faced. The amount of increase allowed will double the size of this important grant program, which will enable more tribes to plan and build tribal capacity to design and administer their own programs.

For employment development, there is an increase of \$450,000 to restore the United Tribes Technical College to the 1991 level.

Under tribe/agency operations, there is a net increase of \$800,000. A decrease of \$1,200,000 is included because only two juvenile detention centers will be operational in fiscal year 1992. There is an increase of \$2,000,000 under self-governance, to provide for shortfalls of the new tribes that will enter into self-governance compacts in 1992, as well as for planning and negotiation costs as necessary. Of this amount, \$150,000 should be provided to the Lummi tribe to continue the education project. The Committee is encouraged by the progress that has been made by the Office of Self-Governance in implementing the self-governance demonstration project, and is also pleased by the Bureau's budget commitment for this project. Nonetheless, the Committee remains concerned about the apparent inability of the Bureau to focus on the long-range policy implications of the project, and the fact that there continues to be a lack of planning, budget research, and recognition of the potential restructuring of the Bureau to go along with the negotiated transfer of programs, services, functions and activities from all levels of the Bureau to the tribes.

The Committee understands that there are special costs to tribes associated with managing the project, and that significant shortfalls have been experienced by tribes with respect to negotiations in the annual agreements. In order to maintain stable budgets at the tribal level, a stated goal of this project, the Bureau is directed to continue support for self-governance management activities and program shortfall funding at the fiscal year 1991 negotiated levels

for fiscal year 1992 for participating compact tribes. The Committee expects that funds provided for program shortfalls should be available solely to the compact tribes for this purpose, and that Bureau self-governance costs or shortfalls, if any, will be addressed through reprogramming.

Within the increase for tribe/agency social services, the 1991 add-on of \$300,000 for the Navajo tribe is to be continued, as well as the earmark of \$100,000 for the Hopi tribe. These amounts are for the tribes' child sexual abuse projects.

Natural resources development.—The Committee recommends an increase of \$15,614,000 for natural resources development. Under agriculture, there is a net increase of \$400,000. Included are increases of \$250,000 for the Intertribal Agricultural Council, and \$650,000 for Gila River Farms crop establishment. There is also a decrease of \$500,000 for prairie dog control. The Committee continues to expect the Bureau to work with the tribes involved to reorient this program to avoid poisoning where possible and to develop management programs that will allow coexistence with prairie dog populations. The Bureau should continue to seek increased coordination with the U.S. Fish and Wildlife Service, especially with regard to avoiding conflicts with the reintroduction of the endangered black-footed ferret.

An increase of \$2,200,000 is recommended for the forestry program. Included is \$300,000 to initiate the forestry assessment required by Public Law 101-630. There are also increases of \$500,000 to restore the woodland management funds, and \$1,400,000 for spotted owl management needs of tribes affected by the listing of the spotted owl as a threatened species. The Committee has included bill language proposed by the Bureau that will allow the deduction from timber sale receipts retained by the Bureau for the use of the tribes in their forestry programs, in accordance with Section 306 of P.L. 101-630, to remain available until expended. The purpose of this language is solely to avoid the loss of the funds if they are not obligated within a year, and in no way changes the use or purpose of such funds, as prescribed by Section 306 of the law.

The Committee recommends an increase of \$3,000,000 for water resources, which will restore the program to the 1991 level. This will allow continuation of the funding required by the Minnesota Chippewa water research laboratory and the Miccosukee and Seminole water management programs. Also included is the \$750,000 provided in 1991 for freshwater resource planning land negotiation in the State of Washington, with \$250,000 earmarked for the Muckleshoot tribe. None of these funds are to be used for any form of litigation, including shellfish litigation.

An increase of \$9,664,000 is included for the wildlife and parks program. These funds include restoration of the following amounts to the 1991 level: \$325,000 for unresolved hunting and fishing rights; \$2,408,000 for Western Washington rights protection, including \$2,000,000 for the timber-fish-wildlife initiative, \$100,000 for the fish health lab of the Northwest Indian Fish Commission, \$200,000 for Quileute tribal fisheries, \$110,000 for Quinault tribal fisheries, and \$50,000 for Suquamish tribal fisheries, less the \$52,000 increase already included in the budget; \$356,000 for the Columbia River Intertribal Fish Commission; \$1,150,000 for the Great Lakes Indian

Fish and Wildlife Commission; \$250,000 for the Chippewa-Ottawa Treaty Fishery Management Authority; \$450,000 for the 1854 Authority, including the Fond du Lac tribe; \$210,000 for the Klamath conservation program; \$200,000 for the U.S./Canada Pacific Salmon Treaty; \$300,000 for Upper Columbia United Tribes; \$600,000 for wetlands management—Circle of Flight initiative; \$200,000 for hatchery operations, including \$100,000 each for the Nisqually and Makah tribes; and \$200,000 for fish hatchery maintenance, for which bill language is included. There are also increases of \$86,000 for Minneapolis Area conservation officers training, and \$200,000 for Lake Roosevelt management by the Colville and Spokane tribes.

For tribal management development, there is an increase of \$2,279,000, which includes \$500,000 for the Native American bison project, \$80,000 for the Navajo natural heritage program (which will provide a total of \$280,000), \$200,000 for the Native American Fish & Wildlife Society, which includes an increase related to the bison project, and \$200,000 to restore funds needed for Columbia River tribes planning. Finally, there is \$1,749,000 to restore the following 1991 projects: Umatilla fisheries (\$200,000); Metlakatla halibut fishery (\$34,000); Duck Valley Shoshone Paiute Tribes (\$100,000); Lac du Flambeau fish and wildlife (\$175,000); Fort Peck fish and wildlife program (\$110,000) Bad River fish and game program (\$75,000); Fond du Lac fish and wildlife (\$50,000); Menominee fish and wildlife (\$150,000); Passamaquoddy conservation program (\$100,000); Yakima fish and wildlife (\$200,000); St. Croix Chippewa fish and wildlife (\$50,000); White Earth Chippewa fish, wildlife, and natural resources (\$55,000); Keweenaw Bay fisheries management (\$50,000); White Mountain Apache wetlands and fisheries management (\$50,000); and Chugach fisheries (\$350,000).

For minerals and mining, the Committee recommends an increase of \$250,000 for the Council of Energy Resource Tribes, which restores their funding to the 1991 level. Under tribe/agency operations, there is an increase of \$100,000 to restore the reduction to timber sales administration.

Trust responsibilities.—The Committee recommends an increase of \$6,760,000 for trust responsibilities. Included is an increase of \$6,410,000 for Indian rights protection, including \$1,000,000 to restore the funds for litigation support and \$600,000 for attorneys' fees. Within total funding for attorneys' fees, the Navajo, Hopi, and San Juan Southern Paiute tribes should continue to receive the historic amounts provided related to the 1934 and 1882 litigation.

The Committee is aware of the needs of the Alaska Native villages for litigation support funding to fund studies by their expert witnesses on the impact of the Exxon Valdez oil spill on their subsistence hunting and fishing way of life. The Committee understands the Native villages may submit applications for litigation support funding to the Bureau, and expects the Bureau to give full consideration to any such requests.

There is an increase of \$4,000,000 for water rights negotiation/litigation, and \$260,000 for other rights protection, which includes \$60,000 for the Alaska Sea Otter Commission, and \$200,000, \$100,000 each to the Hopi and Navajo tribes, for the alternative transportation study related to the Black Mesa Mine. There is an

increase of \$350,000 for settlement costs related to the Pyramid Lake settlement, and an increase of \$100,000 for the Crow Creek Sioux tribe, for studies related to the Big Bend settlement. Within the funds for water rights is \$490,000 for participation by the Lower Elwha Klallam tribe in FERC proceedings related to removal of dams.

An increase of \$350,000 is included for real estate/financial trust, including \$200,000 for Yurok surveys, and \$150,000 to establish a model trust department by the Blackfeet Tribe. The Committee is pleased with the progress made this year in proceeding to the annual reconciliation and auditing of tribal and individual Indian monies (IIM) accounts, and is continuing the bill language requiring this effort to continue. The Bureau is also expected to proceed as expeditiously as possible to complete the staffing of the Trust fund management department, and to complete a strategic plan for tribal trust and IIM fund management in the future. This plan should look at all alternatives, including which portions of such management could be done under contract, or by the tribes themselves, more efficiently than by the Bureau. The Bureau is also expected to continue to work with the General Accounting Office and the Indian Ad Hoc Committee as it proceeds with these efforts, and to continue to report quarterly to the Committee on their status, and related cost estimates, including revisions as appropriate.

The Committee is aware of concerns that have been raised about the siting of waste disposal facilities on Indian lands, and believes that the tribes, the Bureau and authorizing committees should work together to review and resolve these issues, as appropriate.

Essential tribal services.—The Committee has included a new line item, entitled Essential tribal services, in the amount of \$15,000,000. Included within this amount is \$5,404,000 which will restore the 1991 Congressional tribe/agency add-ons not retained in the Bureau's 1992 budget request, as indicated in the following table:

<i>Tribe/program</i>	<i>Amount</i>
Education:	
Navajo	\$500,000
Standing Rock Sioux	200,000
Turtle Mountain	300,000
Subtotal	<u>1,000,000</u>
Community fire protection:	
Umatilla	26,000
Red Lake	47,000
Passamaquoddy	120,000
Penobscot	175,000
Fort Belknap	78,000
Subtotal	<u>446,000</u>
Tribal courts:	
Suquamish	82,000
Nez Perce	50,000
Turtle Mountain	200,000
Flathead	100,000
Saginaw Chippewa	50,000
Sault Ste. Marie	50,000
Fort Peck	50,000
Grand Traverse	30,000

<i>Tribe/program</i>	<i>Amount</i>
Omaha.....	50,000
Rocky Boys.....	63,000
Keweenaw Bay.....	80,000
Metlakatla.....	58,000
Northwest Intertribal Courts.....	100,000
Oglala Sioux.....	100,000
Hopi.....	50,000
Subtotal.....	<u>1,113,000</u>
Agriculture:	
Nez Perce.....	100,000
Cheyenne River Sioux.....	200,000
Zuni.....	75,000
Subtotal.....	<u>375,000</u>
Forestry:	
Nez Perce.....	200,000
Coeur d'Alene.....	91,000
San Carlos Apache.....	100,000
Subtotal.....	<u>391,000</u>
Water resources:	
Nez Perce.....	100,000
Fort Berthold.....	150,000
Colorado River tribes.....	200,000
Umatilla.....	100,000
Colville.....	150,000
Standing Rock.....	600,000
Subtotal.....	<u>1,300,000</u>
Wildlife and parks:	
Flathead.....	100,000
Oglala Sioux.....	100,000
Shoshone-Bannock.....	30,000
Fort Berthold.....	150,000
Miccosukee.....	100,000
Standing Rock Sioux.....	99,000
Karuk.....	50,000
Yurok.....	100,000
Subtotal.....	<u>729,000</u>
Trust responsibilities:	
Flathead realty.....	50,000
Total.....	<u>5,404,000</u>

The balance of the funds, \$9,596,000, includes an earmark of \$275,000 for the Taos Blue Lake wilderness. The balance should be distributed to the tribe/agency base, according to priorities of the tribes, not of the Bureau. The Committee is aware of the flaws of the Indian Priority System, and looks forward to receiving the joint Reorganization Task Force's recommendations for improving the system. In the meantime, the Committee directs that all tribe/agency funds included in the 1992 budget, including the above funds and the additional funds included by the Bureau, may be reprogrammed by the tribes if they have determined there are higher priorities than those for which the funds were initially provided, or as provided under the IPS process. All such reprogrammings should be reported in the fiscal year 1993 budget request, and all

add-ons to the tribe/agency base are to be retained in the base, subject only to change by the tribes themselves.

General administration.—The Committee recommends a net increase of \$4,435,000 for general administration. Included is a decrease of \$2,765,000 to management administration, consisting of decreases of \$1,735,000 for the Federal Financial System (FFS), \$1,000,000 for emergency management improvements, leaving an increase of \$3,000,000 for that purpose, and a decrease of \$30,000 which was budgeted for a Columbus Day commemoration, but which will not be needed for that purpose. Under program management, there is an increase of \$7,609,000, which represents the transfer of construction program management from the education construction account (\$3,509,000), and \$5,710,000 from the education account. This latter amount is decreased by \$1,710,000 for new positions and \$200,000 for volunteer services. There is also an increase of \$300,000 to maintain the Close-up program at the 1991 level, with related bill language.

There is a decrease of \$409,000 to the consolidated training program, which deletes increases for total quality management, contract officer training and the women and minorities initiative.

Other adjustments.—The Committee has included an increase of \$10,773,000, which consists of increases of \$5,382,000 for the balance of the 1992 pay raise costs not included in the budget, \$2,846,000 to restore the proposed reduction for administrative efficiencies, and \$2,545,000 to restore the proposed reduction for staffing efficiencies.

Bill language.—The Committee has continued language included in fiscal year 1991 which extends the Statute of Limitations with relation to Indian trust fund management, to protect the rights of tribes and individuals until the reconciliation and audit of their accounts has been completed. The Committee has also continued the language prohibiting the use of funds to prepare a reprogramming, which includes reorganizations under the Committee's guidelines, until the joint tribal-Bureau-Department Reorganization Task Force has completed its review, a full consultation process with the tribes has been completed, and the resulting proposals are submitted to the Committees on Appropriations, as well as the appropriate authorizing committees, for their review. The Committee hopes the Task Force will include in its review and recommendations proposals to address the apparent inequities in funding among tribes which have resulted from historical allocations of funding, such as is the case for the tribes funded under the Michigan Agency. The Committee will expect to address these inequities as part of the reorganization, and reform of the Indian Priority System.

INDIAN EDUCATION PROGRAMS

Appropriation enacted, 1991.....	
Budget estimate, 1992.....	
Recommended, 1992.....	\$418,616,000
Comparison:	
Appropriation, 1991.....	
Budget estimate, 1992.....	-418,616,000

The Committee has deleted the funding proposed to be included under this account and has transferred the funding, \$418,616,000, with adjustments, to the Operation of Indian programs account.

CONSTRUCTION

(INCLUDING RESCISSION)

Appropriation enacted, 1991.....	\$167,653,000
Budget estimate, 1992.....	79,879,000
Recommended, 1992.....	212,856,000
Comparison:	
Appropriation, 1991.....	+45,203,000
Budget estimate, 1992.....	+132,977,000

The Committee recommends an appropriation of \$212,856,000, an increase of \$132,977,000 from the budget estimate. The recommended amounts, compared to the budget estimates, are shown in the following table:

	(in thousands of dollars)			Change from Estimates
	FY 1991 Enacted	Budget Estimates	Committee Bill	
Buildings and utilities.....	44,994	5,671	98,004	+92,333
Fish hatcheries.....	3,023	500	1,000	+500
Irrigation systems.....	46,751	7,954	45,857	+37,903
Housing.....	23,750	21,256	25,418	+4,162
Employee housing.....	995	---	3,000	+3,000
Road maintenance and construction.....	38,671	43,820	44,315	+495
Land acquisition.....	2,506	---	884	+884
Self-governance compacts (construction).....	---	678	678	---
Contract support.....	6,963	---	-7,000	-7,000
Administrative and staffing efficiencies.....	---	---	368	+368
Pay restoration.....	---	---	332	+332
Total, Construction.....	167,653	79,879	212,856	+132,977

Although the Committee has agreed to transferring a portion of the facilities O&M program to the education line item in the Operation of Indian programs account, the Committee expects the current arrangements for the balance of the facilities programs, including construction and FI&R, to continue, with these programs continuing under the direction of the Office of Construction Management. The Department should continue to submit the quarterly reports to the Committee as in previous years.

As in the Operations account, the Committee has not agreed to a separate account for Education construction, and has transferred the funds back to this account or to the Operations account, as appropriate.

Buildings and utilities.—An increase of \$92,333,000 is included for buildings and utilities. The Committee is recommending this increase, mostly in the school construction, and improvement and repair areas, because of recent reports which made clear that little or no progress has been made on correcting the backlog of deficiencies in these facilities at current levels of funding, resulting in many cases in hazardous and unsafe conditions for the children in these facilities. Therefore, the Committee has included the following increases for education construction projects:

Project	Amount
Transfer from education construction.....	\$9,000,000
Eastern Cheyenne River.....	8,000,000
Rock Point Community School.....	6,350,000
Tucker elementary school.....	4,760,000

<i>Project</i>	<i>Amount</i>
Dunseith—7th and 8th grade expansion	1,800,000
Subtotal	29,910,000
Haskell Junior College dormitory	3,000,000
Total, education projects.....	32,910,000

In order to stabilize the process for completing construction of new schools, the Committee directs that the current priority list be frozen, so that designs may continue for the remaining projects on the list and they may proceed to construction as quickly as possible. If there are reasons for making changes in the list, the Bureau and OCM should publish any proposed revisions in the Federal Register, and also provide the updated list to the Appropriations Committees. The Bureau and OCM should continue to accept applications on an annual basis, and add facilities to the list, in order of priority, as appropriate, so that there is always a list of at least ten active projects in planning, design or construction. The Bureau and OCM should also address how emergency needs will be handled, such as those resulting from fires, major structural defects, etc. The Bureau and OCM are directed to review the needs of the Mes-calero school, and report to the Committee within sixty days on those needs, and how they will be addressed.

The Committee is aware of the problems at the Shiprock facility of the Navajo Community College, which still belongs to the Bureau, and requests a report to be submitted within ninety days, of the requirements and costs to repair all health and safety code deficiencies at the site.

Under other projects, the Committee has included an increase of \$750,000 as the final installment of Federal funding for the Northern Cheyenne replacement tribal facility.

For law enforcement projects, the Committee recommends an increase of \$5,494,000, which includes \$3,277,000 for the Oglala Sioux juvenile detention facility, \$267,000 for the Ute Mountain Ute juvenile detention facility, \$400,000 for the Chinle juvenile detention facility, and \$1,550,000 for design of five additional law enforcement facilities.

Under advance planning and design, the Committee recommends an increase of \$5,500,000, which includes transfer of \$1,500,000 from the education construction account, and an increase of \$4,000,000 to fund additional designs for education projects.

An increase of \$46,989,000 is recommended for facilities improvement and repair, which includes a transfer of \$34,989,000 from the education construction account, and an increase of \$12,000,000 to fund additional FI&R projects to address the growing backlog, and in response to the recent reports of unmet needs. Within this amount is \$1,000,000 for the Lac Courte Oreilles school gymnasium.

There is also an increase of \$690,000 to restore the reduction included due to proposed Davis Bacon reforms, which have not been submitted to the Congress.

Fish hatcheries.—The Committee recommends \$1,000,000, an increase of \$500,000, for fish hatcheries rehabilitation projects. This will restore the program to the 1991 level. Bill language has also been included for this purpose.

Irrigation systems.—An increase of \$37,903,000 is recommended for irrigation systems, for the following projects:

<i>Project</i>	<i>Amount</i>
Shiprock.....	\$600,000
San Carlos irrigation project.....	2,760,000
Gila River Farms.....	1,642,000
Crow Creek Sioux.....	586,000
Ute Mountain Ute.....	5,000,000
Seminole.....	500,000
Flathead.....	500,000
Navajo Indian irrigation project.....	15,000,000
Safety of dams.....	11,315,000
Total.....	37,903,000

Bill language has been included for the Navajo Indian Irrigation project, and to prohibit the transfer of the Safety of Dams program. This program should be conducted as in the past, under the control of the Bureau of Indian Affairs or through tribal contracts, with the technical assistance of the Bureau of Reclamation as requested by the tribes or by the Bureau. As stated last year, this program is expected to proceed expeditiously, and the funds are not to be used for firefighting purposes, thereby leading to continual delays.

Housing.—The Committee recommends an increase of \$4,162,000 for the housing improvement program, which will restore the program to the 1991 level. The Bureau is expected to continue to include new homes where needed. Also included within the increase is \$162,000 to restore the reduction related to the proposed Davis Bacon reforms.

Employee housing.—An increase of \$3,000,000 is recommended for employee housing, which includes \$2,000,000 transferred from the education construction account, and an increase of \$1,000,000 to address more of the needs for improved staff housing. Within this amount, the Bureau should provide \$250,000 to move 10 housing units from the Many Farms school to the Rough Rock community school, \$8,000 to repair and install 4 trailers at the Black Mesa school, and sufficient funding to begin the construction of additional staff housing for the Ramah Navajo school. The Bureau should also work with the Black Mesa school to begin to address its additional staff housing needs.

Road maintenance and construction.—The Committee recommends an increase of \$495,000, which is for construction of a bridge for the Houlton Band of Maliseets.

Land acquisition.—The Committee recommends an increase of \$884,000 for the Swinomish Tribe, to purchase property on McGlinn Island.

Contract support.—The Committee has included a rescission of \$7,000,000 from construction contract support funds, which have accumulated from prior years and are not estimated to be needed in fiscal year 1992.

Other adjustments.—An increase of \$700,000 is recommended, which includes \$332,000 for the full costs of the 1992 pay raise, \$199,000 to restore the proposed reduction for administrative efficiencies, and \$169,000 to restore the proposed reduction for staffing efficiencies.

EDUCATION CONSTRUCTION

Appropriation enacted, 1991.....	
Budget estimate, 1992.....	\$50,998,000
Recommended, 1992.....	
Comparison:	
Appropriation, 1991.....	
Budget estimate, 1992.....	-50,998,000

The Committee has deleted funds proposed under this new account, \$50,998,000, and has transferred the funding to the Construction (\$47,489,000) and Operation of Indian programs (\$3,509,000 for construction program management) accounts.

MISCELLANEOUS PAYMENTS TO INDIANS

Appropriation enacted, 1991.....	\$56,135,000
Budget estimate, 1992.....	87,617,000
Recommended, 1992.....	87,617,000
Comparison:	
Appropriation, 1991.....	+31,482,000
Budget estimate, 1992.....	

The Committee recommends an appropriation of \$87,617,000, the budget estimate, for miscellaneous payments to Indians.

Bill language has been included to defer payments for the Fort Hall settlement (\$12,000,000) and the Fort McDowell settlement (\$23,000,000) until September 30, 1992. Both of these settlements require a number of actions to be taken before the authorized Federal payments can be made, and it is estimated that it will take at least six months of the next fiscal year before those actions have been completed. Therefore, deferring the payments until the end of the fiscal year will allow all of the required activities to be completed before the payments are made. Bill language has also been included providing that one-half of the payment to the Pyramid Lake Paiute Fisheries Fund, \$12,500,000, will be deferred until the end of the fiscal year, with the balance of \$12,500,000 paid at the beginning of the fiscal year.

The Committee recognizes that funds authorized by The Seneca Nation Settlement Act of 1990 and included in the President's fiscal year 1992 budget request correct inequities found in the prior leases. The Act of 1990 also establishes an essential framework for leases between the Seneca Nation and the citizens of Salamanca and the congressional villages, including a dispute resolution process. To assure that all parties have faith in this arbitration process, final decisions of the arbitration panel are open to review by the United States District Court for the Western District of New York. Access to the Federal District Court for the purpose of review is essential to the stated objectives of the Act of 1990. Therefore, the Congress wishes to clarify that it is the understanding and intent of Congress that a party which has participated in an arbitration proceeding is authorized to file suit in District Court, and the District Court is authorized to confirm, enforce, or modify the arbitrators' decision, under the terms of the lease agreement and the Act of 1990. Conforming fully with this understanding and intent of Congress, the Seneca Nation has agreed to be bound only by this dispute resolution process: the final decisions of the arbitration panel or the Federal courts in any appeal.

Bill language has also been continued which provides authority for the Puyallup trust fund Board of Trustees to use up to 5 percent of trust fund income to secure financial, auditing and other such services related to their administrative and fiduciary duties.

NAVAJO REHABILITATION TRUST FUND

Appropriation enacted, 1991.....	\$2,984,000
Budget estimate, 1992.....	
Recommended, 1992.....	4,000,000
Comparison:	
Appropriation, 1991.....	+1,016,000
Budget estimate, 1992.....	+4,000,000

The Committee recommends an appropriation of \$4,000,000 for the Navajo Rehabilitation Trust Fund, to be used in accordance with the conceptual plan submitted by the Department last year.

INDIAN DIRECT LOAN PROGRAM ACCOUNT

Appropriation enacted, 1991.....	
Budget estimate, 1992.....	\$3,094,000
Recommended, 1992.....	4,059,000
Comparison:	
Appropriation, 1991.....	+4,059,000
Budget estimate, 1992.....	+965,000

The Committee recommends an increase of \$965,000 for the Indian direct loan program. This is a new account established as a result of the Federal Credit Reform Act of 1990. The increase is provided for additional loan subsidies, which should allow an additional \$5,000,000 in loans to be made in fiscal year 1992, and the bill language has been modified accordingly.

Bill language has also been included authorizing loans for expert assistance to tribes for claims pending before the Court of Claims, and allowing the merger of administrative funds with credit program funds in the Operation of Indian programs account.

TECHNICAL ASSISTANCE OF INDIAN ENTERPRISES

Appropriation enacted, 1991.....	
Budget estimate, 1992.....	\$1,000,000
Recommended, 1992.....	1,000,000
Comparison:	
Appropriation, 1991.....	+1,000,000
Budget estimate, 1992.....	

The Committee has included \$1,000,000, the budget estimate, for technical assistance of Indian enterprises. This is another new account established as a result of the Federal Credit Reform Act of 1990, and provides funds for technical assistance associated with loans and grants provided under Bureau programs.

INDIAN GUARANTEED LOAN PROGRAM

Appropriation enacted, 1991.....	
Budget estimate, 1992.....	\$8,022,000
Recommended, 1992.....	9,532,000
Comparison:	
Appropriation, 1991.....	+9,532,000
Budget estimate, 1992.....	+1,510,000

The Committee recommends an increase of \$1,510,000 for the Indian Guaranteed Loan program. This account was also established as a result of the Federal Credit Reform Act of 1990. The increase will provide additional subsidies, to allow an additional \$10,000,000 in guaranteed loans, for which bill language has been modified accordingly. Bill language has also been included allowing the merger of administrative funds with credit program funds in the Operation of Indian programs account.

TERRITORIAL AND INTERNATIONAL AFFAIRS

ADMINISTRATION OF TERRITORIES

Appropriation enacted, 1991.....	\$105,823,000
Budget estimate, 1992.....	67,120,000
Recommended, 1992.....	103,177,000
Comparison:	
Appropriation, 1991.....	-2,646,000
Budget estimate, 1992.....	+36,057,000

The amounts recommended by the Committee for fiscal year 1992, compared to the budget estimates by activity, are shown in the following table:

	FY 1991 Enacted	(in thousands of dollars) Budget Estimates	Committee Bill	Change from Estimates
Guam				
Construction grants.....	2,487	---	---	---
American Samoa				
Operations grants.....	21,885	21,885	22,885	+1,000
Construction grants.....	4,949	1,000	6,300	+5,300
Subtotal, American Samoa.....	26,834	22,885	29,185	+6,300
Northern Marianas				
Covenant grants.....	28,850	27,720	27,720	---
Special program grant.....	2,487	---	2,500	+2,500
Subtotal, Northern Marianas.....	31,337	27,720	30,220	+2,500
Virgin Islands				
Construction grants.....	20,393	---	23,500	+23,500
Territorial Administration				
Office of Territorial Affairs.....	3,290	4,303	3,983	-320
Technical assistance.....	6,665	6,385	6,665	+280
Guam Power Authority loan assistance.....	1,387	1,327	1,327	---
Maintenance assistance fund.....	4,974	2,500	5,000	+2,500
Drug interdiction/abuse prevention.....	995	1,000	750	-250
Brown tree snake.....	---	1,000	500	-500
Disaster fund.....	7,461	---	---	---
Compact impact.....	---	---	2,000	+2,000
Administrative and staffing efficiencies.....	---	---	13	+13
Pay restoration.....	---	---	34	+34
Subtotal, Territorial Administration.....	24,772	16,515	20,272	+3,757
Total, Administration of Territories.....	105,823	67,120	103,177	+36,057

American Samoa.—The Committee recommends an increase of \$6,300,000 for American Samoa. Included is an increase of \$1,000,000 for the operations grant, and \$5,300,000 for construction grants. These include \$4,300,000 for power improvements, in line with the American Samoa Power Authority Agenda for Growth, 1991-1995, and \$1,000,000 for additional classrooms. The Committee remains concerned with the deficit situation in American Samoa, and expects the American Samoa Government will continue to work towards implementing measures to decrease the deficit, including increasing local revenues.

Northern Mariana Islands.—The Committee recommends an increase of \$2,500,000 for the airport control tower. The balance of

vides that up to \$500,000 may be used by the people of Rongelap, subject to approval by the Department of the Interior, to improve conditions on Mejjatto, where most of the people are currently living, pending the cleanup and resettlement of Rongelap Island in Rongelap Atoll.

Medical referral debts.—The Committee remains concerned about unpaid medical deferral debts dating to pre-1985, and expects the Department to take whatever action is necessary to accomplish write-offs of such debts owed to entities of the Federal Government, including seeking legislation where appropriate.

DEPARTMENTAL OFFICES

OFFICE OF THE SECRETARY

Appropriation enacted, 1991.....	\$58,428,000
Budget estimate, 1992.....	70,314,000
Recommended, 1992.....	66,414,000
Comparison:	
Appropriation, 1991.....	+7,986,000
Budget estimate, 1992.....	-3,900,000

The Committee recommends an appropriation of \$66,414,000 for fiscal year 1992, an increase of \$7,986,000 above the 1991 appropriation but a decrease of \$3,900,000 below the budget request. The amount recommended by the Committee for fiscal year 1992 compared with the budget estimate by activity follows:

	(in thousands of dollars)			
	FY 1991 Enacted	Budget Estimates	Committee Bill	Change from Estimates
Departmental Direction				
Secretary's immediate office.....	2,449	2,956	2,956	---
Executive Secretariat.....	556	660	660	---
Congressional and legislative affairs.....	1,273	1,453	1,453	---
Equal opportunity.....	1,524	1,747	1,747	---
Public affairs.....	888	963	963	---
Small and disadvantaged business utilization.....	454	623	623	---
Quality assurance.....	298	328	328	---
General reduction.....	---	---	-213	-213
Subtotal, Departmental Direction.....	7,442	8,730	8,517	-213
Program Direction and Coordination				
A/S Water and science.....	745	935	875	-60
A/S Land and minerals management.....	866	996	996	---
A/S Fish and wildlife and parks.....	731	898	898	---
A/S Indian affairs.....	719	906	906	---
American Indian trust.....	---	1,250	1,150	-100
Office of self-governance.....	597	682	682	---
Audit and evaluation.....	---	1,250	1,150	-100
A/S Territorial and international affairs.....	606	678	678	---
A/S Policy, management and budget.....	903	1,458	1,258	-200
Subtotal, Program Direction and Coordination.....	5,167	9,053	8,593	-460
Administration				
Environmental affairs.....	3,281	3,961	3,861	-100
Acquisition and property management.....	1,747	2,338	1,998	-340
Office of personnel.....	1,952	2,325	2,195	-130
Administrative services.....	1,170	1,299	1,265	-34
Library services.....	1,469	1,218	1,218	---
Information resources management.....	2,396	3,170	2,845	-325
Management improvement.....	1,988	2,185	1,537	-648
Program analysis.....	2,121	2,840	2,540	-300
Office of budget.....	2,090	2,262	2,262	---
Financial management.....	1,242	2,297	1,580	-717
Security and drug enforcement.....	692	705	705	---
Subtotal, Administration.....	20,148	24,600	22,006	-2,594
Hearings and appeals.....	6,385	6,975	6,975	---
Aircraft services.....	2,125	2,247	2,247	---
Central services.....	17,161	18,709	18,709	---
Federal Financial System.....	---	---	-633	-633
Total, Office of the Secretary.....	58,428	70,314	66,414	-3,900

Departmental Direction.—The Committee recommends \$8,517,000 for departmental direction, a reduction of \$213,000 below the

budget request. The reduction is not made to any one activity but as a general decrease.

Program coordination and direction.—There is a reduction of \$460,000 proposed for program direction and coordination. The net result is a significant increase over 1991 because of two new offices under the direction of the Assistant Secretary for Indian Affairs. These two new offices are the Office of American Indian Trust and the Office of Audit and Evaluation. These two offices join the Office of Self Governance established by the Congress last year to place special emphasis on Bureau of Indian Affairs activities. For each of the two new offices, the Committee provides \$1,150,000 to start their operations. This is a reduction of \$100,000 to each request by assuming a higher lapse rate in each of the offices.

There are two other reductions, one of \$60,000 for the Assistant Secretary Water and Science and \$200,000 for the Assistant Secretary, Policy, Management and Budget. The reduction for the Assistant Secretary, Policy Management and Budget is to prevent excessive layering within the organization.

Administration.—The Committee recommends a total of \$22,006,000 for administration activities within the Office of the Secretary. This represents an increase of \$1,858,000 above the 1991 amount but a decrease of \$2,594,000 from the request. Reductions of \$340,000 in acquisition and property management, \$130,000 in personnel and \$325,000 in information resources management allow 50 percent of the increases requested for these activities. Other reductions include \$100,000 in environmental affairs, \$34,000 in administrative services and \$128,000 in management improvement related to the increase for total quality management.

In the Office of Program Analysis, consistent with other reductions in the bill, there is a reduction of \$150,000 related to the Coastal America initiative and another reduction of \$150,000 to the amount requested for global change research coordination. Financial management is reduced by a total of \$717,000. Of this amount, \$473,000 is related to the denial of funds to implement the Chief Financial Officers Act legislation while the balance of the reduction will allow 50 percent of the requested increase for other activities.

Two other requested increases, the \$520,000 for the Productivity Enhancement Fund and \$633,000 for implementation of the Federal Financial System have been eliminated. The current accounting system has been rated as the best in the Department. Experience with other bureaus indicates this increase will be but the first of many increases necessary to implement FFS. The Committee believes other activities in the Department are of higher priority.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

Appropriation enacted, 1991.....	\$26,742,000
Budget estimate, 1992.....	33,902,000
Recommended, 1992.....	30,525,000
Comparison:	
Appropriation, 1991.....	+3,783,000
Budget estimate, 1992.....	-3,377,000

ENERGY INFORMATION ADMINISTRATION

Appropriation enacted, 1991	\$68,940,000
Budget estimate, 1992	76,454,000
Recommended, 1992	77,908,000
Comparison:	
Appropriation, 1991	+8,968,000
Budget estimate, 1992	+1,454,000

The Energy Information Administration is a quasi-independent agency within the Department of Energy established to provide timely, objective, and accurate energy related information to the Congress, executive branch, State governments, industry, and the public.

The Committee recommends an appropriation of \$77,908,000 for the Energy Information Administration, an increase of \$1,454,000 above the budget estimate of \$76,454,000. The increase includes \$300,000 required for the 1992-1993 heating season for 50-50 cost-shared State grants in the heating oil and propane data program, and \$1,154,000 to restore reductions in several activities proposed in the budget. The amounts and activities restored are as follows: oil and gas cost studies and foreign energy supply assessment (\$128,000), annual oil and gas reserves report (\$315,000), uranium industry viability report (\$176,000), Financial Reporting System (FRS) (\$460,000), and State energy price and expenditure report (\$75,000).

Within available funds EIA is directed to produce a one-time study defining direct and indirect Federal energy subsidies, methods of valuation of such subsidies, and a survey of existing subsidies, as well as an analysis of actions and costs necessary to produce a periodic report.

The Committee also recommends bill language to make appropriated funds available until expended to simplify administrative and accounting practices in the agency.

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

Appropriation enacted, 1991	\$1,411,167,000
Budget estimate, 1992	1,411,167,000
Recommended, 1992	1,432,712,000
Comparison:	
Appropriation, 1991	+21,545,000
Budget estimate, 1992	+21,545,000

The amount recommended for fiscal year 1992 for Indian Health Services is \$1,432,712,000, an increase of \$21,545,000 over the fiscal year 1992 request of \$1,411,167,000. The amount recommended by the Committee as compared to the budget estimate by activity is shown in the following table:

	(in thousands of dollars)			Change from Estimates
	FY 1991 Enacted	Budget Estimates	Committee Bill	
Hospital and health clinic programs.....	800,973	800,973	825,886	+24,913
Dental health program.....	43,153	43,153	45,658	+2,505
Mental health program.....	25,462	25,462	27,113	+1,651
Alcohol and substance abuse program.....	69,747	69,747	75,913	+6,166
Maintenance and repair.....	15,926	15,926	---	-15,926
Contract care.....	280,220	280,220	306,551	+26,331
Environmental health (sanitation).....	28,975	30,738	---	-30,738
Public health nursing.....	17,247	18,651	18,405	-246
Health education.....	6,050	6,397	6,385	-12
Community health representatives program.....	36,494	39,527	38,647	-880
Immunization.....	1,212	1,282	1,282	---
Urban health projects.....	15,687	14,246	17,614	+3,368
Indian health manpower.....	13,380	12,151	13,915	+1,764
Tribal management.....	4,235	5,102	5,102	---
Direct operations.....	52,406	47,592	50,241	+2,649
Medicare/Medicaid reimbursements.....	(84,000)	(100,000)	(100,000)	---
Total, Indian Health Services.....	1,411,167	1,411,167	1,432,712	+21,545

The Indian Health Service budget base has been eroded over the past several years, as the increasing service population and the inflationary costs of medical services have outpaced efforts by the Congress to augment substantially the funds requested by the Administration in annual budget submissions. For fiscal year 1992 the Administration requested the same amount as was appropriated for services in fiscal year 1991. At the requested level, the IHS would have to decrease services in order to fund pay raises and inflationary costs. Under the budget request, funds for staffing new facilities would be unavailable. The Administration's proposal to pay for these fixed costs using collections from private insurers is absurd. In fiscal year 1990 the IHS collected \$3.7 million from private insurance payments. The Administration's assumption that insurance collections could be increased to \$129 million in fiscal year 1992 is beyond belief. The Committee notes that the IHS is meeting only about 40 percent of current need in the dental health and mental health areas. The public health nursing program meets only about 30 percent of need. The level of need funded in the urban Indian health program is less than 13 percent. When the 1990 Census figures are incorporated into the IHS calculations for level of need funded, the percentages just referenced are likely to go down. The Committee has attempted to provide additional funding to the IHS budget request to provide for inflationary and pay costs, for staffing at some newly opened facilities and for some modest program increases.

Hospitals and health clinics.—The Committee recommends a net increase of \$24,913,000 for hospital and health clinics programs, including increases of \$55,938,000 for inflation and pay costs; \$1,000,000 for the loan repayment program; \$1,301,000 for AIDS prevention and treatment; \$367,000 for new tribes funding, including \$202,000 for the San Juan Southern Paiute Tribe in Arizona and \$165,000 for the Oneida Nation of New York; and \$1,307,000 for staffing at new facilities, including \$176,000 for the Rosebud, South Dakota hospital, \$814,000 for the Puyallup clinic, and \$327,000 for the Sallisaw, Oklahoma clinic. These increases are partially offset by the transfer of \$35,000,000 from the hospital and clinics program to the facilities appropriation to reflect more clearly the total requirements of the facilities program in that appropriation.

Dental health.—The Committee recommends an increase of \$2,505,000 for the dental health program, including \$2,219,000 for inflation and pay costs; and \$286,000 for staffing at new facilities, including \$143,000 each for the Puyallup clinic and the Sallisaw, Oklahoma clinic.

Mental health.—The Committee recommends an increase of \$1,651,000 for the mental health program, including \$1,321,000 for inflation and pay costs; \$100,000 for the Bay Mills Indian Community child sexual abuse treatment and prevention program; and \$230,000 for staffing at new facilities, including \$173,000 for the Puyallup clinic and \$57,000 for the Sallisaw, Oklahoma clinic.

Alcohol and Substance Abuse.—The Committee recommends an increase of \$6,166,000 for the alcohol and substance abuse program, including \$4,166,000 for inflation and pay costs and \$2,000,000 to address unmet needs.

Maintenance and repair.—The Committee recommends the transfer of the maintenance and repair account to the facilities appropriation to reflect more clearly the full cost of the facilities program in that appropriation. The \$15,926,000 requested for maintenance and repair and \$631,000 for inflation have been transferred to the repair and improvement account in the facilities appropriation and that account has been renamed “repair, improvement and maintenance”.

Contract care.—The Committee recommends an increase of \$26,331,000 for contract health services, including \$16,331,000 to fund inflation and pay costs and \$10,000,000 to address unmet needs.

Environmental health.—The Committee recommends the transfer of the environmental health account to the facilities appropriation to reflect more clearly the full cost of the facilities program in that appropriation. The amount to be transferred to the facilities appropriation includes \$28,975,000 for environmental health, equivalent to the fiscal year 1991 appropriation; \$1,651,000 for inflation; and \$1,000,000 for increased staffing to support the increased level of effort in facilities construction and sanitation projects. These funds along with the \$35,000,000 transferred from the hospitals and clinics account and \$5,000,000 from the direct operations account are shown in the facilities appropriation under a new account named “facilities and environmental health support”.

Public health nursing.—The Committee recommends a net decrease of \$246,000 for the public health nursing program. The changes to the budget request include a decrease of \$1,404,000 which was proposed to be realigned from other programs and increases of \$989,000 for inflation and pay costs and \$169,000 for staffing at new facilities, including \$118,000 for the Puyallup clinic and \$51,000 for the Sallisaw, Oklahoma clinic.

Health education.—The Committee recommends a net decrease of \$12,000 for the health education program. The changes to the budget request include a decrease of \$347,000 which was proposed to be realigned from other programs and increases of \$318,000 for inflation and pay costs and \$17,000 for staffing at the Sallisaw, Oklahoma clinic.

Community health representatives.—The Committee recommends a net decrease of \$880,000 for the community health representa-

tives program. The changes to the budget request include a decrease of \$3,033,000 which was proposed to be realigned from other programs and an increase of \$2,153,000 for inflation.

Hepatitis B and Haemophilus influenzae immunization program.—The Committee recommends \$1,282,000 for the immunization program which is equivalent to the budget request. The recommendation includes a decrease of \$70,000 which was proposed to be realigned from other programs. The decrease is offset by an increase of \$70,000 for inflation.

Urban health projects.—The Committee recommends an increase of \$3,368,000 for the urban Indian program, including \$927,000 for inflation, \$500,000 for health promotion/disease prevention, \$500,000 for immunization services and the restoration of \$1,441,000 which was proposed to be transferred to other programs.

Indian health manpower.—The Committee recommends an increase of \$1,764,000 for the Indian health manpower program, including \$535,000 for inflation and the restoration of \$1,229,000 which was proposed to be transferred to other programs.

Tribal management.—The Committee recommends \$5,102,000 for the tribal management program which is equivalent to the budget request and an increase of \$867,000 above the fiscal year 1991 appropriation.

Direct operations.—The Committee recommends a net increase of \$2,649,000 for direct operations. Changes to the budget request include increases of \$2,835,000 to fund inflation and pay costs and \$4,814,000 to restore funds which were proposed to be transferred to other programs. These increases are partially offset by the transfer of \$5,000,000 to the facilities appropriation for facilities support costs.

The Committee expects that:

1. Collections from third party insurers will be used to address unmet need in the health services area, which reportedly is in excess of \$530 million at the present time, and not to cover fixed costs such as inflation and pay raises;
2. The IHS will report on the results of its consultation with the tribes on payment for IHS services and on the cost to administer such a program as compared with a realistic estimate of payments to be realized;
3. The IHS will use 1990 Census data in formulating levels of need funded for the fiscal year 1993 budget, even if only preliminary data are available;
4. The IHS will continue to work with the Health Care Financing Administration on arranging for a direct transfer of Medicaid and Medicare dollars;
5. The IHS will work with the Narrangansett Tribe, to allow the use of funds allocated to the Tribe's fiscal year 1991 Indian Self-Determination contract, to install three modular buildings on tribal lands to house the Tribe's health program;
6. The IHS will include in future budget requests funds sufficient to provide services to new tribes at the average level of services IHS-wide.
7. Funds provided for population growth in the fiscal year 1991 appropriation remain in the IHS base budget and will be distributed in fiscal year 1992 to each tribe following the direction con-

tained in the conference report accompanying the fiscal year 1991 appropriation;

7. Contract support costs associated with the funding increases recommended by the Committee will be set aside and reserved to cover the full amount of those costs;

8. The IHS will continue to work with Sage Memorial Hospital on procedures to reduce the administrative burden on that facility;

9. The Hopi special child sexual abuse project will be funded in fiscal year 1992 at the same level as in fiscal year 1991;

10. Although funds are not specifically recommended for increases for patient travel in Alaska or for the community health aid program, these programs will receive a fair share of the funds in the budget for population growth and of the increases provided for inflation;

11. The IHS will work with the Bay Mills Indian Community to ensure there are adequate accommodations for the child sexual abuse treatment and prevention program;

12. Of the increases provided for the alcohol and substance abuse program, \$200,000 is for counselors to provide detoxification services in BIA detention facilities; \$25,000 is to increase funding for the University of Washington fetal alcohol syndrome project to \$125,000 in fiscal year 1992 as compared with \$100,000 in each of the past few years; and \$100,000 is for an evaluation of the Winnebago drug dependency unit in Nebraska;

13. Funds are available to continue the Gallup alcoholism project in fiscal year 1992 in the amount of \$1,226,000;

14. The IHS will work with the Standing Rock Sioux Tribe on developing a demonstration program which would expand the existing alcoholism day treatment program on the Fort Yates Reservation (The Committee understands that the Tribe is making great efforts to identify funding from both State and tribal sources, and the IHS should provide assistance to the Tribe in this worthwhile effort.);

15. The IHS will work with the Narragansett Tribe, to allow the use of funds allocated to the Tribe's fiscal year 1991 Indian Self-Determination contract, to install three modular buildings on tribal lands to house the Tribe's health program;

16. The IHS will include in future budget submissions the numbers of contract care services provided and denied by priority category for the most recently completed fiscal year; and

17. Individual projects not specifically referenced by the Committee will be continued at the same level as in fiscal year 1991 plus inflation unless specifically noted otherwise in the budget request and agreed to by the Committee; for example, funding for the Thunderbird Treatment Center should be continued at \$300,000 plus inflation.

Bill Language.—The Committee does not agree to separate accounts for Federal and tribal health administration. The Committee has rejected this proposal in the past and has included bill language to provide that funds for contracts and grants to tribes are to be deemed as obligated upon award and remain available for expenditure to the tribes without fiscal year constraint. Bill language is also included to provide for two-year availability of funds for contract health services. This change is to allow reobligation of funds

which become available from expenditure adjustments and deobligations once the fiscal year in which they were appropriated has ended.

Under IHS 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 and to prohibit changes to the IHS appropriations structure without advance approval from the House and Senate Appropriations Committees. The Committee intends this language as a prohibition against structure changes in future budget submissions without the Committees' approval. The fiscal year 1992 budget request was extremely confusing, deceptive and misleading to the uninformed reader.

INDIAN HEALTH FACILITIES

Appropriation enacted, 1991.....	\$166,402,000
Budget estimate, 1992.....	12,444,000
Recommended, 1992.....	295,211,000
Comparison:	
Appropriation, 1991.....	+128,809,000
Budget estimate, 1992.....	+282,767,000

The amount recommended for fiscal year 1992 for Indian Health Facilities is \$295,211,000, an increase of \$128,809,000 over the fiscal year 1991 appropriation of \$166,402,000 and an increase of \$282,767,000 over the fiscal year 1992 request. The amount recommended by the Committee as compared to the budget estimate by activity is shown in the following table:

	FY 1991 Enacted	(in thousands of dollars) Budget Estimates	Committee Bill	Change from Estimates
Repair, improvement and maintenance.....	9,948	12,444	49,001	+36,557
New and replacement hospitals.....	42,238	---	68,937	+68,937
Outpatient care facilities.....	28,312	---	12,624	+12,624
Personnel quarters.....	12,433	---	7,136	+7,136
Regional treatment centers (youth).....	1,612	---	5,887	+5,887
Sanitation facilities.....	71,859	---	80,000	+80,000
Facilities and environmental health support.....	---	---	71,626	+71,626
Total, Indian Health Facilities.....	166,402	12,444	295,211	+282,767

The need for new and renovated Indian health facilities has not been fully quantified by the IHS but it is safe to say that many billions of dollars would be required to renovate existing facilities and construct all the needed new hospitals and clinics. Safe and sanitary water and septic systems for existing homes and solid waste disposal needs were estimated last year by the IHS to amount to \$572 million for those projects that are considered to be economically feasible.

Repair, improvement and maintenance.—The Committee recommends \$49,001,000 for repair, improvement and maintenance of facilities, an increase of \$36,557,000 above the budget request. Increases include \$20,000,000 to slow the rate of growth in the repair and maintenance backlog and the transfer of \$15,926,000 plus \$631,000 for inflation from the maintenance and repair account in

the IHS services appropriation. The Committee has recommended consolidating all repair, improvement and maintenance costs in the facilities appropriation to reflect more clearly the full cost of the program.

New and replacement hospitals.—The Committee recommends \$68,937,000 for new and replacement hospitals. No funds were requested for hospital construction by the Administration. The amount recommended by the Committee includes \$27,000,000 to begin construction of the Alaska Native Medical Center in Anchorage, \$24,632,000 to begin construction on the Shiprock, New Mexico hospital, \$2,660,000 for design of the Fort Defiance, Arizona hospital and \$14,645,000 to begin construction of the Crow, Montana hospital.

Outpatient care facilities.—The Committee recommends \$12,624,000 for outpatient care facilities. No funds were requested by the Administration for the construction of IHS clinics. The amount recommended by the Committee includes \$5,441,000 for construction of the Taos, New Mexico health center and \$7,183,000 for construction of the Stilwell, Oklahoma health center.

Personnel quarters.—The Committee recommends \$7,136,000 for personnel quarters. No funds were requested by the Administration for the construction of IHS staff housing. The amount recommended by the Committee includes \$4,108,000 to complete construction of the Barrow, Alaska quarters and \$3,028,000 to complete construction of the Belcourt, North Dakota quarters.

Regional treatment centers/youth.—The Committee recommends \$5,887,000 for regional youth centers for drug and alcohol treatment. No funds were requested by the Administration for the construction of youth treatment centers. The amount recommended by the Committee includes \$2,111,000 for the Aberdeen area center and \$3,776,000 for the Inland Tribal Consortium center which will be located in Spokane, Washington for the Portland area.

Sanitation facilities.—The Committee recommends \$80,000,000 for the construction of water and sewer systems for Indian homes. No funds were requested by the Administration for the construction of sanitation facilities. The amount recommended by the Committee includes \$40,000,000 for newly constructed and renovated homes and \$40,000,000 to address the backlog of needs for existing homes using the priority list established by the IHS.

Facilities and environmental health support.—The Committee recommends \$71,626,000 for this new account. It includes \$35,000,000 transferred from hospital and clinic services, \$28,975,000 from environmental health, \$1,651,000 for inflation in the environmental health program, \$5,000,000 from direct operations and \$1,000,000 for staffing to support facilities construction and sanitation projects.

The Committee expects that:

1. The IHS will report quarterly on all facilities reprogrammings;
2. The IHS will work with the Crow and Northern Cheyenne tribes to ensure that both tribes are included in the development and construction of the Crow, Montana hospital;
3. The quarterly report on leased space will be continued in fiscal year 1992 and the IHS will ensure that it is received by the Com-

mittee within the timeframe established in the conference report accompanying the fiscal year 1991 appropriation;

4. For future hospital and clinic design, the IHS will project 10 years in its estimates of needed space for facilities on the priority list rather than the current 8 years;

5. Future IHS budget submissions will include detailed cost estimates by area of the repair, improvement and maintenance backlog;

6. The IHS will take care of the needed asbestos removal at the old Sacaton hospital before turning the facility over to the Gila River Indian Community;

7. The IHS will report to the Committee by November 1, 1991 on the proposed deployment of the funds added for increased staffing in the facilities program;

8. The IHS will continue to work with the Winnebago Tribe of Nebraska to reach consensus on an appropriate facility for the Tribe consistent with the IHS methodology for facilities construction; and

9. The IHS will work with the Rosebud Sioux Tribe to resolve the construction problems associated with the Rosebud hospital staff quarters, and will keep the Committee apprised of its efforts in this area.

Bill Language.—The Committee has recommended bill language to permit the IHS to accept ownership of buildings from the Standing Rock Sioux Tribe for the Aberdeen area youth treatment center for drugs and alcohol.

DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

INDIAN EDUCATION

Appropriation enacted, 1991.....	\$75,365,000
Budget estimate, 1992.....	77,400,000
Recommended, 1992.....	77,547,000
Comparison:	
Appropriation, 1991.....	+2,182,000
Budget estimate, 1992.....	+147,000

The Indian Education Act of 1972 (P.L. 93-318, Title IV), amended by P.L. 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, and experimental, demonstration, and dissemination activities. Indians have traditionally been among the most disadvantaged, and the special programs authorized and funded under this Act are directed at their special educational needs.

The Committee recommends \$77,547,000 for the Office of Indian Education in fiscal year 1992, an increase of \$2,182,000 over fiscal year 1991 and \$147,000 above the fiscal year 1992 request. The amount included is shown in the following table:

	FY 1991 Enacted	(in thousands of dollars) Budget Estimates	Committee Bill	Change from Estimates
Subpart 1 - Grants to LEAs & Indian-controlled schools	56,260	57,692	57,692	---
Subpart 2 - Special programs for Indian students.....	11,992	12,192	12,192	---
Subpart 3 - Special programs for Indian adults.....	4,227	4,404	4,404	---
Administration.....	2,886	3,112	3,259	+147
Total, Indian Education.....	75,365	77,400	77,547	+147

The increase recommended by the Committee includes \$75,000 for field reader costs in the program administration account and \$72,000 to fund the full cost of the 1992 pay raise.

The Committee rejects the proposal to fund field reader costs using program funds. Should the Office receive authorization from the Congress for funding field readers within individual programs, the Committee expects the funds for field readers to be budgeted in addition to program costs. The request for fiscal year 1992 assumed absorption of those costs which necessarily would have resulted in reductions to program activities.

The Committee expects the Office to make a special effort to work with Indian-controlled schools on improving their grant applications. This instruction appears to have been ignored in fiscal year 1991. The Office should include in its fiscal year 1993 budget submission, a description of its activities in this area.

OTHER RELATED AGENCIES

OFFICE OF NAVAJO AND HOPI RELOCATION

SALARIES AND EXPENSES

Appropriation enacted, 1991.....	\$33,572,000
Budget estimate, 1992.....	33,572,000
Recommended, 1992.....	31,634,000
Comparison:	
Appropriation, 1991.....	-1,938,000
Budget estimate, 1992.....	-1,938,000

The dispute between the Hopi and Navajo tribes is centuries old. The Hopi were the original occupants of the land with their origin tracking back to the Anasazi race whose presence is recorded back to 1150 A.D. Later in the 16th century the Navajo tribe began settling in this area. The continuous occupation of this land by the Navajo led to the isolation of the Hopi reservation as an island within the area occupied by the Navajo. In 1882, President Arthur issued an Executive Order which granted the Hopi a 2.5 million acre reservation to be occupied by the Hopi and such other Indians as the Secretary of the Interior saw fit to resettle there. Intertribal problems arose between the larger Navajo tribe and the smaller Hopi tribe revolving around the question of the ownership of the land as well as cultural differences between the two tribes. Efforts to resolve these conflicts were not successful and led Congress to pass legislation in 1958 which authorized a lawsuit to determine ownership of the land. When attempts at mediation of the dispute as specified in an Act passed in 1974 failed, the district court in Arizona partitioned the Joint Use Area equally between the Navajo and Hopi tribes under a decree that has required the relocation of

members of both tribes. Most of those to be relocated are Navajo living on the Hopi Partitioned Land.

At this time approximately 892 households remain to be relocated, of which 158 are full-time residents on the Hopi Partitioned Land. One hundred eighty-three Navajo households have settled on the new lands, and 13 additional Navajo households are having homes constructed on the new lands. Progress to accomplish the 1974 mandate, despite development of the new lands, has been slow. Completion is not anticipated, at the current level of activity, for at least three or four more years. The Committee notes with concern that the total number of families remaining to be relocated, due to successful eligibility appeals, is higher this year than in the Committee's report of last year.

In fiscal year 1988, the Congress amended the Relocation Act through Public Law 100-666. This legislation abolished the 3 member Relocation Commission and created an Office of Navajo and Hopi Indian Relocation under the direction of a single Commissioner. The first Commissioner of the Office was confirmed by the Senate in May 1990.

The Committee recommends an appropriation of \$31,634,000 for the Office of Navajo and Hopi Indian Relocation, a net decrease of \$1,938,000 below the budget request. The changes to the budget request recommended by the Committee include increases of \$2,212,000 to fund continued road development on the New Lands using housing funds, \$350,000 for property disposal on the HPL using housing funds, and \$500,000 for discretionary funds and a decrease of \$5,000,000 due to a large carryover of housing funds anticipated for fiscal year 1991.

The Committee expects that:

1. The Office will include the full cost of road construction on the New Lands in future budget submissions;
2. The Office will work with the Advisory Council on Historic Preservation to establish a programmatic agreement to facilitate and expedite the archeological clearance process;
3. The Office will work with the Hopi Tribe to ensure prompt property demolition when relocatees are moved from the HPL; and
4. The Office will keep the Committee apprised of the status of the Tuba City subdivision.

Bill Language. Only those who have voluntarily applied to the Office and are certified eligible for relocation are being moved. The Committee recommends continuing bill language it has carried in prior years stating that there will be no evictions of families physically domiciled on the lands partitioned to the Hopi Tribe unless a new or replacement home is provided. At the same time, the Committee appreciates the desire of the Hopi Tribe to regain full administrative control over the HPL and encourages the Navajo Nation to work with the Office of Navajo and Hopi Indian Relocation and Navajo residents of the HPL to bring the relocation program to an orderly conclusion.

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND
ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

Appropriation enacted, 1991.....	\$5,447,000
Budget estimate, 1992.....	6,087,000
Recommended, 1992.....	8,187,000
Comparison:	
Appropriation, 1991.....	+2,740,000
Budget estimate, 1992.....	+2,100,000

The Committee recommends an appropriation of \$8,187,000 for the Institute of American Indian and Alaska Native Culture and Arts Development, an increase of \$2,100,000 over the budget estimate. However, this amount is a decrease of \$2,669,000 from the request of the Board of Trustees of the Institute. Under the legislation which established the Institute as an independent, non-profit corporation, the request of the Board is to be submitted directly to the Congress, and is not to be adjusted by the Administration.

For operations of the Institute, the Committee recommends \$6,037,000, a decrease of \$538,000 from the Board's request. There is also \$350,000 for the endowment fund contribution, the same as the Board's request. In addition, the Committee has provided funding for two one-time expenditures, including \$1,500,000 for an adjustment to allow the Institute to change to a calendar year basis. There is also \$300,000 for A&E design of the roads for the new campus.

The Committee is concerned about the requirement that IAIA leave the College of Santa Fe dormitories beginning in the fall of 1992. IAIA should use the money provided for leasing the housing space on campus for housing needs of its students at the start of the 1992-93 school year, and should study what alternatives exist to meet the housing needs of its students until the new campus is ready in several years. A report should be submitted on the various alternatives, and the related costs, along with the fiscal year 1993 budget request.

Bill language has been continued which allows the Institute to act as its own certifying agent for purposes of receiving the funds appropriated in this bill from the Department of the Treasury.

SMITHSONIAN INSTITUTION

The Smithsonian Institution is unique in the Federal establishment. Established by the Congress in 1846 to carry out the trust included in James Smithson's will, it has been engaged for 145 years in the "increase and diffusion of knowledge among men" in accordance with the donor's instructions. For some years, it utilized only the funds made available by the trust. Then, before the turn of the century, it began to receive Federal appropriations to conduct some of its activities. With the expenditure of both private and Federal funds over the years, it has grown into one of the world's great scientific, cultural, and intellectual organizations. It operates magnificent museums, outstanding art galleries, and important research centers. Its collections are among the best in the world. Its traveling exhibits bring beauty and information throughout the country.

Language is included under Office of Surface Mining Reclamation and Enforcement, Abandoned mine reclamation fund, to limit the administrative expenses associated with RAMP type agreements entered into by the States to 15 percent. Language also is included which prohibits the Office of Surface Mining Reclamation and Enforcement from awarding reclamation grants to States which do not have an adequate penalty assessment and violator information system or which are not adequately enforcing section 521(b) of Public Law 95-87.

Language is included under Office of Surface Mining Reclamation and Enforcement, Abandoned mine reclamation fund, which maintains 23 full time equivalents for the Anthracite Reclamation Program at the Wilkes-Barre field office and which earmarks specific amounts in the account for State grants, rural abandoned mine reclamation and all other AML programs.

Language is included under the Bureau of Indian Affairs, Operation of Indian programs, for advance payments to Indian schools and business enterprises. Language also is included to prohibit BIA funds from being used to match programs funded under the Vocational Educational Act of 1963, as amended.

Language is included under Bureau of Indian Affairs, Operation of Indian programs, providing for the use of funds for maintenance of tribally-owned hatcheries, prohibiting the transfer of tribal or individual trust funds and the commencement of the statute of limitations until certain conditions have been met, providing a grant to the CloseUp foundation, providing that self-governance funds not be made available until compacts are submitted to Congress, and prohibiting a reorganization.

Language is included under Bureau of Indian Affairs, Construction, providing that 6 percent of Federal Highway Trust Fund contract authority may be used for management costs, providing for the use of funds for rehabilitation of tribally-owned fish hatcheries, providing for the transfer of Navajo Irrigation project funds to the Bureau of Reclamation, and prohibiting the transfer of the Safety of Dams program to the Bureau of Reclamation.

Language is included under Bureau of Indian Affairs, Miscellaneous payments to Indians, providing that up to 5 percent of income earned on the Puyallup Settlement Act trust fund may be used by the fund's Board for administrative purposes.

Language is included under Territorial and International Affairs, Administration of Territories, authorizing Territorial governments to make purchases through the General Services Administration, requiring audits of the financial transactions of the Territorial governments by the General Accounting Office, providing grant funding under certain terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands, providing a grant to the CloseUp foundation, and providing for territorial participation and cost-sharing in the operations and maintenance assistance program.

Language is included under Territorial and International Affairs, Trust Territory of the Pacific Islands, authorizing the government of the Trust Territory to make purchases through the General Services Administration, requiring audits of the financial transactions of the Trust Territory government by the General Accounting

technologies for new and existing facilities allowing use of budget phases for cost-sharing purposes, and allowing limited development costs.

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, and which provides for a cost-shared program in magnetohydrodynamics.

Language is included under the Department of Energy, Alternative fuels production, which places restrictions on loans from a Trust established upon sale of the Great Plains Gasification Plant.

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 cost-shared electric and hybrid vehicle battery research program.

Language is included under the Department of Energy, Strategic Petroleum Reserve, which waives the use of certain funds for purchasing oil, and prohibits leasing of facilities under certain conditions.

Language is included under the Department of Energy, SPR petroleum account, which prohibits the leasing or exchange of oil without Congressional approval, which waives the requirement to buy oil with test sale funds within 12 months, and which places an outlay ceiling on the account.

Language is included under Administrative provisions, Department of Energy, limiting programs of price supports and loan guarantees to what is provided in appropriations Acts; providing for the transfer of funds to other agencies of the Government; providing for retention of revenues by the Secretary of Energy on certain projects; requiring certain contracts be submitted to Congress prior to implementation; and allowing acceptance of contributions and carrying out cooperative projects; providing for emergency transfer of funds to the Emergency preparedness appropriation; and allowing contractors at Bartlesville, Oklahoma facilities to be for-profit or non-profit.

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; and providing for use of collections under Title IV of the Indian Health Care Improvement Act.

Language is included under Indian Health Service, Indian health facilities, for the purchase of trailers, providing that construction funds may be used for site acquisition, and allowing the Secretary to accept certain buildings at no cost from the Standing Rock Sioux Tribe.

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, 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, providing that funds be apportioned only in the appropriation structure in this Act, and prohibiting changing the appropriations structure without approval of the Appropriations Committees.

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

Language is included under Institute of American Indian and Alaska Native Culture and Arts Development, Payment to the Institute, providing that the Institute's budget proposal be transmitted to Congress concurrent with the President's budget, and providing that the Institute act as its own certifying officer.

Language is included under Smithsonian Institution, Salaries and expenses, to allow for advance payments to independent contractors performing research services or participating in official Smithsonian presentations, and providing that funds may be used to support American overseas research centers.

Language is included under Smithsonian Institution, Museum and related research, converting the American Institute for Indian Studies forward-funded reserve into an interest-bearing account.

Language is included under Smithsonian Institution, Construction and improvements, National Zoological Park, and Repair and restoration of buildings, to construct facilities by contract or otherwise.

Language is included under Smithsonian Institution, Repair and restoration of buildings, to permit the Smithsonian Institution to select contractors for certain purposes on the basis of contractor qualifications as well as price.

Language is included under the National Gallery of Art, Salaries and expenses, for payment in advance for membership in library, museum, and art associations or societies and for restoration and repair of works of art by contract without advertising.

**COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1991
AND THE BUDGET ESTIMATES FOR 1992 - PERMANENT AUTHORITY**

[These funds become available automatically under earlier, or "permanent" law without further, or annual action by the Congress. Thus, these amounts are not included in the accompanying bill.]

Agency and item (1)	New budget (obligational) authority, fiscal year 1991 (2)	Budget estimates of new (obligational) authority, fiscal year 1992 (3)	Fiscal year 1992 estimate compared with, fiscal year 1991 (4)
FEDERAL FUNDS			
Department of the Interior			
Bureau of Land Management:			
Special acquisition of lands and minerals (authority to borrow).....	1,300,000	1,300,000	.....
Operation and maintenance of quarters	250,000	250,000	.....
Payments to Oklahoma, in lieu of taxes on Kiowa, Comanche, and Apache tribal lands.....	4,000	4,000	.....
Coos Bay Wagon Road grant lands, payments to Coos Bay and Douglas Counties, Oreg., in lieu of taxes	900,000	900,000	.....
Oregon and California grant lands, payments to counties	98,098,000	103,192,000	+5,094,000
Payments to States (proceeds of sales).....	970,000	989,000	+19,000
Payments to States from grazing receipts, public lands	3,442,000	3,548,000	+106,000
Payments to Alaska, National Petroleum Reserve	300,000	300,000	.....
Payment to counties, national grasslands.....	506,000	511,000	+5,000
Expenses, road maintenance deposits.....	4,500,000	4,000,000	-500,000
Payments to Nevada from receipts on land sales.....	1,500,000	1,500,000	.....
Minerals Management Service:			
Payments to States from receipts under Mineral Leasing Act.....	515,013,000	472,365,000	-42,648,000
Geological Survey:			
Operation and maintenance of quarters	55,000	55,000	.....

U.S. Fish and Wildlife Service:

Migratory bird conservation account.....
 North American Wetlands Conservation Fund.....
 Payment to counties under the National Wildlife Refuge Fund
 Operation and maintenance of quarters
 Federal aid in wildlife restoration
 Proceeds from sales, water resources development projects

31,700,000
 14,597,000
 7,090,000
 1,809,000
 151,783,000
 200,000

35,200,000
 14,000,000
 7,402,000
 1,889,000
 157,600,000
 200,000

+3,500,000
 -597,000
 +312,000
 +80,000
 +5,817,000

National Park Service:

Land acquisition (contract authority).....
 Operation and maintenance of quarters
 Educational expenses, children of employees, Yellowstone National
 Park.....
 Payments to State of Wyoming, in lieu of taxes on lands in Grand Teton
 National Park.....
 Operation, management, maintenance, and demolition of federally
 acquired properties, Independence National Historical Park.....
 Delaware Water Gap, Route 209 operations.....

9,538,000
 500,000
 500,000
 35,000
 2,000
 280,000

30,000,000
 9,538,000
 500,000
 35,000
 2,000
 280,000

+30,000,000

Bureau of Indian Affairs:

White Earth Settlement Fund.....
 Operation and maintenance of quarters
 Claims and treaty obligations.....
 Operation and maintenance, Indian irrigation systems
 Power systems, Indian irrigation projects
 Alaska resupply program
 Revolving fund for loans direct loan financing account.....
 Indian loan guaranty and insurance fund.....

6,000,000
 7,000,000
 2,000,000
 22,850,000
 37,049,000

11,000,000
 7,000,000
 2,000,000
 24,175,000
 39,188,000
 6,243,000
 8,997,000
 11,000,000

+5,000,000

Department of Health and Human Services

Indian Health Services:

Tribal Health Administration

Federal Indian Health Administration

Total, Indian Health Services.....

TRUST FUNDS

Department of the Interior

Bureau of Land Management:

Miscellaneous trust funds

Contributed funds, Geological Survey

Contributed funds, Bureau of Mines.....

U.S. Fish and Wildlife Service:

Sport fish restoration.....

Contributed funds.....

African Elephant Conservation Fund.....

National Park Service:

Donations.....

Preservation, birthplace of Abraham Lincoln

Bureau of Indian Affairs:

Cooperative fund (Papago)

Indian tribal funds.....

Funds contributed for the advancement of the Indian race

	3,500,000	100,000	-3,400,000
	.....	3,400,000	+3,400,000
	3,500,000	3,500,000	
	1,721,473,000	1,664,123,000	-57,350,000
	1,601,000	1,601,000	
	37,000	.....	-37,000
	700,000	700,000	
	193,603,000	235,921,000	+42,318,000
	7,700,000	5,000,000	-2,700,000
	1,296,000	1,501,000	+205,000
	8,000,000	8,000,000	
	8,000	8,000	
	1,993,000	7,007,000	+5,014,000
	364,637,000	401,862,000	+37,225,000
	42,000	38,000	-4,000

**COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1991 AND
BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1992—Continued**

Agency and item (1)	Appropriated, 1991 (enacted to date) (2)	Budget esti- mates, 1992 (3)	Recommended in bill (4)	Bill compared with appro- priated, 1991 (5)	Bill compared with budget estimates, 1992 (6)
Bureau of Mines					
Mines and minerals	181,227,000	156,123,000	175,890,000	-5,337,000	+19,767,000
Office of Surface Mining Reclamation and Enforcement					
Regulation and technology	109,351,000	112,458,000	110,250,000	+899,000	-2,208,000
Receipts from performance bond forfeitures (indefinite)...	1,492,000	1,500,000	1,500,000	+8,000	.....
Total	110,843,000	113,958,000	111,750,000	+907,000	-2,208,000
Abandoned mine reclamation fund (definite, trust fund)....	198,958,000	158,035,000	190,200,000	-8,758,000	+32,165,000
Total, Office of Surface Mining Reclamation and Enforcement	309,801,000	271,993,000	301,950,000	-7,851,000	+29,957,000
Bureau of Indian Affairs					
Operation of Indian programs	1,320,044,000	750,657,000	1,283,630,000	-36,414,000	+532,973,000
Construction	167,653,000	79,879,000	212,856,000	+45,203,000	+132,977,000
Education construction .....	.....	50,998,000	.....	.....	-50,998,000
Indian education programs .....	.....	418,616,000	.....	.....	-418,616,000
Miscellaneous payments to Indians	56,135,000	87,617,000	87,617,000	+31,482,000	.....
Navajo rehabilitation trust fund	2,984,000	.....	4,000,000	+1,016,000	+4,000,000
Indian loan guaranty and insurance fund	11,725,000	.....	.....	-11,725,000	.....

Indian direct loan program account.....	.....	3,094,000	4,059,000	+4,059,000	+965,000
(Limitation on direct loans) .....	.....	(10,735,000)	(15,735,000)	(+15,735,000)	(+5,000,000)
Indian guaranteed loan program account .....	.....	8,022,000	9,532,000	+9,532,000	+1,510,000
(Limitation on guaranteed loans).....	.....	(46,432,000)	(56,432,000)	(+56,432,000)	(+10,000,000)
Technical assistance of Indian enterprises.....	.....	1,000,000	1,000,000	+1,000,000	.....
Total, Bureau of Indian Affairs	1,558,541,000	1,399,883,000	1,602,694,000	+44,153,000	+202,811,000
Territorial and International Affairs					
Administration of territories.....	75,586,000	38,073,000	74,130,000	-1,456,000	+36,057,000
Interest rate differential.....	30,237,000	29,047,000	29,047,000	-1,190,000	.....
Total.....	105,823,000	67,120,000	103,177,000	-2,646,000	+36,057,000
Trust Territory of the Pacific Islands	48,452,000	19,451,000	27,951,000	-20,501,000	+8,500,000
Compact of Free Association.....	14,722,000	7,910,000	16,010,000	+1,288,000	+8,100,000
Mandatory payments	10,000,000	10,000,000	10,000,000	.....	.....
Total.....	24,722,000	17,910,000	26,010,000	+1,288,000	+8,100,000
Total, Territorial Affairs.....	178,997,000	104,481,000	157,138,000	-21,859,000	+52,657,000
Departmental Offices					
Office of the Secretary	58,428,000	70,314,000	66,414,000	+7,986,000	-3,900,000
Oil spill emergency fund.....	.....	7,800,000	3,900,000	+3,900,000	-3,900,000
Office of the Solicitor.....	26,742,000	33,902,000	30,525,000	+3,783,000	-3,377,000
Office of Inspector General	22,040,000	26,933,000	24,244,000	+2,204,000	-2,689,000
Construction Management.....	2,086,000	2,399,000	2,243,000	+157,000	-156,000

**COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1991 AND
BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1992—Continued**

Agency and item (1)	Appropriated, 1991 (enacted to date) (2)	Budget esti- mates, 1992 (3)	Recommended in bill (4)	Bill compared with appro- priated, 1991 (5)	Bill compared with budget estimates, 1992 (6)
Strategic Petroleum Reserve.....	200,576,000	185,858,000	63,173,000	-137,403,000	-122,685,000
SPR petroleum account.....	68,940,000	76,454,000	203,000,000	+203,000,000	+203,000,000
Energy Information Administration.....	895,786,000	910,279,000	1,601,845,000	+706,059,000	+691,566,000
Total, Department of Energy:	<u>1,411,167,000</u>	<u>1,432,712,000</u>	<u>1,432,712,000</u>	<u>+21,545,000</u>	<u>+908,665,000</u>
New budget (obligational) authority:					
DEPARTMENT OF HEALTH AND HUMAN SERVICES					
Indian Health Service.....	1,411,167,000	524,047,000	1,432,712,000	+21,545,000	+908,665,000
Federal Indian health administration	166,402,000	887,120,000	887,120,000	+128,809,000	-887,120,000
Indian health facilities.....	1,577,569,000	12,444,000	295,211,000	+150,354,000	+282,767,000
Total, Indian Health Service	<u>1,577,569,000</u>	<u>1,423,611,000</u>	<u>1,727,923,000</u>	<u>+150,354,000</u>	<u>+304,312,000</u>
DEPARTMENT OF EDUCATION					
Office of Elementary and Secondary Education	75,365,000	77,400,000	77,547,000	+2,182,000	+147,000
Indian education	33,572,000	33,572,000	31,634,000	-1,938,000	-1,938,000
OTHER RELATED AGENCIES					
Office of Navajo and Hopi Indian Relocation					
Salaries and expenses.....	33,572,000	33,572,000	31,634,000	-1,938,000	-1,938,000

Secretarial Offices	110,543,000	143,838,000	129,216,000	+ 18,673,000	-14,622,000
Total, Title I - Department of the Interior	6,057,598,000	5,825,328,000	6,142,366,000	+ 84,768,000	+ 317,038,000
TITLE II - RELATED AGENCIES					
Forest Service.....	2,319,421,000	2,483,123,000	2,308,516,000	-10,905,000	-174,607,000
Department of Energy.....	895,786,000	910,279,000	1,601,845,000	+ 706,059,000	+ 691,566,000
Indian Health	1,577,569,000	1,423,611,000	1,727,923,000	+ 150,354,000	+ 304,312,000
Indian Education	75,365,000	77,400,000	77,547,000	+ 2,182,000	+ 147,000
Office of Navajo and Hopi Indian Relocation	33,572,000	33,572,000	31,634,000	-1,938,000	-1,938,000
Institute of American Indian and Alaska Native Culture and Arts Development	5,447,000	6,087,000	8,187,000	+ 2,740,000	+ 2,100,000
Smithsonian	326,117,000	357,150,000	342,079,000	+ 15,962,000	-15,071,000
National Gallery of Art.....	49,520,000	57,500,000	55,086,000	+ 5,566,000	-2,414,000
Woodrow Wilson International Center for Scholars	5,047,000	5,744,000	5,819,000	+ 772,000	+ 75,000
National Endowment for the Arts	174,083,000	174,083,000	178,200,000	+ 4,117,000	+ 4,117,000
National Endowment for the Humanities.....	170,005,000	178,200,000	178,200,000	+ 8,195,000	.....
Institute of Museum Services.....	25,864,000	26,949,000	27,344,000	+ 1,480,000	+ 395,000
Commission of Fine Arts.....	634,000	705,000	722,000	+ 88,000	+ 17,000
National Capital Arts and Cultural Affairs	6,217,000	.....	7,000,000	+ 783,000	+ 7,000,000
Advisory Council on Historic Preservation	2,226,000	2,535,000	2,623,000	+ 397,000	+ 88,000
National Capital Planning Commission	3,430,000	4,500,000	4,500,000	+ 1,070,000	.....
Franklin Delano Roosevelt Memorial Commission.....	28,000	28,000	33,000	+ 5,000	+ 5,000
Pennsylvania Avenue Development Corporation.....	12,107,000	21,833,000	7,298,000	-4,809,000	-14,535,000
Holocaust Memorial Council.....	7,514,000	7,300,000	10,605,000	+ 3,091,000	+ 3,305,000
Total, Title II - Related Agencies.....	5,689,952,000	5,770,599,000	6,575,161,000	+ 885,209,000	+ 804,562,000
Grand total.....	11,747,550,000	11,595,927,000	12,717,527,000	+ 969,977,000	+ 1,121,600,000