

**DEPARTMENT OF THE INTERIOR AND RELATED
AGENCIES APPROPRIATIONS BILL, 1994**

JULY 28 (legislative day, JUNE 30), 1993.—Ordered to be printed

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

REPORT

[To accompany H.R. 2520]

The Committee on Appropriations, to which was referred the bill (H.R. 2520) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1994, and for other purposes, reports the same to the Senate with various amendments and presents herewith information relative to the changes recommended:

**AMOUNTS IN NEW BUDGET (OBLIGATIONAL) AUTHORITY, FISCAL
YEAR 1994**

Amount of bill passed by House	\$12,685,169,000
Amount of increase by Senate	662,541,000
Total of bill as reported to Senate	13,347,710,000
Estimates considered by House	13,617,688,000
Estimates considered by Senate	13,617,688,000
Below the budget estimate, 1994	-269,978,000
Over appropriations, 1993	+1,200,171,000

	Budget estimate	Committee recommendation	Change
Subtotal, general administration	6,224,000	6,202,000	- 22,000
Total, abandoned mine reclamation fund	191,629,000	190,107,000	- 1,522,000

Federal reclamation programs.—The Committee recommends a decrease of \$1,500,000 for Federal reclamation programs. The net decrease consists of \$2,000,000 in reclamation program operations for the Federal emergency program and an increase of \$500,000 for the Rural Abandoned Mine Reclamation Program [RAMP].

The decrease recommended by the Committee for the Federal emergency program reflects carryover funds and will have no programmatic effect.

General administration.—The Committee recommends a decrease of \$22,000 in general administration for the Take Pride in America Program which has been discontinued by the Department.

Bill language.—The Committee recommends retaining bill language added by the House in last year's act which continues the Federal emergency program and limits expenditures in any one State to 25 percent of the total appropriated for Federal and State administered emergency programs. The total recommended for fiscal year 1994 is \$20,000,000.

The Committee recommends deleting bill language added by the House that maintains 16 FTE's at the anthracite program office in Wilkes-Barre, PA.

INDIAN AFFAIRS

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

Appropriations, 1993	\$1,342,385,000
Budget estimate, 1994	1,473,306,000
House allowance	1,492,650,000
Committee recommendation	1,489,685,000

The Committee recommends an appropriation of \$1,489,685,000, an increase of \$16,379,000 above the budget estimate, a decrease of \$2,965,000 below the House allowance, and \$147,300,000 above the fiscal year 1993 level.

The following table provides a comparison of the budget estimate with the Committee recommendations:

	Budget estimate	Committee recommendation	Change
TRIBAL BUDGET SYSTEM			
Tribal priority allocations:			
Tribal government	\$91,474,000	\$91,474,000	.....
Human services	57,701,000	57,701,000	.....
Education	35,953,000	35,953,000	.....
Public safety and justice	94,898,000	94,898,000	.....
Community development	23,097,000	23,097,000	.....
Resources management	66,632,000	66,632,000	.....
Trust services	29,685,000	29,685,000	.....
General administration	27,798,000	27,798,000	.....

	Budget estimate	Committee recommendation	Change
Tribal priority general increase		3,000,000	+ \$3,000,000
Subtotal, tribal priority allocations	427,238,000	430,238,000	+ 3,000,000
Other recurring programs:			
Tribal government	88,213,000	92,384,000	+ 4,171,000
Human services	115,619,000	110,619,000	- 5,000,000
Education:			
School operations:			
Forward funded	316,111,000	316,111,000	.....
Other school operations	78,282,000	78,282,000	.....
Subtotal, school operations	394,393,000	394,393,000	.....
Continuing education	26,613,000	26,863,000	+ 250,000
Johnson O'Malley	22,826,000	24,326,000	+ 1,500,000
Subtotal, education	443,832,000	445,582,000	+ 1,750,000
Community development	65,706,000	65,706,000	.....
Resources management	40,981,000	42,736,000	+ 1,755,000
Trust services	3,008,000	3,008,000	.....
Subtotal, other recurring programs	757,359,000	760,035,000	+ 2,676,000
Nonrecurring programs:			
Tribal government	9,209,000	9,209,000	.....
Public safety and justice	3,052,000	3,052,000	.....
Community development	10,688,000	10,688,000	.....
Resources management	28,038,000	28,538,000	+ 500,000
Trust services	18,232,000	31,332,000	+ 13,100,000
Subtotal, nonrecurring programs	69,219,000	82,819,000	+ 13,600,000
Total, tribal budget system	1,253,816,000	1,273,092,000	+ 19,276,000
BIA OPERATIONS			
Central office operations:			
Tribal government	3,665,000	3,665,000	.....
Human services	1,315,000	1,315,000	.....
Public safety and justice	2,899,000	2,899,000	.....
Community development	1,151,000	1,151,000	.....
Resources management	3,867,000	3,867,000	.....
Trust services	21,375,000	20,375,000	- 1,000,000
General administration	52,416,000	51,819,000	- 597,000
Subtotal, central office operations	86,688,000	85,091,000	- 1,597,000
Area office operations:			
Tribal government	2,320,000	2,320,000	.....
Human services	3,128,000	1,628,000	- 1,500,000
Public safety and justice	988,000	988,000	.....
Community development	4,449,000	4,449,000	.....
Resources management	4,320,000	4,320,000	.....
Trust services	12,381,000	12,381,000	.....
General administration	36,845,000	36,845,000	.....
Subtotal, area office operations	64,431,000	62,931,000	- 1,500,000

	Budget estimate	Committee recommendation	Change
Special programs and pooled overhead:			
Human services	2,593,000	2,593,000	.....
Education	13,603,000	13,803,000	+ 200,000
Public safety and justice	2,494,000	2,494,000	.....
Community development	3,513,000	3,513,000	.....
Resources management	2,128,000	2,128,000	.....
General administration	44,040,000	44,040,000	.....
Subtotal, special programs and pooled overhead	68,371,000	68,571,000	+ 200,000
Total, BIA operations	219,490,000	216,593,000	- 2,897,000
Total, operation of Indian programs	1,473,306,000	1,489,685,000	+ 16,379,000

Tribal priority allocations.—The Committee recommends a level of \$430,238,000 for tribal priority allocations, which represents an increase of \$35,968,000, or 9 percent, above the fiscal year 1993 enacted level, and \$3,000,000 above the requested level. Within the funds requested, funding is included for the Navajo child sexual abuse project and the Hopi child sexual abuse project to continue funding at the current level.

The additional \$3,000,000 which the Committee recommends for tribal priority allocations represents an increase for distribution to all tribes according to their base. With the \$10,000,000 general increase included in the budget request, a total of \$13,000,000 is provided for distribution to the tribes. These funds are expected to help address tribal specific needs which have been identified to the Committee.

Within the funds provided for natural resources, \$198,000 provided to the Colorado River Agency should be transferred to the Colorado River Tribe.

The Committee understands that the Hopi Tribe has increased range enforcement responsibilities for those areas partitioned to the tribe in the former Bennett freeze and expects that these additional costs will be addressed out of the tribe's and agency's proportionate share of the tribal priority allocation increases.

The Committee is concerned that as additional tribes enter into self-governance compacts and tribes are contracting for additional programs, the Bureau does not have a long-term strategy for effectively managing the changing programmatic and staffing requirements at the area and agency offices. In order to better understand the impact that the self-governance compacts and increased contracting has had Bureauwide, the BIA should provide the Committee with detailed information by area and agency on funding and staffing by program from fiscal year 1991 through fiscal year 1994. The information should indicate by program the level of contracting and the portion of the program which the Bureau continues to operate for each year and the related staffing. The Bureau should also indicate by program any residual oversight responsibilities which remain with the program where contracting has occurred, such as contract monitoring or technical assistance, and the staff and administrative costs associated with such oversight. The information should indicate changes in staffing that result from ad-

addressing identified material weaknesses, inspector general or General Accounting Office findings; increased oversight responsibilities, such as gaming; or congressional mandates. For fiscal year 1994, the information should indicate where staffing reductions occurred as a result of the administrative streamlining reductions and the associated funding. The information should indicate how Federal employment policies impact the Bureau's ability to eliminate staff where programs are fully contracted by the tribes within an agency or area office. This information should be provided to the Committee concurrently with the submission of the fiscal year 1995 budget.

The Committee continues to be concerned that the needs of Navajo tribal members living on the reservation in Utah are not being effectively met. Therefore, the Committee directs the Bureau to provide a detailed accounting of the needs of Utah Navajos and the services being provided or proposed by the Bureau to meet those needs. The Committee also requests the Bureau to consider locating a field office in Utah, as a means of facilitating the direct delivery of services to Utah Navajos. The Bureau also should provide the Committee with a cost-benefit analysis of such an office. The report, including the cost-benefit analysis, should be submitted to the Committee by March 31, 1994.

Other recurring programs.—For other recurring programs, the Committee recommends an increase of \$2,676,000 above the request, which is an increase of \$87,575,000, or 13 percent, above the fiscal year 1993 enacted level.

Within tribal government, an increase of \$4,171,000 is recommended. The Committee recommends an increase of \$1,000,000 for contract support, which represents a net increase of \$26,000,000, or 30 percent, above the fiscal year 1993 enacted level. This is partially offset by a transfer of \$6,415,000 in contract support funds to tribal priority allocations for the self-governance tribes. The additional \$26,000,000 should cover the fiscal year 1994 equivalent of the additional needs which were identified in fiscal year 1993, as well as an increase to cover additional contracting requirements which result from programmatic increases in fiscal year 1994.

The Committee is concerned by the significant shortfall which occurred for contract support in fiscal year 1993. Despite the BIA's efforts to adequately budget for contract support and the Committee's efforts to provide sufficient funding based on the information it receives, shortfalls continue to occur. With the increases the Committee recommends, the Committee believes the program should be adequately funded to avoid shortfalls in fiscal year 1994. The Committee is aware that the tribes have the flexibility to contract for programs which the Bureau operates and that they may enter into these contracts during the course of the fiscal year. The Committee urges the BIA to work closely with the tribes to determine the level of new programs the tribes plan to contract for in fiscal year 1995 prior to submission of the budget in order to improve the BIA's ability to adequately budget for contract support costs. The BIA also should work closely with the tribes on the advisability of establishing advance notification requirements for new contracting by the tribes to improve the reliability of projections for contracting costs.

For new tribe funding, the Committee recommends an increase of \$3,171,000 above the budget request, which includes \$71,000 for the Aroostook Band of Micmac Indians, \$1,700,000 for the Tillie Hardwick Tribes, and \$1,400,000 for the Catawba Tribe. Funding for the Catawba Tribe is subject to formal recognition of the tribe by Congress.

The Committee recommends a decrease of \$5,000,000 for child abuse and family protection grants within human services. Once the regulations are in place and implemented, the Committee expects BIA to request funding for this program. The Committee also expects BIA to work closely with the Indian Health Service in coordinating the use of any future funds for this program and those provided to the Indian Health Service to ensure the best use of funding. The BIA should work closely with IHS to ensure that all funds provided for child abuse and family protection are well coordinated. The Bureau and the IHS should provide the Committee with a report by March 1, 1994, on current and proposed mechanisms for coordinating these programs.

Within the funds provided for general assistance, the Committee expects the BIA to continue to fund ongoing EARN programs.

Within education, an increase of \$1,750,000 is provided, including \$1,500,000 for Johnson-O'Malley educational assistance and \$250,000 for the Navajo Community College. While the budget request included an increase of \$2,426,000 for the title I tribally controlled community colleges, no additional funding was requested for the Navajo Community College.

The Committee has maintained the Indian School Equalization Program formula funds and administrative cost grants at the requested level, which represents an increase of \$34,384,000, or 16 percent, above the fiscal year 1993 enacted level for the ISEP formula funds and an increase of \$8,500,000, or 36 percent, above the fiscal year 1993 enacted level for administrative cost grants. The Committee recommends these significant increases based on projected growth in enrollment so as to avoid the significant shortfalls which occurred for BIA education and contract support costs for the 1992-93 school year.

The Committee continues to urge the Department to look closely at the issues surrounding BIA education, including examining the current methodology for distributing education funding to the schools. As the authorizing committees prepare to reauthorize the education programs, it is critical that adequate information is available to the Department and the Congress for decisions affecting BIA education. Therefore, the Committee directs additional information be collected and additional monitoring occur for the 1993-94 school year, which was funded through previous appropriations.

Currently, funding provided through the ISEP formula is based on characteristics of students in attendance at BIA-funded schools during a single count week in the fall of each school year. For the 1993-94 school year, there will be no change to this method for distributing funding. However, for the 1993-94 school year, the Committee directs the Bureau to report daily attendance and staffing at Bureau-funded schools, including contract and grant schools. Daily attendance and staffing statistics by school should be re-

ported to the Committee on a monthly basis. The reports should also include information on students transferring in and out of each school, including the number of students who transfer between Bureau-funded schools and the number of students who transfer between the Bureau-funded schools and the public schools. This information is currently unavailable to the Bureau.

The Committee further directs the Bureau to conduct an ISEP review for all Bureau-funded schools following the count week for the 1993-94 school year and report to the Committee on the results of these reviews by November 15, 1993. If necessary, the Bureau should submit a followup report to the Committee by April 1, 1994. It is the Committee's understanding that the Bureau normally reviews approximately 60 schools each year following count week. By requiring ISEP reviews for all schools, the Committee believes the Bureau will be in a better position to ensure that schools will be able to operate within the funds already provided for the 1993-94 school year, and avoid layoffs and early closings at the schools.

The Bureau should provide a report to the Committee by March 1, 1994, on the education operations and maintenance program, including the specific policies, procedures, and guidelines being used in the program. The report should also discuss what improvements have been accomplished since control of these funds was transferred from the facilities program to the education program.

The Committee continues to be aware of the housing needs of the Washoe Tribe and many other tribes throughout Indian country. The Committee endorses the work of the Department and the Bureau in its joint efforts through the Housing Improvement Program Work Group. The Committee urges timely preparation and certification of current housing inventories for all tribes, with those results to be utilized in the decisionmaking process for tribal allocations. The Committee strongly encourages the Bureau to take affirmative steps to effectively reduce the unobligated balances of the HIP program, and to ensure that funds are obligated in a timely and appropriate manner, either by Bureau housing program offices or by tribal governments, with effective oversight and guidance provided by the Bureau.

The Committee is aware of the grave condition of the roads on the Makah Reservation in Washington State. One of the most deteriorated roads is a stretch linking the community hall and the fish hatchery, which often has to be shut down during the winter months because of dangerous conditions. The Committee expects the Bureau to work with the tribe to address repair of the road within the funds allocated to the tribe with the road maintenance funding.

The Committee recommends an increase of \$1,755,000 for resources management. The Committee recommends a decrease of \$600,000 for irrigation operations and maintenance.

The Committee is aware of concerns regarding the Wapato irrigation project. The Committee directs the Bureau not to shift any uncollected operation and maintenance charges at the Wapato irrigation project onto fee lands to cover revenue shortfalls from other nonpaying land within the project.

Within rights protection and implementation programs, an increase of \$415,000 is provided, including \$150,000 for the timber-

fish-wildlife initiative, and \$265,000 for the Klamath conservation program. Within fish hatchery operations, \$85,000 is provided for the Summit Lake Tribe. Within tribal management and development plans, an increase of \$1,855,000 is provided, including \$1,635,000 for the Bering Sea Fishermen's Association, \$200,000 for the Columbia River Intertribal Fisheries Commission, and \$20,000 for the Pyramid Lake Tribe. The funding provided for the Bering Sea Fishermen's Association is to help villages improve their fishery production and hatchery facilities. These villages have been severely impacted by a 98-percent decline in the chum salmon run, which was decimated by a deep freeze in the Kuskokwim River.

Nonrecurring programs.—The Committee recommends an increase of \$13,600,000 for nonrecurring programs. Within the special law enforcement program, \$100,000 is provided for the Washoe Tribe's law enforcement program.

The Committee recommends an increase of \$500,000 for the Cheyenne River Sioux prairie dog management program within resources management. Within the funds provided for water management, \$500,000 is provided for the Tohono O'odham Nation to continue the study mandated by the Southern Arizona Water Rights Settlement Act. Within the funds provided for forestry, \$300,000 is provided to complete the fire fuel break project around Glenallen, AK.

The Committee recommends an increase of \$500,000 for litigation support to enable Alaska Legal Services to provide legal counsel to assist Alaska Native allotment applicants. Within the funds provided for litigation support, \$200,000 is provided for the Arkansas Riverbed Authority.

The Committee recommends an increase of \$13,000,000 for water rights studies and negotiation/litigation costs, which have been transferred back to the "Operations" account from the "Indian land and water claims settlements" account. The offsetting decrease is included under that account. Within the funds provided, funding should be provided to continue the Klamath water rights adjudication and for the preparation of an economic development plan for the Pyramid Lake Settlement.

Within real estate services, the Committee understands that the budget request includes \$375,000 to continue cadastral surveys of the Arkansas riverbed.

The Committee recommends a decrease of \$400,000 for hazardous waste to reduce the funds proposed for a consultant and engineer related to the Midnite Mine project. The Committee has addressed this issue under the Bureau of Mines section of this report.

Central office operations.—The Committee recommends a decrease of \$1,597,000 for central office operations. The level of funding recommended by the Committee for central office operations represents an increase of approximately \$13,600,000 above the fiscal year 1993 request, most of which was requested to address identified material weaknesses within the Bureau. The Committee has retained the additional funding to provide the new Assistant Secretary with the staff and resources necessary to address high-priority issues within the central office. The Bureau should clearly identify within the fiscal year 1995 budget request the progress the

Bureau is making on addressing material weaknesses with the additional funds provided for this purpose.

Within trust services, the Committee recommends a decrease of \$1,000,000 for land records management. The Bureau should include information in the fiscal year 1995 budget request which details the total estimated cost and scope of this project.

Within general administration, the Committee recommends a decrease of \$597,000. The Committee recommends a decrease of \$697,000 for administrative services, including \$405,000 for personal property management and \$292,000 for records management. A decrease of \$250,000 is recommended for ADP central support.

The Committee continues to support the efforts on the joint task force on BIA reorganization. Within the funding for central office operations, \$500,000 is provided to continue the efforts of the task force. If the task force requires additional funding, the Bureau should submit a reprogramming which identifies funding within the central office operations to cover the additional requirements.

The Committee recommends an increase of \$350,000 for education program management. Within the funds provided, up to \$350,000 is available to perform an ISEP review at all schools, as discussed previously, in a timely manner and for any additional costs incurred to take daily attendance. If additional funding for monitoring is required for the 1994-95 school year, the Bureau should include a request for the additional funds as part of its fiscal year 1995 budget request. Within the funds provided for education program management, the Committee recommends that \$100,000 be provided for the Joint Federal-State Commission on Policies and Practices Affecting Alaska Natives to complete the ongoing project.

Area office operations.—The Committee recommends a reduction of \$1,500,000 for child protection and family violence centers within the area office operations. As discussed previously, the Bureau should indicate the strategy for coordinating the activities authorized by Public Law 101-630.

Special programs and pooled overhead.—The Committee recommends an increase of \$200,000 for special programs and pooled overhead for the Pre-Law Summer Institute for American Indians administered by the American Indian Law Center at the University of New Mexico.

Other.—In conjunction with the reductions related to administrative streamlining, the Committee encourages the Bureau to find additional ways to encourage administrative reductions, such as travel-related expenses. The Committee is aware that tribal consultation by its nature requires a substantial amount of travel by both the Bureau and the tribes. Where possible, the Committee encourages the Bureau to use teleconferencing or other means to limit the amount of travel required by the Bureau. In addition, the Bureau should ensure that national meetings are only held in the most cost-effective locations and that attendance is limited to essential personnel only.

Bill language.—The Committee has continued bill language included in fiscal year 1993 which extends the statute of limitations with relation to Indian trust fund management. The Committee also continues language which provides for the operation of the

joint reorganization task force. Language has been continued which requires review by the joint reorganization task force on any reorganization proposed by the Bureau. Bill language as proposed by the House has been retained which clarifies Committee intent that funds be available from the general assistance program for EARN-type programs operated by the tribes, providing these programs meet other requirements of the language. The section of the language that requires tribal funds be used for increases in payments refers only to general assistance payment increases which are not part of an EARN-type program. Language has been included which would extend availability of \$250,000 included in Public Law 102-381 for the Alaska Native Claims Settlement Act.

The Committee has included bill language which would clarify the eligibility of Alaska Native villages to participate in the Indian road maintenance program. Bill language has been included which clarifies the definition of which roads in Alaska should be included when determining the allocation of road construction funding.

Bill language has been included which will continue to permit the investment of tribal colleges' endowment funds in Government securities, rather than in federally insured banks or savings and loan institutions. Without this language, the colleges would be required to shift their funds to banks or savings and loans and risk the loss of up to 80 percent of their interest income due to early withdrawal penalties.

The Committee has included bill language as modified by the House to indicate that the Bureau should initiate a joint task force with Alaska Natives to determine what role the Bureau should play with regard to Alaska schools and Alaska Native education, and what other actions or sources of funding might be identified to assist or improve the educational programs of these schools. In addition to the Assistant Secretary of Indian Affairs, and the Department of Education's Assistant Secretary for Elementary and Secondary Education and Office of Indian Education, the task force should include the Alaska Federation of Natives, the Alaska Native Education Council, the Association of Alaska School Boards, and the Alaska Department of Education. The language prohibiting funding for Alaska schools is for fiscal year 1994 only.

CONSTRUCTION

Appropriations, 1993	\$149,613,000
Budget estimate, 1994	114,110,000
House allowance	172,799,000
Committee recommendation	150,429,000

The Committee recommends an appropriation of \$150,429,000, an increase of \$36,319,000 above the budget estimate, a decrease of \$22,370,000 below the House allowance, and an increase of \$816,000 above the fiscal year 1993 level.

The following table provides a comparison of the budget estimate with the Committee recommendations:

	Budget estimate	Committee recommendation	Change
Tribal government	\$4,638,000	\$5,338,000	+\$700,000
Education	72,116,000	72,355,000	+ 239,000

	Budget estimate	Committee recommendation	Change
Public safety and justice	8,600,000	8,600,000	.....
Resources management	20,756,000	55,956,000	+ 35,200,000
General administration	8,000,000	8,180,000	+ 180,000
Total	114,110,000	150,429,000	+ 36,319,000

Tribal government construction.—The Committee recommends an increase of \$700,000 above the request for tribal government construction. The additional funding is to cover contract support costs associated with additional construction projects recommended for funding in fiscal year 1994.

Education.—The Committee recommends a net increase of \$239,000 for education. Within this increase, \$2,239,000 is provided to continue construction of the Ramah Navajo employee housing. There is also a decrease of \$2,000,000 for facilities improvement and repair. The Committee recommendation allows an increase of \$3,419,000 above the fiscal year 1993 enacted level for facilities improvement and repair. The Committee understands that \$1,600,000 is included in the budget request to complete the Haskell Indian Junior College dormitory project.

Public safety and justice.—The Committee recommends \$8,600,000 for public safety and justice, the same amount as the budget request. Funding has been provided previously to complete the first four juvenile detention centers on the priority list. Funding is requested in the fiscal year 1994 budget to construct the Sac and Fox facility, the next facility on the priority list. However, after the budget was submitted to Congress, revised estimates of the costs associated with the first four facilities indicate that funding appropriated in fiscal year 1993 to complete these facilities will be insufficient. Therefore, the Committee has shifted the \$4,000,000 to construct the Sac and Fox facility to allow completion of the Chinle Juvenile Detention Center, which was one of the first four projects on the list. The Committee understands that design of the Sac and Fox detention center will be complete at the end of fiscal year 1994 and expects the BIA to request sufficient funding in the fiscal year 1995 budget to construct the Sac and Fox detention center.

The Committee is aware that there are cases where tribes have both a juvenile and adult detention center on the priority lists for construction of these facilities. It is the Committee's understanding that currently the lists are maintained separately and are proceeding on different schedules. The Committee believes that where both facilities have been identified on the priority lists for replacement, it would be cost-effective to combine the facilities. The Committee expects the Bureau to work with the Office of Construction Management to develop a strategy that would allow planning and design for combined facilities to occur at the same time. The Committee encourages the Bureau to allow planning for a combined facility for the Choctaw Tribe to proceed in fiscal year 1994 due to the urgent health concerns the tribe is experiencing at its current facilities. Since the priority lists for construction of juvenile detention centers and adult/generic detention centers were published in July 1988 and June 1989, respectively, conditions in the facilities and

funding priorities have changed. Therefore, the Department is encouraged to combine the two lists in a manner that will maintain the integrity of both lists and allow them to fully address tribal detention needs on a priority basis.

Resources management.—The Committee recommends an increase of \$35,200,000 for resources management. Within this increase, \$34,700,000 is provided for irrigation construction as detailed below:

<i>Project</i>	<i>Amount</i>
Colorado River Indian Tribes	\$2,500,000
Fort McDowell	695,000
Gila River Farms	1,816,000
Hogback irrigation project	350,000
Jemez	700,000
Navajo Indian irrigation project [NIIP]	20,000,000
Salt River (Tohono O'Odham)	1,430,000
Southern Arizona	3,209,000
Ute Mountain Ute	3,000,000
Walker River Indian irrigation project	1,000,000
Total	34,700,000

The Committee recommends a decrease of \$1,000,000 for the Safety of Dams Program. The Committee's recommendation provides an increase of \$5,915,000 above the fiscal year 1993 enacted level. For fish hatchery rehabilitation, the Committee recommends an increase of \$1,500,000 to restore the program to the fiscal year 1993 level.

General administration.—The Committee recommends an increase of \$180,000 for general administration for land acquisition for the Cow Creek Band of the Umpqua Tribe.

The Committee is aware of environmental hazard problems that are resulting from aging fuel storage tanks in Native Alaska communities. It is the Committee's understanding that fuel leaking from these tanks is endangering water supplies. The Committee directs the BIA to determine the ownership and responsibility for these tanks and request funding in the fiscal year 1995 budget request to replace the leaking tanks that are the responsibility of the BIA.

Bill language.—Bill language has been included which makes funds previously provided for the Wind River irrigation project available on a nonreimbursable basis.

MISCELLANEOUS PAYMENTS TO INDIANS

Appropriations, 1993	\$38,609,000
Budget estimate, 1994	204,260,000
House allowance	103,259,000
Committee recommendation	103,259,000

The Committee recommends an appropriation of \$103,259,000, \$101,001 below the budget request and the same as the House allowance. Included is a decrease of \$20,000,000 for water rights studies/negotiations, which have been transferred back to the "Operation of Indian programs" account where this actively has previously been budgeted. There is also a decrease of \$39,334,000 for transfer of irrigation projects back to the "Construction" account. These projects include Fort McDowell, \$695,000; Navajo Indian ir-

rigation project, \$34,000,000; Salt River, \$1,430,000; and southern Arizona (Tohono O'Odham), \$3,209,000.

The Committee recommends a decrease of \$41,667,000 for the Ute Indian settlement fund. It is the Committee's understanding that the tribe has not yet held the referendum on whether to accept this legislated settlement. The remaining \$17,198,000 of the funding proposed in the budget for farming operations and water improvement projects has been provided by the Committee.

The Committee continues to support funding for negotiated settlements following their enactment. The establishment of the "Indian land and water claim settlements" account does not fundamentally change the Committee's longstanding commitment to provide funding for these settlements.

The Committee is aware that legislation is pending before Congress that would provide settlement funding to the Catawba Tribe. Once the settlement is enacted, the Committee expects that funding for the settlement will be included in the Bureau's next budget request.

NAVAJO REHABILITATION TRUST FUND

Appropriations, 1993	\$3,966,000
Budget estimate, 1994	2,466,000
House allowance	2,466,000
Committee recommendation	2,466,000

The Committee recommends an appropriation of \$2,466,000, the same as the budget request and the House allowance. The Committee expects the Bureau to work with the tribe to ensure a more prompt release of funds appropriated into the trust fund so that the anticipated programs and/or projects may proceed.

TECHNICAL ASSISTANCE OF INDIAN ENTERPRISES

Appropriations, 1993	\$1,970,000
Budget estimate, 1994	1,970,000
House allowance	1,970,000
Committee recommendation	1,970,000

The Committee recommends an appropriation of \$1,970,000, the same as the House allowance and the budget request for the technical assistance of Indian enterprises.

INDIAN DIRECT LOAN PROGRAM ACCOUNT

Appropriations, 1993	\$2,479,000
Budget estimate, 1994	2,484,000
House allowance	2,484,000
Committee recommendation	2,484,000

The Committee recommends an appropriation of \$2,484,000, the same as the budget request for the "Indian Direct Loan Program" account.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

Appropriations, 1993	\$9,687,000
Budget estimate, 1994	9,690,000
House allowance	9,690,000
Committee recommendation	9,690,000

The Committee recommends an appropriation of \$9,690,000, the same as the budget request for the "Indian Guaranteed Loan Program" account.

TERRITORIAL AFFAIRS

The Congress of the United States has placed in the Secretary of the Interior certain authority and responsibility concerning the territories of the United States—including Guam, the Virgin Islands, American Samoa, and the Commonwealth of the Northern Mariana Islands [CNMI]—as well as the Trust Territory of the Pacific Islands. While under the jurisdiction of the Secretary, these island governments are not entities of the Department of the Interior, nor are they agencies or instrumentalities of the Federal Government. The Committee notes that the United Nations Trusteeship Agreement was terminated with respect to the CNMI, the Republic of the Marshall Islands, and the Federated States of Micronesia by Presidential proclamation on November 3, 1986. Thus, Palau remains as the only area of the former Trust Territory of the Pacific Islands to which the trusteeship agreement still applies.

The broad objectives of the Secretary of the Interior are to promote the economic, social, and political development of the people of each of the island governments, leading toward greater self-government, and to further international peace and security by conducting territorial affairs in close coordination with the defense and foreign policies of the United States.

ADMINISTRATION OF TERRITORIES

Appropriations, 1993	\$81,203,000
Budget estimate, 1994	80,957,000
House allowance	82,107,000
Committee recommendation	81,457,000

The Committee recommends an appropriation of \$81,457,000, an increase of \$500,000 above the budget estimate, a decrease of \$650,000 below the House allowance.

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

	Budget estimate	Committee recommendation	Change
American Samoa:			
Operations grants	\$22,690,000	\$22,690,000	.....
Construction grants	4,500,000	5,000,000	+ \$500,000
Subtotal, American Samoa	27,190,000	27,690,000	+ 500,000
Virgin Islands: Construction grants			
	4,500,000	4,500,000	.....
Subtotal, Virgin Islands	4,500,000	4,500,000	.....
Northern Mariana Islands: Covenant grants			
	27,720,000	27,720,000	.....
Subtotal, Northern Mariana Islands	27,720,000	27,720,000	.....
Territorial administration:			
Office of Territorial and International Affairs ...	4,588,000	4,588,000	.....
Technical assistance	7,535,000	7,535,000	.....

requirement for contracts entered into between the Secretary of Energy and the Bartlesville project office in Oklahoma. The fiscal year 1991 Interior and Related Agencies Appropriations Act (Public Law 101-512) included language that required any contract, agreement, or arrangement entered into by the Secretary of Energy pertaining to the research facilities at Bartlesville be submitted to the House and Senate Appropriations Committees for a period of 30 days while Congress is in session before the contract, agreement, or arrangement shall become effective. The Committee recommends waiving this language so that the new operations contract entered into by the Department for the management of the Bartlesville facility can become immediately effective and prevent any lapse in time between the new contract becoming effective and the old contract that is expiring on September 30, 1993.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

INDIAN HEALTH SERVICES

Appropriations, 1993	\$1,524,779,000
Budget estimate, 1994	1,601,309,000
House allowance	1,652,394,000
Committee recommendation	1,641,592,000

The Committee recommends an appropriation of \$1,641,592,000, an increase of \$40,283,000 over the budget estimate, \$10,802,000 below the House level, and \$116,813,000 above the fiscal year 1993 appropriation. The Committee remains concerned about the provision of basic health care services for Indians. Backlogs in a number of IHS program areas have resulted in attention to only the most critical of health emergencies. Recommended allowances are contained in the following table:

	Budget estimate	Committee recommendation	Change
Hospital and health clinic programs	\$796,880,000	\$799,213,000	+ \$2,333,000
Dental health	52,151,000	53,151,000	+ 1,000,000
Mental health	29,964,000	36,872,000	+ 6,908,000
Alcohol and substance abuse	85,482,000	86,782,000	+ 1,300,000
Contract care	344,848,000	349,848,000	+ 5,000,000
Public health nursing	21,587,000	21,587,000	.....
Health education	7,919,000	7,919,000	.....
Community health representatives	43,010,000	43,010,000	.....
Immunization	1,348,000	1,348,000	.....
Urban health projects	22,034,000	22,834,000	+ 800,000
Indian health professions	27,406,000	27,406,000	.....
Tribal management	5,285,000	5,285,000	.....
Direct operations	50,271,000	48,671,000	- 1,600,000
Self-governance	1,980,000	4,980,000	+ 3,000,000
Contract support	110,686,000	132,686,000	+ 22,000,000
Transfer from facilities	458,000	.....	- 458,000
Total, Indian health services	1,601,309,000	1,641,592,000	+ 40,283,000

General.—As in recent years, the Committee's recommendations attempt to direct funds to the program areas where increased de-

mands for services have been complicated by funding shortfalls. In addition, the Committee has placed a priority on addressing the shortfall in contract support, and expects IHS to keep the Committee regularly informed about the costs of this program. The Committee would note that the current projections for domestic discretionary spending will become even more constrained over the next 5 years. It is estimated that it will be fiscal year 1998 before domestic discretionary spending is restored to the same level as was provided in fiscal year 1993.

Hospitals and clinics.—The Committee recommends an increase of \$2,333,000, which includes increases of \$5,937,000 to raise the level of need funded to 60 percent at a number of service units, as discussed below; \$200,000 to address neonatal and infant mortality problems at Shoalwater Bay, WA; \$104,000 to bring the staffing level at Wagner to the 85-percent level; and \$1,400,000 in new tribes funding for the anticipated costs associated with the expected recognition of the Catawba Tribe of South Carolina. Offsetting these increases is a decrease of \$5,308,000 for the transfer of the social services program from the hospitals and clinics activity to the mental health program.

The Committee has provided funds to raise the level of need funded at a number of service units. The Indian Health Service has assured the Committee that the distribution of funds for service units below the 60-percent level reflects actual funding distributions after allocations in fiscal year 1991 for inflation, population growth, and the Indian health care improvement fund. In addition, the Indian Health Service has recommended that the increase be spread between the "Services and facilities" account, since some of these funds will be used for space improvements or expansions. The amount in the "Services" account is accompanied by an amount of \$5,977,000 in the "Facilities" account. These funds are included in the "Facilities" account on a one-time basis, and IHS, in cooperation with the tribes, should make the necessary adjustments to the fiscal year 1995 budget to restore the funds, as appropriate, to the "Services" account. The funds are provided in the "Facilities" account in order to address the numerous situations where an expansion of the service delivery program is precluded by current space constraints. The funds recommended in the "Facilities" account are to be used for one-time expenses associated with the expansion of space. The recipients of these funds should plan for outyear service delivery assuming the amounts appropriated—additional appropriations to cover the increased costs of space will not be forthcoming beyond what the tribes are able to address within increases recommended this year. The distribution of funds by service unit is displayed in the following table:

IHS area and service unit	Amount		Total
	Services	Facilities	
Aberdeen:			
Fort Totten	\$116,000	\$500,000	\$616,000
Yankton	73,000	30,000	103,000
Trenton	20,000	.....	20,000
Ponca	143,000	500,000	643,000
Albuquerque:			

IHS area and service unit	Amount		Total
	Services	Facilities	
So. Colorado		239,000	239,000
Alamo		166,000	166,000
Ramah		206,000	206,000
Nashville:			
Oneida		770,000	770,000
Aroostook Micmac		333,000	333,000
California:			
Redding	50,000		50,000
Chapa De	63,000		63,000
Navajo: Gallup		505,000	505,000
Oklahoma:			
Claremore	325,000		325,000
Haskell	42,000		42,000
Shawnee	1,847,000		1,847,000
Chickasaw	659,000		659,000
Creek	1,789,000		1,789,000
Phoenix:			
Phoenix	43,000	201,000	244,000
Paiute Tribe of Utah [PITU]	149,000	450,000	599,000
Portland:			
Coeur d'Alene	158,000	525,000	683,000
Puyallup	146,000	450,000	596,000
Warm Springs	67,000		67,000
Western Oregon	47,000	872,000	919,000
Yakima	200,000	230,000	430,000
Total	5,937,000	5,977,000	11,914,000

It is the Committee's understanding the amount reflected for the Shawnee unit will be allocated entirely to the Oklahoma City clinic and the Claremore funds are to be allocated to the Tulsa clinic. Within the increase provided, funds may be used for a new lease for expanded space. As discussed above, the increased costs of this space must be accommodated within the amounts provided.

The Committee notes that the funding for the Tulsa program has increased by 275 percent in the last 7 years. The Committee regrets that some of these increases were not used to address the need for additional leased space within the total funds provided and expects the funds provided to be used for this purpose.

In the event legislation recognizing the Catawba Tribe is not enacted and the tribal members do not become eligible for services, the recommended funds are to be used for equipment replacement, but no sooner than September 1, 1994.

Within the funds provided, the Committee expects the IHS to continue the tuberculosis program for the Mississippi Choctaw at the fiscal year 1993 level.

The Committee does not concur in the administration's proposal to rely on contractual arrangements for the provision of health care services at newly completed IHS facilities. The tribes who would be affected by this proposal were not involved in the development and contract support costs for such an arrangement were not included in the budget. The Committee concurs with the concerns raised in the House report regarding the cumbersome administrative situa-

tion that would be created by this proposal, as well as the potential cost inefficiencies.

Dental health.—The Committee recommends an increase of \$1,000,000 to address unmet needs. The Committee expects the IHS to continue the loan repayment program for dentists at the fiscal year 1993 level. The Committee has addressed the matter of funding for modular dental units under the “Facilities” account.

Mental health.—The Committee recommends an increase of \$6,908,000, which includes \$5,308,000 for the transfer of the social services program from the hospitals and clinics activity, and an increase of \$1,600,000 for programs to address the problem of child sexual abuse. Before expending these funds, however, IHS should work cooperatively with the Bureau of Indian Affairs in the development of a comprehensive program that takes into account the needs of both agencies, so that the affected population may be served most effectively. The Committee expects the two agencies to coordinate in the development of the fiscal year 1995 budget for these programs.

Within the total amount, the Committee continues the funding levels provided in fiscal year 1993 for the Navajo (\$300,000), Hopi (\$200,000), Washoe (\$150,000), and Bay Mills (\$100,000) child sexual abuse programs.

The Committee encourages the IHS to explore the possibility of tribal contracting for the provision of health services for indigent Indians involuntarily committed for treatment in North Dakota and South Dakota.

Alcohol and substance abuse.—The Committee recommends an increase of \$1,000,000 to address unmet need and \$300,000 to staff the Gila River Regional Youth Treatment Center at the 85-percent level. Within the total recommended for the alcohol and substance abuse program is \$1,000,000 to continue the current level of service at the Gallup Alcohol Crisis Center.

Contract care.—The Committee recommends an increase of \$5,000,000 to fund unmet need in this program, which provides for referral care services from non-IHS providers. The budget continues the catastrophic health emergency fund at a level of \$12,000,000.

The Committee has no objection to the use of one-half of the funds allocated to California from the increased funds provided for contract care for the California contract health service demonstration. The IHS should assist the interested parties in this initiative, particularly in the early startup stage.

Public health nursing.—The Committee recommends a level of \$21,587,000, the same as the budget estimate.

Health education.—The Committee recommends \$7,919,000, the same as the budget estimate and the House allowance.

Community health representatives.—The Committee recommends \$43,010,000, the same as the budget estimate.

Immunization.—The Committee recommends \$1,348,000, the same as the budget estimate and House allowance.

Urban health.—The Committee recommends an increase of \$800,000 to address unmet need. This is the same as the House allowance.

Indian health professions.—The Committee recommends \$27,406,000, the same as the budget estimate and the House allowance. The Committee understands that the budget includes \$1,635,000 for the nursing program authorized in section 112 of the Indian Health Care Improvement Act. Within the funds provided, consideration should be given to tribal colleges that have worked to develop college nursing programs. The Committee notes that many of the nursing programs at tribally controlled colleges meet the primary mandate of the statute requiring Indian control in the planning and management of Indian health services.

Tribal management.—The Committee recommends \$5,285,000, the same as the budget estimate and the House allowance.

Direct operations.—The Committee recommends a decrease of \$1,600,000, which will maintain the direct operations functions at the fiscal year 1993 level. The Committee does not agree with the proposal in the budget to direct administrative and staffing reductions to specified object class categories, so as to minimize the impact to headquarters functions.

Self-governance.—The Committee recommends an increase of \$3,000,000, as proposed by the House, to fund shortfalls associated with the switch to compact funding. In implementing these compacts, there may be situations where the transfer of a portion of a program's funds to a compact tribe could jeopardize the continuation of services for noncompact tribes. These funds are provided to address these situations and in the future, IHS should budget for these costs. As more compacts are implemented, the Committee expects IHS to identify where operational and staffing reductions might be made as the tribes assume even greater responsibility and oversight of their programs.

Contract support.—The Committee recommends an increase of \$22,000,000 for contract support. This provides 85 percent of the estimated shortfall, which is the same percentage as is provided in the allocation of staffing resources for new facilities. The Committee is very concerned about the escalating costs of the contract support program and encourages the tribes and the IHS to carefully review contract support costs so that the increases in contract support costs do not soon overwhelm the Committee's ability to provide program increases.

Other.—The Committee concurs in the House recommendation of a decrease of \$458,000 in the "Health services" account, which reflects a transfer to the "Facilities" account to correct a discrepancy between the President's budget request and the budget justification supplied by IHS.

As recommended by the House, the Committee does not object, in limited circumstances, to the use of excess services funds carried over from previous years for the purpose of purchasing or renovating modular buildings to provide needed services, within the scope of the dollars provided in existing contracts. As recognized by the House, it may be more cost-effective in some instances to renovate existing space. Bill language is included to allow for these limited uses. The IHS should address these types of problems in advance by properly budgeting for needed services and repair and renovation requirements in the appropriate accounts.

The Committee has amended the language proposed by the House with respect to the funding for the Indian self-determination fund. The Committee recommendation includes \$7,000,000 for this purpose, as part of the \$22,000,000 contract support increase.

The Committee has also agreed to language proposed by the House to ensure that self-governance compact funds remain available to the tribes without fiscal year limitation. Language is also included to ensure Federal Tort Claims Act protection is extended to tribal employees under self-governance compacts, as is currently provided for self-determination contracts.

The Committee is concerned about the failure of Indian Health Service to adequately investigate allegations of mismanagement, possible fraud and interference with self-governance at the Owyhee service unit in Nevada. Within 60 days of this report, IHS shall provide the Committee with a full report pertaining to these matters. As part of this report, IHS shall also outline the steps it will take to ensure an orderly transition to self-governance at Owyhee.

INDIAN HEALTH FACILITIES

Appropriations, 1993	\$333,640,000
Budget estimate, 1994	278,811,000
House allowance	296,997,000
Committee recommendation	293,682,000

The Committee recommends an appropriation of \$293,682,000, an increase of \$14,871,000 above the budget estimate, \$3,315,000 below the House allowance, and \$39,958,000 below the fiscal year 1993 appropriation. The following table summarizes the Committee's recommendations:

	Budget estimate	Committee recommendation	Change
Repair, improvement, and maintenance	\$32,940,000	\$32,940,000	.....
New and replacement hospitals	75,000,000	58,500,000	-\$16,500,000
Outpatient care facilities .....	.....	708,000	+ 708,000
Personnel quarters .....	.....	16,396,000	+ 16,396,000
Dental units .....	.....	1,000,000	+ 1,000,000
Sanitation facilities	85,051,000	88,051,000	+ 3,000,000
Facilities and environmental health support	85,801,000	92,830,000	+ 7,029,000
Regional treatment centers .....	.....	2,780,000	+ 2,780,000
Contract support	477,000	477,000	.....
Transfer to services	- 458,000	.....	+ 458,000
Total	278,811,000	293,682,000	+ 14,871,000

Repair, maintenance, and improvement.—The Committee recommends \$32,940,000, the same as the budget estimate.

New and replacement hospitals.—The Committee recommends a decrease of \$16,500,000, which includes a decrease of \$17,000,000 for the Alaska Native Medical Center, and an increase of \$500,000 to initiate planning and design activities for the replacement facility at Winnebago, NE. The decrease still leaves \$58,000,000 for the ANMC, with the balance of \$17,000,000 to be provided in fiscal year 1995. IHS should include this amount in next year's budget request.

With respect to Winnebago, the Committee has included bill language which precludes the use of these funds until a program justification document [PJD] has been approved by the Assistant Secretary for Health. The Committee understands that tentative agreement has been reached on the scope of the new facility, but that a final decision will not be made pending completion of a review of the birthing center. The Committee urges IHS to complete this review as expeditiously as possible. In addition, the Committee is aware of differing estimates by the Aberdeen area and IHS headquarters as to the amount of time needed for development, review, and approval of the PJD. In the interest of ensuring that continued progress be made on this project, the Committee has recommended the funding discussed above in the event the necessary steps associated with achieving an approved PJD are completed this fiscal year. As noted by the bill language, these funds are not to be made available until the PJD has been approved.

The Committee expects IHS to include, in its fiscal year 1995 budget, the funding amounts necessary for those projects on the priority list ready to proceed to construction or planning and design.

The IHS should explore options for expanding the Gallup Indian Medical Center at its existing location. The Committee does not object to the reprogramming of funds, consistent with the Committee's guidelines, for the purchase of land and improvements thereon if the IHS identifies an acceptable source of funds to reprogram. The purchase price should not exceed appraised market value.

Outpatient care facilities.—The Committee recommends an increase of \$708,000 to complete the planning and design for Hopi, Second Mesa. The Committee urges the Indian Health Service to proceed with completion and approval of the PJD for the Parker Outpatient Clinic. Planning and design funds have been available for the project since fiscal year 1988 yet the PJD is still in draft and undergoing revision. The Committee notes that the second ranked outpatient clinic project is due to be approved shortly while Parker, the No. 1 project, is not ready for PJD approval. Both projects are under the Phoenix area which should make all efforts to move all proposed projects in priority order and avoid long delays.

Regional youth treatment centers.—The Committee recommends \$2,780,000 to complete the construction of the Portland area regional youth treatment center for alcohol and substance abuse treatment in Spokane, WA. The IHS should include the necessary funds for operation of the center in the budget in conjunction with the anticipated completion of this facility.

The Committee has not included additional funds at this time for planning and design for the satellite youth treatment center for the Phoenix area. This satellite facility, to be located in Nevada, is to be a referral site for intake, screening, limited identification, and aftercare. It is not to be an inpatient facility. The Committee expects the IHS Phoenix area, in conjunction with the tribes, to submit a revised PJD to headquarters within 90 days after enactment of this bill. The Committee expects the IHS to work toward a more reasonable scope for this facility and to reduce the estimated cost. Once a PJD is approved, \$465,000 remains from funds previously

appropriated for the Phoenix area satellite facility to begin planning and design. The Committee will address any additional construction needs after completion of the PJD and planning and design. As with other facilities funded by the Committee, operational funding will be addressed in conjunction with project completion and anticipated opening.

Staff quarters.—The Committee recommends \$16,396,000 to complete the construction of staff quarters for the Kotzebue, AK, hospital. In constructing the water and sewer lines for the Maniilaq Medical Center quarters, the Service should consult with the city of Kotzebue to ensure proper integration into Kotzebue's existing water and sewer system. If unobligated funds remain from the Pine Ridge quarters project, the Committee has no objection to the use of up to \$400,000 to complete the equipment purchases for the new Pine Ridge Hospital.

Dental units.—The Committee recommends \$1,000,000 for the replacement of modular dental units. As recommended by the House, IHS should incorporate modular dental units in its strategic plan for facilities, and the increased funds recommended by the Committee should be included in the base in future budget requests.

Sanitation facilities.—The Committee recommends an increase of \$3,000,000. Within their fair share of these increased funds, the Committee urges the Navajo and Alaska areas to place a priority on the needs associated with the former Bennett freeze area, and the deteriorated conditions in the Yukon-Kuskokwim delta region. Given the absence of water and sewer infrastructure development in the Bennett freeze area since 1980, the Committee urges that IHS evaluate proposed projects in this area to ensure that those which are feasible and have the potential for providing significant health benefits are placed appropriately on the Navajo area sanitation deficiencies priority list. Additional consideration should be given to planning, such as aerial surveys, test well drilling, and the like, in order to prepare for future projects. It is the Committee's understanding that within the amounts included in the budget estimate, IHS estimates that \$1,000,000 of the Navajo allocation would be prioritized for projects in this area, as well.

The Committee encourages IHS to pursue pilot projects in Alaska to develop and test innovative individual drinking water storage systems, technological improvements in the operation of composting toilets, and modification of "honey-bucket" haul system components should be pursued. Test results and information from reviews of current operating procedures should be evaluated thoroughly before implementing full-scale projects. Appropriate projects using the results of these pilot efforts should be included on the area sanitation deficiencies priority list for future funding.

The Committee is concerned about the urgent need to improve the sanitary conditions in former Bennett freeze homes by bringing water and sanitation services into these communities. To expedite the provision of water and sanitary services to this area, the Committee urges the Indian Health Service to consider the use of the cistern system in combination with community water servicing points, where feasible, and in combination with an intensive health education program to bring water to homes that have no access to running water or a domestic water source.

The Committee expects the Indian Health Service to work with the Havasupai Tribe to identify and develop a domestic water source and system at the Hilltop location of the reservation. Priority attention should be given to this project due to the urgent need to protect tribal members against routine flooding which occurs multiple times a year and to improve access to critical health care for kidney dialysis and other patients. The unique and emergency circumstances should be taken into account in determining the Hilltop project funding priority, if identified by the tribe within the existing system.

Environmental health and support.—The Committee recommends an increase of \$7,029,000, which includes \$5,977,000 to raise service units to a level of 60 percent level of need funded, \$52,000 to fund maintenance support at the expanded Wagner facility at the 85-percent level, and \$1,000,000, as recommended by the House, for operations and maintenance training for sanitation facilities. Since these facilities are turned over to the tribes for operations and maintenance upon completion of construction, it is important that the capital investment be protected through adequate attention to proper operation and preventative maintenance. This will help to ensure the longevity of these systems, while contributing to the improvement of services for the tribes.

Other.—The Committee has recommended an increase of \$458,000 which reflects a transfer from the "Health services" account to "Facilities" to correct a discrepancy between the President's budget and the IHS budget justification.

As recommended by the House, the Committee encourages the IHS to explore, in consultation with the tribes, the development of standardized designs for its health facilities. These standardized designs should capitalize on lessons learned from past construction projects and could result in considerable savings of time and money required to construct individual projects. If additional funds are needed to pursue this effort, IHS should propose a reprogramming, to the extent that additional funds are available from completed projects or due to lower than expected construction contract awards.

DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

INDIAN EDUCATION

Appropriations, 1993	\$80,583,000
Budget estimate, 1994	84,006,000
House allowance	83,500,000
Committee recommendation	83,405,000

The Committee recommends an appropriation of \$83,405,000, which is a decrease of \$601,000 from the budget request and a decrease of \$95,000 below the House allowance. The fiscal year 1994 recommendation represents an increase of \$2,822,000 over the fiscal year 1993 enacted level.

The following table represents the distribution of funds for the Department of Education's portion of Indian education funding:

Subpart 1, grants to LEA's and Indian-controlled schools	\$60,304,000
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Subpart 2, special programs for students	14,300,000
Subpart 3, special programs for adults	4,861,000
Program administration	3,740,000
Data collection and analysis	200,000
Total	83,405,000

The decrease below the budget request consists of a reduction of \$601,000 for grants to local educational agencies and Indian-controlled schools. The reduction in grants to schools will still permit an increase in this activity of \$1,000,000 above the fiscal year 1993 level.

OTHER RELATED AGENCIES

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

Appropriations, 1993	\$27,698,000
Budget estimate, 1994	28,336,000
House allowance	26,936,000
Committee recommendation	27,736,000

The Committee recommends an appropriation of \$27,736,000, a decrease of \$600,000 from the budget estimate and \$800,000 above the House allowance. The Committee recommendation includes an increase of \$4,000,000 for continued road development in the new lands and an increase of \$3,600,000 for Indian Health Service sanitation construction of new lands water and waste projects and a decrease of \$10,000,000 due to considerable carryover funds available at the end of fiscal year 1993.

The Committee recommends an increase of \$1,800,000 to procure materials for constructing new or replacement homes for Navajo families on those portions of the Navajo Reservation for which, pursuant to an order of the U.S. District Court for the District of Arizona on September 25, 1992, the Bennett freeze restriction on construction and development as codified by 25 U.S.C. section 640d-9(f), was lifted. None of these funds are to be used for constructing new or replacement homes on those portions of the Navajo Reservation for which a modified freeze was reimposed by the court in its order dated December 18, 1992. The Committee directs the Office of Navajo and Hopi Indian Relocation to transfer all funds through a grant to the Navajo-Hopi Land Commission Office within 60 days of receiving OMB notice of the availability of the funds.

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

PAYMENTS TO THE INSTITUTE

Appropriations, 1993	\$9,312,000
Budget estimate, 1994	9,563,000
House allowance	12,563,000
Committee recommendation	12,563,000

The Committee recommends an appropriation of \$12,563,000, an increase of \$3,000,000 above the budget estimate and the same as the House allowance. For operations, the Committee recommends a level of \$9,213,000, the same as the budget estimate and the

House allowance. The Committee recommends a level of \$350,000 for the endowment fund, the same as the budget estimate and the House allowance.

The Committee recommends \$3,000,000 for the design of phase I of the new campus. Although the board had requested additional funds associated with the construction of the new campus, the amount provided should permit the board to complete design of phase I of the project, which the board has indicated is its highest priority.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

Appropriations, 1993	\$295,560,000
Budget estimate, 1994	299,649,000
House allowance	302,083,000
Committee recommendation	302,349,000

The Committee recommends an appropriation of \$302,349,000, an increase of \$2,700,000 above the budget estimate and \$266,000 above the House allowance. The following table provides a comparison of the budget estimates with the Committee recommendation:

	Budget estimate	Committee recommendation	Change
Sciences	\$103,463,000	\$104,163,000	+ \$700,000
Arts and humanities	80,142,000	80,142,000	.....
Public service and external affairs	4,521,000	4,521,000	.....
International center	747,000	747,000	.....
Administration	27,352,000	27,352,000	.....
Facilities services	81,088,000	81,088,000	.....
Renewal/acquisition program	2,336,000	2,336,000	.....
Base adjustment .....	.....	2,000,000	+ 2,000,000
Total	299,649,000	302,349,000	+ 2,700,000

The Smithsonian Institution has evolved into one of the greatest museum complexes in the world, and its museums, exhibits, and galleries in the Washington, DC, area attract over 29 million visitors annually. The Institution has become one of the flagship attractions of the Nation's Capital. The Smithsonian has also moved into the technological forefront in the area of scientific research and has established research stations in many parts of the world. The Institution is continuing to advance research in the areas of biodiversity, tropical biology, global climate change, and astrophysics, among others.

Sciences.—The Committee recommends an appropriation of \$104,163,000, an increase of \$700,000 above the budget estimate and \$266,000 above the House. The increase of \$700,000 is directed to the Museum of Natural History for cleaning of collection objects stored at the Garber facility in Suitland, MD, that were contaminated with asbestos when a tornado damaged the facility last fall.

Base adjustment.—The Committee is in agreement with the House and recommends an increase of \$2,000,000 to partially restore the reduction resulting from the Smithsonian being required to absorb pay and inflation costs.