

DEPARTMENT OF THE INTERIOR AND RELATED
 AGENCIES APPROPRIATIONS BILL, 1996

JUNE 30, 1995.—Committed to the Committee of the Whole House on the State of
 the Union and ordered to be printed

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

R E P O R T

together with

DISSENTING VIEWS

[To accompany H.R. 1977]

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, 1996, 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.

CONTENTS

	<i>Page number</i>	
	<i>Bill</i>	<i>Report</i>
Department of the Interior:		
Bureau of Land Management	2	12
U.S. Fish and Wildlife Service	9	22
National Biological Service		30
National Park Service	15	30
U.S. Geological Survey	18	39
Minerals Management Service	21	43
Bureau of Mines	23	47
Office of Surface Mining Reclamation and Enforcement	24	48
Bureau of Indian Affairs	27	51

year 1996 is \$18,000,000. Bill language also is included to permit States to use prior year carryover funds from the emergency program without being subject to the 25 percent statutory limitation per State. The Committee also has recommended bill language which would fund minimum program State grants at \$1,500,000 per State.

BUREAU OF INDIAN AFFAIRS
OPERATION OF INDIAN PROGRAMS

Appropriation enacted, 1995	\$1,519,012,000
Budget estimate, 1996	1,609,842,000
Recommended, 1996	1,508,777,000
Comparison:	
Appropriation, 1995	- 10,235,000
Budget estimate, 1996	- 101,065,000

The Bureau of Indian Affairs was created in 1824, its mission is founded on a government-to-government relationship and trust responsibility that results from treaties with Native groups. The Bureau delivers services to over one million Native Americans through 12 area offices and 83 agency offices. In addition, the Bureau provides education programs to Native Americans through the operation of 117 day schools, 56 boarding schools, and 14 dormitories. Lastly the Bureau administers more than 46 million acres of tribally owned land.

Budgetary constraints coupled with significant reductions in domestic discretionary spending has resulted in the need to achieve savings for all of the agencies under the jurisdiction of the Interior Subcommittee. In light of this fact, the Committee's recommendation for the Bureau of Indian Affairs assumes that pay and fixed cost increases will be absorbed by the Bureau and that no new initiatives will be funded in fiscal year 1996.

The amounts recommended by the Committee for fiscal year 1996 compared with the budget estimates by activity are as follows:

	(in thousands of dollars)			
	FY 1995 Enacted	Budget Estimates	Committee Bill	Change from Estimates
Tribal Priority Allocations				
Tribal government.....	113,808	262,428	253,057	-9,371
Human services.....	88,121	150,766	149,790	-978
Education.....	84,888	57,161	56,880	-281
Public safety and justice.....	26,723	97,796	95,811	-1,985
Community development.....	70,980	69,608	68,592	-916
Resources management.....	67,727	68,377	66,742	-1,635
Trust services.....	29,253	30,297	29,451	-846
General administration.....	26,511	28,140	27,398	-742
Small tribes distribution.....	2,000	2,000	4,000	+2,000
Subtotal, Tribal Priority Allocations.....	622,019	788,878	751,786	-14,785
Other Recurring Programs				
Tribal government.....	101,126	7,000	5,000	-2,000
Human services.....	105,442	5,000	---	-5,000
Education				
School operations				
Forward-funded.....	328,730	356,045	330,711	-25,334
Other school operations.....	78,648	84,040	78,178	-5,862
Subtotal, School operations.....	407,378	440,085	408,889	-31,196
Continuing education.....	27,411	27,411	27,411	---
Subtotal, Education.....	434,789	467,496	436,297	-31,199
Public safety and justice.....	---	5,000	---	-5,000
Community development.....	17,090	17,750	17,421	-329
Resources management.....	40,328	36,588	35,483	-1,103
Trust services.....	3,054	3,186	3,047	-139
Subtotal, Other Recurring Programs.....	701,827	542,018	497,248	-44,779
Non-Recurring Programs				
Tribal government.....	4,925	7,365	3,365	-4,000
Public safety and justice.....	2,547	584	584	---
Community development.....	5,809	9,715	---	-9,715
Resources management.....	32,786	31,823	31,520	-303
Trust services.....	30,858	16,992	27,227	+10,235
Subtotal, Non-Recurring Programs.....	78,725	66,480	62,596	-3,784
Central Office Operations				
Tribal government.....	3,420	2,991	2,913	-78
Human services.....	1,317	1,290	1,278	-14
Public safety and justice.....	2,309	3,524	3,581	+43
Community development.....	1,123	1,135	1,114	-21
Resources management.....	3,978	4,977	4,897	-80
Trust services.....	27,040	24,714	17,407	-7,307
General administration				
Education program management.....	4,281	4,104	4,036	-68
Other general administration.....	42,529	46,164	44,747	-417
Central office reduction.....	---	---	-17,857	-17,857
Subtotal, General administration.....	46,910	49,268	30,928	-18,342
Subtotal, Central Office Operations.....	80,698	87,999	62,114	-25,885
Area Office Operations				
Tribal government.....	1,914	1,689	1,644	-45
Human services.....	1,506	1,271	1,236	-36
Public safety and justice.....	835	842	821	-21
Community development.....	4,638	4,452	4,328	-124
Resources management.....	4,404	4,501	4,411	-90
Trust services.....	11,617	12,974	12,802	-172
General administration.....	28,126	29,255	25,986	-3,270
Subtotal, Area Office Operations.....	53,072	54,984	51,028	-3,956
Special Programs and Pooled Overhead				
Human services.....	1,732	1,732	1,732	---
Education.....	14,433	14,732	11,732	-3,000
Public safety and justice.....	2,147	2,662	1,644	-1,018
Community development.....	3,518	3,646	2,418	-1,228
Resources management.....	1,695	1,320	1,320	---
General administration.....	60,906	67,696	64,057	-3,639
Subtotal, Special Programs and Pooled Overhead.....	84,331	91,778	63,903	-27,875
OSA rent reduction.....	-170	---	---	---
Procurement reform.....	-2,490	---	---	---
Total, Operation of Indian Programs.....	1,519,012	1,609,842	1,508,777	-101,065

Tribal priority allocations.—The Committee recommends \$751,788,000 for Tribal priority allocations, of which \$218,009,000 represents a transfer from other activities including \$103,126,000 for contract support and \$100,255,000 for welfare assistance. The Committee believes that all programs in the Bureau of Indian Affairs should assume their share of any pay and fixed cost reductions, therefore, Tribal priority allocations are reduced by \$9,285,000 for pay and fixed costs. The Bureau should make the necessary adjustments to ensure that fiscal year 1996 transfers to self governance tribes are made after final adjustments for any pay, fixed cost, or program reductions to ensure that self governance tribes share equally in changes to the budget estimate.

The Committee has provided \$106,126,000 for contract support including a \$3,000,000 increase over the fiscal year 1995 enacted level. In addition, the Committee has provided an increase of \$2,000,000 for small and needy tribes and a reduction of \$4,000,000 for new tribes. As was the case last year, the Committee believes that minimum base funding is needed by small tribes to permit them to establish basic operations and services. The Joint Reorganization Task force noted that 264 tribes lack minimum base funding to meet their needs. The Bureau should distribute these funds in accordance with the needs identified by the Task Force's assessment of most needy small tribes.

With regard to the programs transferred within this bill, the Bureau is directed to afford these programs consistent treatment with other Tribal priority allocations programs, and to distribute them by the current distribution methods while determining the amount to be made a part of each tribe's recurring base funding. In determining these amounts, the Bureau is directed to publish the proposed method of determining each tribe's portion of such programs in the Federal Register and to consult with and obtain comments from tribes prior to finalizing such distribution.

The Committee directs the Bureau, within 60 days of enactment of this Act, to provide a detailed assessment of those tribes benefiting from gaming activities. The report should provide both the gross revenues from gaming operations by tribe and the amount of federal funding each gaming tribe is receiving.

Other recurring programs.—The Committee recommends \$497,248,000 for other recurring programs of which \$213,621,000 represents a transfer to Tribal priority allocations. The Committee recommends decreases of \$1,830,000 for pay and fixed costs, \$2,000,000 for the Indian Self Determination Fund, \$5,000,000 for the Indian Tribal Justice Act, and \$5,000,000 for the Child Protection and Family Violence Act.

The Committee recommends \$436,297,000 for education programs within other recurring programs inclusive of pay and fixed cost reductions. This funding level includes \$330,711,000 for forward-funded school operations, with reductions of \$15,919,000 for ISEP formula funds, \$3,815,000 for student transportation, and \$5,600,000 for administrative cost grants. Other school operations are funded at \$78,175,000 with decreases of \$4,356,000 for facilities operation and maintenance, \$9,000 for institutionalized disabled, \$1,000,000 for model schools and school statistics, and \$500,000 for tribal departments of education.

Given the limited resources available to the Committee in fiscal year 1996 and for the foreseeable future, the Committee is concerned about maintaining an adequate educational system for the students currently in the Bureau's school system. An increasing demand on already scarce resources could result in diminishing the educational services available to the approximately 50,000 children that are now served by Bureau schools. Accordingly, the Committee has continued the fiscal year 1995 bill language which limits the number of schools to be funded to those in the Bureau of Indian Affairs school system as of September 1, 1995. Bill language is also included to prohibit using Bureau funds for any additional grades beyond the grade structure in place at each school as of October 1, 1995. The intent is to preclude expansions such as when a school which currently enrolls students in the primary grades (K through grade 6) expands its grade structure by adding a junior high (grades 7 and 8) or high school (grades 9 through 12).

Furthermore, the Committee believes Bureau operated schools should be permitted to adopt their own salary schedules in the same manner as contract and grant schools. Currently, Bureau operated schools are required to pay teachers according to the Department of Defense (DOD) salary schedule; however, contract and grant schools are exempt from this requirement. Given that school operations funds are distributed equally to all schools, the DOD teacher salary requirement results in an additional burden on Bureau operated schools that is not shared by the contract and grant schools. Therefore, bill language is included to provide all Bureau school boards equal flexibility to set teacher salary rates.

The Committee recognizes that the recommended funding levels will place constraints on Bureau funded schools. However, the funds available in this bill apply to the 1996-97 school year, therefore, the Bureau and schools have over a year to develop a plan for making the most efficient use of appropriated funds.

For resource management there is an increase of \$250,000 for the Native American Fish and Wildlife Society. This funding level will ensure that NAFWS will be able to support development and protection of tribal fish and wildlife resources.

Non-recurring programs.—The Committee recommends \$62,696,000 for non-recurring programs, of which \$14,472,000 represents a transfer from miscellaneous payments for water rights studies and negotiations. This funding level includes decreases of \$540,000 for pay and fixed costs, \$4,000,000 for water rights studies and negotiations, and \$4,000,000 from self-governance grants. In order to provide core funding for Tribal priority allocations and education programs no funding is provided for community development grants. Reductions include \$5,946,000 for community and economic development grants, \$3,000,000 for small business venture capital grants, and \$770,000 for community development technical assistance.

Within the \$3,000,000 provided for the "jobs in the woods" initiative, \$400,000 should continue to be used by the Northwest Indian Fisheries Commission for the Wildstock Restoration Initiative.

Within resources management wildlife and parks, \$600,000 is available to the Bering Sea Fisherman's Association (BSFA) to provide for monitoring and enhancement of salmon returns. The Com-

mittee directs BSFA to continue working closely with individual tribes and regional Native associations in the development of this program.

Central office operation.—The Committee recommends \$62,114,000 for central office operations, of which \$795,000 for American Indian Trust, \$847,000 for Office of Self-Determination, and \$1,321,000 for Audit and Evaluation represent a transfer from the Office of the Secretary to general administration, executive direction. This funding level includes decreases of \$1,269,000 for pay and fixed costs, \$2,900,000 from land record improvement, \$4,200,000 from financial trust services, \$2,622,000 from general administration for ADP purchases, and a general reduction of \$17,857,000. In addition, within education program management, \$297,000 is available for a grant to the Close Up Foundation.

The Committee's recommendation includes a \$4,200,000 reduction for financial trust services for reconciliation tasks relating to Individual Indian Money Accounts. The Committee understands that requested funds are primarily for the systemic reconciliation of the Bureau's general ledger to the IIM subsidiary ledger. The Department plans to forward a report on approaches to IIM account reconciliation this September. The Department's report should recommend alternative, less costly approaches to the reconciliation and clarify the implications of not reconciling these accounts.

Bill language is included that will extend the period for the Secretary to submit the reconciliation report required under the American Indian Trust Fund Management Reform Act of 1994 from May 31, 1996 to November 30, 1997. The deadlines required in the Act do not allow sufficient time for tribes to review the reconciliation results. The proposed extension assumes that all reconciliation work will be completed in fiscal year 1996. The Committee believes that reconciliation should be completed before a legislative settlement is pursued. In the reconciliation report, the Secretary should include cost estimates associated with his recommendation for a final solution to this ongoing issue.

Further, in September 1994, the Bureau established a comprehensive loss policy as recommended by the Inspector General, the General Accounting Office, and the House Committee on Government Operations. The Committee is concerned that the Bureau does not have the authority to cover losses that are incurred in the realm of normal trust operations. Delays in reimbursing these losses increase the ultimate cost of correcting these errors. The Department should consider as part of its fiscal year 1997 budget a legislative proposal to require the Office of Trust Fund Management to cover such losses within its operating budget. This would create an incentive to keep these losses at a minimum.

The Committee's recommendation includes a \$17,857,000 general reduction in central office operations. Such a reduction is necessary to preserve funding for priority programs at the tribal level. Because of the magnitude of this reduction, the Bureau should not move forward with its plan to distribute shares of central office and pooled overhead funding to tribes as required under the Indian Self-Determination Act and Tribal Self-Governance Act. The Committee is concerned that implementation of the formula in an era

of declining budgets will have a negative impact on non-contracting/compacting tribes. However, the Committee concurs with the notion that central office be downsized to a level commensurate with the reduction in functions resulting from tribal operation of programs. Accordingly, the Committee directs the Bureau, by August 15, 1995, to provide a detailed analysis of central office and pooled overhead residual funding levels necessary to carry out inherently Federal and trust responsibilities, and provide required services to tribes. This analysis should include the Bureau's recommendation on the allocation of the proposed general reduction in central office, including offices and positions that will be eliminated. If there are programs funded in central office operations and pooled overhead that are truly programmatic in nature, the Bureau should inform the Committee of such, and propose transferring these programs to other budget categories so as not to prevent compacting/contracting of these programs.

Funds are transferred to the Bureau's central office activity from the Office of the Secretary to accommodate the costs of the Office of Audit and Evaluation; American Indian trust; and Self-Governance. Department programs which benefit Indian tribes should be funded with the Bureau of Indian Affairs appropriation. These three offices, which serve to improve the delivery to tribal management, will continue to report to the Assistant Secretary for Indian Affairs, in keeping with recommendations of the Joint Tribal Task Force on Reorganization.

Area office operations.—The Committee recommends \$51,028,000 for area office operations including decreases of \$1,466,000 for pay and fixed costs and \$2,500,000 from general administration.

The Committee has preserved funding for area office operations at a level which makes implementation of the tribal shares concept possible. The Bureau should continue to implement this proposal as required by the Indian Self-Determination Act and Tribal Self-Governance Act.

The Committee is concerned about delays that have been experienced in a study that the United States Geological Survey is conducting for the Hopland Band of the Pomo Indians in California. Being performed pursuant to a grant from the Environmental Protection Agency, the study will help identify a clean, reliable water source for the Tribe, which is facing a severe shortage. The Bureau of Indian Affairs, as trustee for the Tribe, is administering the grant on the Tribe's behalf. The Committee directs the Bureau to take all necessary action to assure that the study moves forward to swift conclusion.

Special programs and pooled overhead.—The Committee recommends \$83,903,000 for special programs and pooled overhead including decreases of \$3,248,000 for pay and fixed costs, \$1,216,000 from intra-government transfers, and \$2,065,000 from general administration. In order to provide core funding for Tribal priority allocations and school operations no funding is provided for the Indian Arts and Crafts Board (\$1,172,000) and Special Higher Education Scholarships (\$2,674,000). The Committee has provided an increase of \$2,500,000 for employee displacement costs. These funds will cover the cost of severance pay, lump sum leave pay-

ments, and relocation costs associated with downsizing and transferring programs to tribes through contracts.

CONSTRUCTION

Appropriation enacted, 1995	\$120,450,000
Budget estimate, 1996	125,424,000
Recommended, 1996	98,033,000
Comparison:	
Appropriation, 1995	-22,417,000
Budget estimate, 1996	-27,391,000

The amounts recommended by the Committee for fiscal year 1996 compared with the budget estimates by activity are as follows:

	FY 1995 Enacted	(in thousands of dollars) Budget Estimate	Committee Bill	Change from Estimate
Tribal government	2,394	4,394	---	-4,394
Education	40,036	68,173	38,039	-31,134
Public safety and justice	7,212	19,400	9,500	-11,900
Resources management	62,361	32,908	61,548	+18,537
General administration	6,085	3,648	3,649	---
Construction management	---	---	1,800	+1,800
Procurement reform	-136	---	---	---
Total, Construction	120,460	125,424	98,033	-27,391

Tribal government.—The Committee recommends a reduction of \$4,394,000 for tribal government. The Committee believes that construction funding should cover the entire cost of a given project and hence there is no need for a separate appropriation for contract support.

Education.—The Committee recommends \$38,039,000 for education construction including decreases of \$10,000,000 for facilities improvement and repair, \$13,500,000 for Many Farms school, \$7,500,000 for the Chief Leschi school, and \$134,000 for pay and fixed costs.

The Committee recommends \$14,000,000 for the construction of the Chief Leschi school complex. The Committee recommendation assumes that this project will be phased in over a two-year period.

The Committee has continued the fiscal year 1995 bill language related to implementing the process to award grants for construction of new schools or facilities improvement and repair projects in excess of \$100,000. The language ensures that the Department can continue to implement the grant process while the permanent implementation process is under development in fiscal year 1996. The Committee expects the Department and the Bureau of Indian Affairs to continue to work cooperatively with the tribes in the development of a final implementation process. Given that the language is clear concerning negotiating the schedule of payments, the Committee has not continued the language limiting payments to two per year.

Public safety and justice.—The committee recommends \$3,500,000 for public safety and justice including decreases of \$8,900,000 for the Ute Mountain detention center and \$3,000,000 for the Bureau's fire protection program.

The Committee has included \$1,800,000 for the Bureau to expand its fire safety program. The Committee concurs with the Bureau on the need to establish a separate fire safety program. It is especially important to have a fire safety and prevention program

in all Bureau schools. The Committee expects the Bureau to develop a comprehensive inventory detailing all of its fire safety needs, and to develop a priority system for allocating these resources.

General Administration.—The Committee has included a transfer of \$1,500,000 to the Bureau's construction activity from the Office of the Secretary to accommodate the costs of the Office of Construction Management. Department programs which benefit Indian tribes should be funded with the Bureau of Indian Affairs appropriation.

Resources management.—The Committee recommends \$51,445,000 for resources management of which \$34,200,000 for the Navajo Indian Irrigation Project and \$3,000,000 for the Southern Arizona Project represent a transfer from the Indian Settlement Account. The Committee's recommendation includes decreases of \$12,000,000 for the safety of dams program, \$5,000,000 for the Navajo Indian Irrigation Project, \$1,500,000 for Southern Arizona Water Rights Settlement Project, and \$163,000 for pay and fixed costs.

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS
PAYMENTS TO INDIANS

Appropriation enacted, 1995	\$77,096,000
Budget estimate, 1996	151,025,000
Recommended, 1996	67,145,000
Comparison:	
Appropriation, 1995	– 9,951,000
Budget estimate, 1996	– 83,880,000

The Committee recommends an appropriation of \$67,145,000 for Indian land and water claim settlements and miscellaneous payments to Indians of which \$14,472,000 for water rights studies/negotiations has been transferred back to the Operation of Indian Programs, and \$34,200,000 for the Navajo Indian Irrigation Project and \$3,000,000 for the Southern Arizona Project which have been transferred to the Construction account.

The Committee's recommendation includes decreases of \$40,000 for pay and fixed costs, \$12,668,000 for trust fund interest payments, \$5,500,000 for the Ute Indian Rights Settlement, and \$8,000,000 for the Pyramid Lake Water Rights Settlement.

In addition, the Committee recommends a decrease of \$6,000,000 for the Three Affiliated Tribes Recovery Fund. The Committee understands that no more than \$149,200,000 is to be paid into the Three Tribe's Economic Recovery Fund from two sources: 1) receipts from the Pick-Sloan Missouri River Basin Project; and 2) appropriated funds authorized at \$6,000,000 per year for ten years. It is the Committee's understanding that the tribe has received over \$80,000,000 from receipts in the past three years, and that two more years of receipts can fully fund the Government's obligation. The Bureau should take the necessary steps to ensure the receipts are deposited in the tribe's recovery fund over the next three years.

NAVAJO REHABILITATION TRUST FUND

Appropriation enacted, 1995	\$1,996,000
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Budget estimate, 1996	
Recommended, 1996	
Comparison:	
Appropriation, 1995	- 1,996,000
Budget estimate, 1996	

The Committee recommends no appropriation for the Navajo Rehabilitation Trust Fund, the same as the budget estimate.

TECHNICAL ASSISTANCE OF INDIAN ENTERPRISES

Appropriation enacted, 1995	\$1,966,000
Budget estimate, 1996	1,966,000
Recommended, 1996	
Comparison:	
Appropriation, 1995	- 1,966,000
Budget estimate, 1996	- 1,966,000

The Committee recommends no appropriation for Technical Assistance of Indian Enterprises.

INDIAN DIRECT LOAN PROGRAM ACCOUNT

Appropriation enacted, 1995	\$779,000
Budget estimate, 1996	
Recommended, 1996	
Comparison:	
Appropriation, 1995	- 779,000
Budget estimate, 1996	

The Committee recommends no appropriation for the Indian Direct Loan Program.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

Appropriation enacted, 1995	\$9,671,000
Budget estimate, 1996	9,684,000
Recommended, 1996	
Comparison:	
Appropriation, 1995	- 9,671,000
Budget estimate, 1996	- 9,684,000

The Committee recommends no appropriation for the Indian Guaranteed Loan Program.

To preserve funding for core programs at the tribal level no funding is provided for the loan programs. The Bureau should maintain sufficient staffing, funded through central and area office operations, to ensure that the existing portfolio of loans is adequately managed and serviced.

TERRITORIAL AND INTERNATIONAL AFFAIRS

ASSISTANCE TO TERRITORIES

Appropriation enacted, 1995	\$78,201,000
Budget estimate, 1996	69,232,000
Recommended, 1996	69,232,000
Comparison:	
Appropriation, 1995	- 8,969,000
Budget estimate, 1996	

The amounts recommended by the Committee for fiscal year 1996, compared to the budget estimates by activity, are shown in the following table:

Comparison:	
Appropriation, 1995	- 4,800,000
Budget estimate, 1996	- 4,923,000

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 information and analysis prepared by the EIA is widely disseminated and the agency is recognized as an unbiased source of energy information by government organizations, industry, professional statistical organizations and the public.

The Committee recommends an appropriation of \$79,766,000 for the Energy Information Administration which is a decrease of \$4,923,000 below the budget request and \$4,800,000 below the fiscal year 1995 level. The reduction to the budget request recommended by the Committee includes decreases of \$333,000 for the manufacturing energy consumption survey, \$750,000 for mid-term forecasting model development, \$1,000,000 for oil and gas surveys, \$1,540,000 for administrative overhead expenses paid to the Department's office of human resources, and \$1,300,000 for pay and other administrative cost savings to be achieved in accordance with the guidance provided in the front of this report and with the Secretary's strategic realignment initiative.

Bill language has been recommended to require that the manufacturing energy consumption survey be conducted once every three years, rather than the currently mandated two-year cycle. Language also has been recommended to make permanent the authority to enter into 8-year contracts for end use consumption surveys.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

Appropriation enacted, 1995	\$1,709,780,000
Budget estimate, 1996	1,816,350,000
Recommended, 1996	1,725,792,000
Comparison:	
Appropriation, 1995	+16,012,000
Budget estimate, 1996	- 90,558,000

The provision of Federal health services to Indians is based on a special relationship between Indian tribes and the U.S. Government first set forth in the 1830's by the U.S. Supreme Court under Chief Justice John Marshall. This relationship has been reconfirmed by numerous treaties, statutes, constitutional provisions, and international law. Principal among these is the Snyder Act of 1921 which provides the basic authority for most Indian health services provided by the Federal Government to American Indians and Alaska Natives. The Indian Health Service (IHS) provides direct health care services in 41 hospitals, 66 health centers, 4 school health centers, and 44 health stations. Tribes and tribal groups, through contracts with the IHS, operate 8 hospitals, 110 health centers, 4 school health centers, 62 health stations, and 171 Alaska village clinics. The IHS, tribes and tribal groups also operate 7 re-

gional youth substance abuse treatment centers and more than 2,000 units of staff quarters.

The Committee recommends \$1,725,792,000 for Indian Health Services, an increase of \$16,012,000 above the fiscal year 1995 enacted level of \$1,709,780,000 and \$90,558,000 below the fiscal year 1996 budget request of \$1,816,350,000. The Committee's recommendation for the Indian Health Service assumes that pay and fixed cost increases will be absorbed by the agency, and that no new initiatives will be funded in fiscal year 1996. However, the Committee is providing an increase to accommodate staffing at four new facilities: Kotzebue, AK; Alaska Native Medical Center, AK; Shiprock Hospital, NM; and Hays Health Center, MT.

It is the Committee's intent that all tribes, including those compacting or contracting under Indian self determination or Indian self governance, should share equitably as a result of any reductions from the budget request.

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 1995 Enacted	Budget Estimates	Committee Bill	
Clinical services				
IHS and tribal health delivery				
Hospital and health clinic programs	823,866	671,597	832,857	-36,740
Dental health program	57,818	60,931	58,285	-2,546
Mental health program	36,448	36,748	36,824	-1,825
Alcohol and substance abuse program	81,382	96,046	81,382	-4,664
Contract care	362,564	384,704	362,564	-22,140
Subtotal, Clinical services	1,371,748	1,451,927	1,381,882	-70,045
Preventive health				
Public health nursing	23,505	24,771	23,734	-1,037
Health education	8,244	8,698	8,313	-385
Community health representatives program	43,955	46,273	43,985	-2,318
Immunization (Alaska)	1,328	1,387	1,328	-59
Subtotal, Preventive health	77,032	81,129	77,390	-3,809
Urban health projects				
Indian health professions	23,349	26,780	23,349	-2,431
Tribal management	28,044	28,519	28,044	-1,475
Direct operations	5,348	5,509	5,348	-161
Self-governance	48,709	51,733	47,709	-4,024
Contract support costs	8,090	9,969	8,090	-1,879
Contract support costs	145,460	161,174	153,040	-8,134
Medicare/Medicaid Reimbursements				
Hospital and clinic accreditation (Est. collecting)	(189,429)	(176,536)	(176,536)	---
Total, Indian Health Services	1,709,780	1,816,350	1,725,782	-90,568

Hospitals and Health Clinics.—The Committee recommends \$832,857,000 for hospitals and health clinics which includes decreases of \$35,990,000 for pay and fixed costs, \$250,000 for woman's health, \$250,000 for elder health programs, \$750,000 for epidemiology centers, and \$1,500,000 for the information system initiative. The Committee is recommending an increase of \$8,991,000 for staffing and operations at new facilities, same as the budget request.

Dental Health.—The Committee recommends \$58,285,000 for dental health services including a decrease of \$2,546,000 for pay and fixed costs. The Committee is recommending an increase of \$767,000 for staffing and operations at new facilities, same as the budget request.

Mental Health.—The Committee recommends \$36,824,000 for mental health services, including decreases of \$1,675,000 for pay and fixed costs and \$250,000 for the Child Abuse Prevention Act.

The Committee recommends an increase of \$376,000 for staffing and operations at new facilities, same as the budget request.

Alcohol and Substance Abuse.—The Committee recommends \$91,352,000 for the alcohol and substance abuse treatment and prevention services including a decrease of \$4,694,000 for pay and fixed costs.

The Committee recommends that the fetal alcohol syndrome project at the University of Washington be funded at the fiscal year 1995 level. This project is providing important insight into early identification of fetal alcohol syndrome. Early identification and intervention by health care professionals results in significantly improved lives for those afflicted by fetal alcohol syndrome.

Contract Health Services.—The Committee recommends \$362,564,000 in contract health services including decreases of \$19,640,000 for pay and fixed cost and \$2,500,000 for the contract health care initiative.

The Committee does not object to continuing the California contract health demonstration project as long as the tribes in California choose to participate and elect to provide funding for this program.

Public Health Nursing.—The Committee recommends \$23,734,000 for public health nursing including a reduction of \$1,037,000 for pay and fixed costs and an increase of \$229,000 for staffing and operations at new facilities, same as the budget request.

Health Education.—The Committee recommends \$8,313,000 for health education including a decrease of \$385,000 for pay and fixed costs and an increase of \$69,000 for staffing and operations at new facilities, same as the budget request.

Community Health Representatives.—The Committee recommends \$43,955,000 for community health representatives including a decrease of \$2,318,000 for pay and fixed costs.

Alaska Immunization.—The Committee recommends \$1,328,000 for the Alaska immunization program including a decrease of \$69,000 for pay and fixed costs.

Urban Health.—The Committee recommends \$23,349,000 for urban health including a decrease of \$1,231,000 for pay and fixed costs and \$1,200,000 for increased urban health services.

Indian Health Professions.—The Committee recommends \$28,044,000 for Indian health professions including a decrease of \$1,475,000 for pay and fixed costs.

Tribal Management.—The Committee recommends \$5,348,000 for Indian health professions including a decrease of \$161,000 for pay and fixed costs.

Direct Operations.—The Committee recommends \$47,709,000 for direct operations including decreases of \$2,024,000 for pay and fixed costs and a general reduction of \$2,000,000.

Self-Governance.—The Committee recommends \$9,090,000 for self-governance including a reduction of \$479,000 for pay and fixed costs.

While the Committee strongly supports the self-governance program and expects the IHS to expand the program to accommodate additional compacts with tribes in fiscal year 1996, the Committee believes that new self-governance compacts should not be nego-

tiated at the expense of program funding for other tribes. To the extent that funds cannot be made available for a new compact without negatively affecting services available to other tribes, IHS should not enter into the compact.

Contract Support Costs.—The Committee recommends \$153,040,000 for contract support costs including decreases of \$11,864,000 for pay and fixed costs and \$3,770,000 for support cost shortfalls. The Committee recommends an increase of \$80,000 for staffing and operations of new facilities, same as the budget request.

The Committee has provided \$7,500,000 for the Indian Self Determination Fund. These funds are to be used for new and expanded contracts. The IHS should not use ISD funds to accommodate existing or new self governance compacts.

The Committee again expects IHS to work with the tribes, the BIA and the Inspector General at the Department of the Interior to contain the cost escalation in contract support costs. In today's constrained budget climate the contract support cost activity must receive its fair share of administrative streamlining and procurement reform funding reductions as well as the lower inflation allowances provided for all other programs within IHS.

INDIAN HEALTH FACILITIES

Appropriation enacted, 1995	\$253,282,000
Budget estimate, 1996	242,672,000
Recommended, 1996	236,975,000
Comparison:	
Appropriation, 1995	- 16,307,000
Budget estimate, 1996	- 5,697,000

The need for new Indian health care facilities has not been fully quantified 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 sewer systems for existing homes and solid waste disposal needs currently are estimated to amount to over \$600 million for those projects that are considered to be economically feasible.

The Committee recommends \$236,975,000 for Indian health facilities, a decrease of \$16,307,000 below the fiscal year 1995 appropriation of \$253,282,000 and a decrease \$5,697,000 below the fiscal year 1996 budget request of \$242,672,000.

The amount recommended by the Committee as compared to the budget estimate by activity is shown in the following table:

	(in thousands of dollars)			
	FY 1995 Enacted	Budget Estimate	Committee Bill	Change from Estimate
Maintenance and improvement.....	38,334	39,484	38,334	-1,150
Construction facilities.....	27,822	11,214	11,214	---
Equipment.....	12,976	13,683	12,976	-689
Sanitation facilities.....	84,889	85,081	84,889	-192
Facilities and environmental health support.....	88,790	92,734	88,061	-3,653
Contract support costs.....	482	488	482	-16
Total, Indian Health Facilities.....	283,282	242,672	236,975	-6,697

Maintenance and Improvement.—The Committee recommends \$38,334,000 for maintenance and improvement including a decrease of \$1,150,000 for pay and fixed costs.

New and Replacement Hospitals.—The Committee recommends \$11,214,000 for new and replacement hospitals, including \$2,216,000 for the Hays, MT health center, and \$8,998,000 for the White Earth, NM health center.

Sanitation Facilities.—The Committee recommends \$84,889,000 for sanitation facilities including a decrease of \$192,000 for pay and fixed costs.

The Committee has not specified the amount of sanitation funds to be used for new and renovated homes or for addressing the backlog of needs for existing homes. Funds for sanitation facilities for new and renovated homes should be limited to projects serving the Bureau of Indian Affairs housing improvement program, homes new to the site during the funding year or the previous fiscal year and existing homes renovated during the funding year or the previous fiscal year. A renovation should include at least a bedroom or bathroom addition. All other needs should be included in the sanitation deficiency system and addressed in priority order.

Equipment.—The Committee recommends \$12,975,000 for equipment including a decrease of \$688,000 for pay and fixed costs.

Facilities and Environmental Health Support.—The Committee recommends \$89,081,000 for facilities and environmental health support including decreases of \$3,653,000 for pay and fixed costs, and an increase of \$301,000 for staffing and operations of new facilities, same as the budget request.

Contract Support Costs.—The Committee recommends \$482,000 for contract support costs including a reduction of \$14,000 for pay and fixed costs.

The Committee again recommends that funds provided for the facilities program should be distributed in accordance with a methodology that addresses the fluctuating annual workload and maintains parity among IHS areas and the tribes as the workload shifts.

DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

INDIAN EDUCATION

Appropriation enacted, 1995	\$81,341,000
Budget estimate, 1996	84,785,000
Recommended, 1996	1,000,000
Comparison:	
Appropriation, 1995	– 80,341,000
Budget estimate, 1996	– 83,785,000

In order to reduce duplication, achieve savings, and fund priority reservation based school operations in the Bureau of Indian Affairs, the Committee recommends \$1,000,000 for the orderly termination of the programs administered by the Office of Indian Education.

The amount recommended by the Committee as compared to the budget estimate by activity is shown in the following table:

	FY 1985 Enacted	(in thousands of dollars) Budget Estimates	Committee Bill	Change from Estimates
Grants to local education agencies.....	59,586	60,593	---	-50,593
Special programs for Indian children.....	6,983	14,009	---	-14,009
Special programs for Indian adults.....	10,779	5,431	---	-5,431
National activities.....	125	987	---	-987
Administration.....	3,768	3,785	1,000	-2,785
Total, Indian Education.....	81,341	84,785	1,000	-83,785

The Committee recommends that the orderly shut down of the Office of Indian Education be accomplished within 90 days from the date of enactment of this Act. Any responsibilities which have not been completed by the shut down date should be assumed by the Department of Education.

OTHER RELATED AGENCIES

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

Appropriation enacted, 1995	\$24,888,000
Budget estimate, 1996	26,345,000
Recommended, 1996	21,345,000
Comparison:	
Appropriation, 1995	- 3,543,000
Budget estimate, 1996	- 5,000,000

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 721 households remain to be relocated, of which 95 are full-time residents on the Hopi Partitioned Land. Three hundred three Navajo households have settled on the new lands obtained to support Navajo relocatees, and 7 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. To date, a total of 2,564 families have been relocated.

The Committee recommends \$21,345,000 for salaries and expenses of the Office of Navajo and Hopi Indian Relocation, which is \$5,000,000 below the budget request. The recommendation is consistent with the slowed pace of relocation. Within the funds available to the Office, funds should be provided for a cooperative grazing and range management program to assist the Hopi Tribe with the development of the Hopi Partitioned Land.

The Committee expects the Office to stop further development on the New Lands beyond that required to meet the expressed interest by relocatees in relocation to that area. The Committee notes that only 6 relocations to the New Lands have occurred since the fiscal year 1995 Committee report was prepared last year.

The Committee continues to be concerned by the slow pace of relocation and the extraordinarily large number of appeals which are adding to the total number of families eligible for relocation. The Office should continue to work with the legislative committees of jurisdiction to provide for the orderly termination of the relocation program over the next few years and the transfer of the New Lands to the Navajo Nation.

Bill language.—The Committee has included bill language which specifies that the Office may move only those who have voluntarily applied and been certified eligible for relocation and lists the priorities for accommodating eligible relocatees. This language has been carried in previous years.

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

Appropriation enacted, 1995	\$11,213,000
Budget estimate, 1996	19,846,000
Recommended, 1996	5,500,000
Comparison:	
Appropriation, 1995	– 5,713,000
Budget estimate, 1996	– 14,346,000

The Committee has provided \$5,500,000 for the Institute Of American Indian and Alaska Native Culture and Arts Development (IAIA), with the understanding that Federal funding will be phased out for this program.

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 nearly 150 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

The Committee recommends no appropriation for public development.

LAND ACQUISITION AND DEVELOPMENT FUND

Appropriation enacted, 1995	
Budget estimate, 1996	\$1,388,000
Recommended, 1996	
Comparison:	
Appropriation, 1995	
Budget estimate, 1996	-1,388,000

The Committee recommends no appropriation for public development.

UNITED STATES HOLOCAUST MEMORIAL COUNCIL
HOLOCAUST MEMORIAL COUNCIL

Appropriation enacted, 1995	\$26,609,000
Budget estimate, 1996	28,707,000
Recommended, 1996	28,707,000
Comparison:	
Appropriation, 1995	+2,098,000
Budget estimate, 1996	

In 1980 Congress passed legislation creating a 65 member Holocaust Memorial Council with the mandate to create and oversee a living memorial/museum to victims of holocausts. The museum opened in April 1993. Construction costs for the museum have come solely from donated funds being raised by the U.S. Holocaust Memorial Museum Campaign and appropriated funds have been used for planning and development of programmatic components, overall administrative support and annual commemorative observances. Since the opening of the museum, appropriated funds have been provided to pay for the ongoing operating costs of the museum as authorized by Public Law 102-529.

The Committee recommends the budget request of \$28,707,000 for the Holocaust Memorial Council, an increase of \$2,098,000 above the fiscal year 1995 level.

Public interest in the Holocaust Memorial Museum, as evidenced by the demand for tickets to view the museum, has been overwhelming. The Council has reported to the Committee that museum visitation has been roughly four times the projected level. This has had the effect of inflicting four years worth of wear and tear on the museum in its first year of operation. The increase recommended by the Committee is needed to meet the costs associated with the inordinately large number of visitors and the demands they are placing on the operation of the museum including additional guard services and museum maintenance.

TITLE III—GENERAL PROVISIONS

The Committee applauds the Departments of the Interior and Energy on their efforts to enhance educational and career opportunities for minority students in the areas of science and technology. The Committee strongly encourages the Departments to include participation by Hispanic-Serving Institutions in any current or future plans to increase its predesignated or targeted research, development, and education funds.

Committee recommends continuing several provisions carried in previous bills as follows. Section 301 provides for public availability of information on consulting services contracts. Section 302 limits non-competitive leasing of oil and natural gas on the Shawnee National Forest, Illinois. Section 303 prohibits activities to promote public support or opposition to legislative proposals. Section 304 provides for annual appropriations unless expressly provided otherwise in this Act. Section 305 limits the use of personal cooks, chauffeurs or servants. Section 306 limits assessments against programs without Committee approval. Section 307 contains Buy American procedures and requirements. Section 308 limits the sale of giant sequoia trees by the Forest Service. Section 309 prohibits the use of funds by the National Park Service to enter into a contract requiring the removal of the underground lunchroom at Carlsbad Caverns NP.

Section 310 allows the Secretary to determine the use of certain construction funds after consultation with tribes.

Section 311 provides that quarterly payments to tribes may be made on the first business day following the first day of a fiscal year.

Section 312 provides that no funds can be used for Americorps.

Section 313 provides for the dissolution of the Pennsylvania Avenue Development Corporation on April 1, 1996, and for the transfer of certain PADC responsibilities to other agencies.

Section 314 relates to the Columbia River Basin Ecoregion Assessment.

The Committee believes that the Interior Columbia Basin Ecoregion Management Project has collected important scientific information on forest health conditions which is particularly relevant to forest management opportunities and needs. Despite this accomplishment, the Project has grown too large and too costly to sustain in a time of fiscal constraints and is drawing away personnel and funding that should be employed for on the ground management. Consequently, the section halts all funding of the Project, with one exception. It makes funds available to the Forest Service and the Bureau of Land Management to publish the data collected and the analysis accomplished by the Project, specifically as this Project relates to forest health and management needs, prior to the date of enactment of the Act. The deadline for this publication is January 1, 1996. The section makes clear that the publication is to be submitted both to peer review and public comment. The Committee expects the Forest Service to provide \$430,000 and the Bureau of Land Management to provide \$170,000 of the \$600,000 allocated for this purpose. Of the remaining \$6,100,000 requested in the budget for the Project a sum of \$3,000,000 was allocated to the Forest Service, National Forest System, to conduct site-specific watershed and environmental analyses in the area encompassed by the Project where necessary to resume multiple use programs. The remaining \$3,100,000 was not appropriated so as to contribute to the deficit reduction effort.

The Committee does not wish the termination of the Project to be a justification for the continued development and implementation of broadly applicable interim forest management guidelines such as the Eastside Screens, PACFISH, and INFISH. These guide-

lines were (and are being) developed outside of the forest planning process and then applied to a large number of national forests by a generic amendment to all the applicable forest plans through a single environmental assessment and decision document—without consideration of the particular conditions of the individual forests and without forest-specific environmental documentation that analyzes alternative guidelines tailored to those precise forest conditions. The Committee believes this new agency reliance on generic guidelines is misplaced. The process of developing them (frequently all but completed before the skeletal environmental assessment and decision document is even prepared) is simply not as rigorous as that contemplated in the planning provisions of the National Forest Management Act and the Forest Service's implementing regulations. For example, the opportunity provided for public review, comment, and the consideration of alternatives has been inadequate for the PACFISH, INFISH, and Eastside Screens guidelines. And, even though the generic amendment incorporating the guidelines into the various forest plans often results in significant changes in the plan's land allocations and likely compromises the agency's ability to achieve the plan's goals and objectives, the Forest Service consistently and incorrectly maintains that the guidelines and their amendment do not warrant an environmental impact statement.

The remaining provisions of this section require the Forest Service to employ funding provided by the Act to remove these generic guidelines from the management of national forests within the area encompassed by the Project and, where necessary, to substitute forest-specific guidelines through individual amendments to the applicable forest plans. The generic guidelines will remain effective until April 1, 1996. During the period prior to that date, the Secretary of Agriculture is directed to review each forest plan which contains or is subject to such generic guidelines and determine whether, after those guidelines are removed, that forest will need to have in place either those guidelines modified to correspond to that forest's conditions or alternative forest-specific guidelines. If the Secretary decides that a particular forest requires a modified or alternative guideline, he must develop and apply that guideline to the forest through an amendment to the applicable forest plan. Processing of these amendments to forest plans must be completed on or before March 31, 1996, unless a particular amendment contains a modified or alternative guideline that would effect a change in land allocations or alter the likelihood of achievement of a goal or objective which the plan contained prior to the application of the expiring generic guideline. For that type of amendment, which the section makes clear must be treated as a significant amendment and be addressed in an environmental impact statement, the deadline is June 30, 1996. To minimize the possibility that the agency will simply repeat the process of developing generic guidelines at the forest level, the section expresses a strong preference for guidelines that provide procedures for developing site-specific standards instead of guidelines that impose one-size-fits-all, multi-site standards. Finally, the section eliminates the need to repeat consultations under the Endangered Species Act either on any plan amendment that simply substitutes a modified or alternative guideline for

a generic guideline that has already undergone consultation or on the expiration of the generic guidelines.

Section 315 establishes a demonstration program that allows land management agencies to charge recreational fees and to use a portion of those fees for the benefit of the specific collection site. The program applies to the Bureau of Land Management, the U.S. Fish and Wildlife Service, and the National Park Service in the Department of the Interior, and to the Forest Service in the Department of Agriculture.

Section 316 provides for timber salvage sales by the Forest Service and the Bureau of Land Management in Northern spotted owl habitat as long as the sales do not render the habitat unsuitable.

Section 317 emphasizes that Federal personnel should adhere to the law with respect to risk assessment, private property rights protection and unfunded mandates.

RESCISSIONS

Pursuant to clause 1(b), rule X of the House of Representatives, the following table is submitted describing the rescissions recommended in the accompanying bill:

RESCISSION RECOMMENDED IN THE BILL

Department and activity	Amounts recommended for rescission
Department of the Interior: Land and Water Conservation Fund (contract authority)	\$30,000,000

TRANSFER OF FUNDS

Pursuant to clause 1(b), rule X of the House of Representatives, the following table is submitted describing the transfer of funds provided in the accompanying bill.

The table shows the appropriations affected by such transfers.

APPROPRIATION TRANSFERS RECOMMENDED IN THE BILL

Account to which transfer is to be made	Amount	Account from which transfer is to be made	Amount
Department of Energy, Alternative Fuels Production	\$2,400,000	General Fund of the Treasury.	\$2,400,000
Department of Energy, Strategic Petroleum Reserve	187,000,000	Department of Energy, SPR Petroleum account.	187,000,000
Department of Energy, Strategic Petroleum Reserve	100,000,000	Treasury, SPR Decommissioning Fund.	100,000,000

CHANGES IN APPLICATION OF EXISTING LAW

Pursuant to clause 3, rule XXI of the rules of the House of Representatives, the following statements are submitted describing the effect of provisions in the accompanying bill which directly or indirectly change the application of existing law. In most instances these provisions have been included in prior appropriations Acts.

The bill provides that certain appropriations items remain available until expended or extends the availability of funds beyond the fiscal year where programs or projects are continuing in nature under the provisions of authorizing legislation but for which that

legislation does not specifically authorize such extended availability. Most of these items have been carried in previous appropriations Acts. This authority tends to result in savings by preventing the practice of committing funds at the end of the fiscal year.

The bill includes, in certain instances, limitations on the obligation of funds for particular functions or programs. These limitations include restrictions on the obligation of funds for administrative expenses, travel expenses, the use of consultants, and programmatic areas within the overall jurisdiction of a particular agency.

The Committee has included limitations for official entertainment or reception and representation expenses for selected agencies in the bill.

Language is included in the various parts of the bill to continue ongoing activities of those Federal agencies which require annual authorization or additional legislation which to date has not been enacted.

Language is included under Bureau of Land Management, Management of lands and resources, prohibiting the destruction of healthy, unadopted, wild horses and burros and providing for the operation of the Needles Resources Area for managing the East Mojave National Scenic Area.

Language is included under Bureau of Land Management, Central hazardous materials fund, providing that sums received from a party for remedial actions shall be credited to the account, and defining non-monetary payments.

Language is included under Bureau of Land Management, Service charges, deposits, and forfeitures, to allow use of funds on any damaged public lands.

Language is included under Bureau of Land Management, Administrative provisions, providing for cost-sharing arrangements for printing services.

Language is included under United States Fish and Wildlife Service, Resource management, allowing for the maintenance of the herd of long-horned cattle on the Wichita Mountains Wildlife Refuge. Without this language, the long-horned cattle would have to be removed from the refuge. Language is also included providing for a Youth Conservation Corps.

Language is included under United States Fish and Wildlife Service, Natural resource damage assessment and restoration fund, allowing the transfer of appropriations to carry out certain assessments and restoration activity, and defining the use of non-monetary payments.

Language is included under United States Fish and Wildlife Service, Administrative provisions, providing for repair of damage to public roads; options for the purchase of land not to exceed \$1; installation of certain recreation facilities; the maintenance and improvement of aquaria; the acceptance of donated aircraft; cost-shared arrangements for printing services. Language is also included limiting the use of funds for the purchase of lands and changing the distribution of entrance fees collected through the National wildlife refuge system.

Language is included under National Park Service, Operation of the National Park System to allow road maintenance service to

trucking permittees on a reimbursable basis. This provision has been included in annual appropriations Acts since 1954.

Language is included under National Park Service, Operation of the National Park System, providing for a Youth Conservation Corps program and limiting expenditures for the operations of the Mojave National Preserve.

Language is included under National Park Service, National recreation and preservation making the use of funds for the William O. Douglas Outdoor Education Center subject to authorization.

Language is included under National Park Service, Administrative provisions, preventing the implementation of an agreement for the redevelopment of the southern end of Ellis Island.

Language is included under United States Geological Survey, Administrative provisions, providing for the reimbursement to the GSA for security guard services; for contracting for topographic maps and geophysical or other surveys; and for the use of contracts, grants, and cooperative agreements.

Language is included under United States Geological Survey, Surveys, investigations and research, providing for two-year availability of funds for natural resources research and for the operations of cooperative research units; permitting the purchase of passenger motor vehicles; prohibiting the conduct of new surveys on private property; prohibiting a volunteer program for resource research activities; mandating the issuance of guidelines for resource research; prohibiting the use of funds for natural resource programs not authorized prior to the establishment of the National Biological Survey; providing for a review every 5 years by the National Academy of Sciences on resource research activities; specifying that, if authorizing legislation is enacted during or before the start of fiscal year 1996, the provisions of the authorizing legislation should be complied with; and providing for the merger of available funds from the National Biological Survey into the U.S. Geological Survey.

Language is included under Minerals Management Service, Royalty and offshore minerals management, providing for the use of certain receipts for a technical information system; providing for reasonable expenses related to volunteer beach and marine clean-up activities; providing for refunds for overpayments on Indian allottee leases and providing for collecting royalties and late payment interest on amounts received in settlements associated with Federal and Indian leases.

Language is included under Bureau of Mines, Administrative provisions, providing for the sale of metal or mineral products manufactured in pilot plant projects; the acceptance of contributions from other sources and for cooperative projects; and providing for the transfer of property and facilities to non-Federal entities without reimbursement.

Language is included under Office of Surface Mining Reclamation and Enforcement, Regulation and technology, to allow the use of performance bond forfeitures by the regulatory authority to conduct reclamation activities; the use of monies collected pursuant to assessment of civil penalties to reclaim lands affected by coal min-

ing after August 3, 1977; and permitting payment to State and tribal personnel for travel and per diem expenses for training.

Language is included under Office of Surface Mining Reclamation and Enforcement, Abandoned mine reclamation fund, which earmarks specific amounts in the account for emergency reclamation projects and which allows use of debt recovery to pay for debt collection. Language also is included permitting donations and providing for supplemental grants to States for remediating acid mine drainage.

Language is included under Bureau of Indian Affairs, Operation of Indian programs, for advance payments to Indian schools and business enterprises. Language also is included to change the dates of payments for grants to schools under Public Law 100-297; to change the due date for the reconciliation report required by Public Law 103-412; and to permit local school boards to determine teacher compensation rates.

Language is included under Bureau of Indian Affairs, Operation of Indian programs, allowing reprogramming of Self-Governance funds, allowing changes to certain eligibility criteria by tribal governments, allowing the transfer of certain forestry funds, providing for an Indian self-determination fund, prohibiting support of Alaska schools in 1996; limiting the number of Bureau schools, and limiting the use of funds for any expanded grade levels in schools.

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 transfer of Navajo irrigation project funds and various water resource development related funds from water rights settlements to the Bureau of Reclamation, and providing Safety of Dams funds on a non-reimbursable basis.

Language is included under Bureau of Indian Affairs, Indian and water claim settlements, and miscellaneous payments to Indians, making funds available to liquidate obligations to individual Indians and restore amounts to trust funds invested in failed savings and loans not covered by Federal deposit insurance, and to reimburse individual account holders for losses.

Language is included under Territorial and International Affairs, Assistance to Territories, 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 Close-Up foundation, and allowing appropriations for disaster assistance to be used as non-Federal matching funds for hazard mitigation grants provided pursuant to other law.

Language is included under Territorial and International Affairs, Compact of Free Association to permit specification changes to a road construction project.

Language is included under Departmental Offices, Administrative provisions, prohibiting the use of working capital or consolidated working funds to augment certain offices, and allowing the sale of existing aircraft with proceeds used to offset the purchase price of replacement aircraft.

Language is included under General provisions, Department of the Interior, to allow transfer of funds in certain emergency situations, requiring replacement with a supplemental appropriation request, and designating certain transferred funds as "emergency requirements" under the Balanced Budget and Emergency Deficit Control Act of 1985.

Language is included under General provisions, Department of the Interior, to consolidate services and receive reimbursement for said services. Language also is included providing for uniform allowances.

Language is included under General provisions, Department of the Interior, to allow for obligations in connection with contracts issued for services or rentals for periods not in excess of 12 months beginning at any time during the fiscal year.

Language is included under General provisions, Department of the Interior, to provide for the transfer of funds among the various Departmental land acquisition accounts; to permit the transfer of funds for the Presidio upon establishment of a Presidio Trust; to repeal section 6003 of Public Law 101-380, with respect to oil and gas leases offshore North Carolina; and prohibiting the use of funds for a rulemaking concerning certain rights-of-way.

Language is included under General provisions, Department of the Interior, restricting various oil and gas preleasing, leasing, exploration and drilling activities within the Outer Continental Shelf in the Georges Bank-North Atlantic planning area, Mid-Atlantic and South Atlantic planning area, Eastern Gulf of Mexico planning area, North Aleutian Basin planning area, Northern, Southern and Central California planning areas, and Washington/Oregon planning area.

Language is included under Forest Service, National Forest System, earmarking funds for obliteration of roads.

Language is included under Forest Service, Emergency Forest Service firefighting fund, allowing the use of funds to repay advances from other accounts.

Language is included under Forest Service, Acquisition of lands to complete exchanges, and Acquisition of lands for national forest special acts, to provide that revenues and funds deposited are made available for appropriation.

Language is included under Forest Service, Range Betterment Fund, to provide that 6 percent of the funds may be used for administrative expenses.

Language is included under Forest Service, Administrative provisions, limiting the availability of funds to change the boundaries of or abolish any region or to move or close any regional office. Language is also provided to allow for advances for firefighting and emergency rehabilitation of burned-over lands, to provide for the use of collected fire funds, and to provide that proceeds from the sale of aircraft may be used to purchase replacement aircraft.

Language is included under Forest Service, Administrative provisions, to provide for a Youth Conservation Corps program.

Language is included under Forest Service, Administrative provisions, allowing funds to be used through the Agency for International Development and the Office of International Cooperation and Development for work in foreign countries, and to support for-

estry activities outside of the United States; and providing that money collected from States for fire suppression may be used for authorized programs.

Language is included under Forest Service, Administrative provisions, to prohibit transfer of funds among appropriations without advance approval of the House and Senate Committees on Appropriations, and to prohibit transfer of funds to the working capital fund of the Department of Agriculture without approval of the Chief of the Forest Service.

Language is included under Forest Service, Administrative provisions, providing for nonmonetary awards, and allowing payment for emergency work.

Language is included under Forest Service, Administrative provisions, allowing reimbursement of certain pipeline rights-of-way costs, allowing payments in emergency situations at regular rates of pay, limiting clearcutting in the Wayne National Forest, Ohio, prohibiting preparation of certain timber sales in the Shawnee National Forest, Illinois, permitting the transfer of certain funds to the State of Washington fish and wildlife department for planned projects, and allowing technical assistance to rural communities.

Language is included under 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.

Language is included under Department of Energy, Naval Petroleum and oil shale reserves waiving sales requirements based on Strategic Petroleum Reserves oil purchases.

Language is included under Department of Energy, Energy conservation, which provides for an allocation of grants to State and local programs.

Language is included under Department of Energy, Strategic Petroleum Reserve, which provides for the sale of Weeks Island oil and the use of proceeds for SPR operations.

Language is included under Department of Energy, SPR petroleum account, which places an outlay ceiling on the account, and which waives minimum purchase requirements for operating Naval Petroleum Reserve No. 1.

Language is included under Department of Energy, Energy Information Administration, allowing contracts of up to eight years duration for end use consumption surveys, and requiring that the manufacturing energy consumption survey be conducted every three years.

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; allowing acceptance of contributions in carrying out cooperative projects; and prohibiting issuance of procurement documents without appropriations.

Language is included under Indian Health Service, Indian health services, 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, providing that funds may be used to purchase land, modular buildings and trailers.

Language is included under Indian Health Service, Administrative provisions, providing for payments for telephone service in private residences in the field, purchase of reprints, purchase and erection of portable buildings, and allowing deobligation and reobligation of funds applied to self-governance funding agreements.

Language is included under Indian Health Service, Administrative provisions, providing that health care may be extended to non-Indians at Indian Health Service facilities and providing for expenditure of funds transferred to IHS from the Department of Housing and Urban Development.

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, 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 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, 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 Smithsonian Institution, Construction, allowing a procurement for the full scope of construction of the National Museum of the American Indian Cultural Resources Center.

Language is included under 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.

Language is included under National Gallery of Art, Repair, restoration and renovation of buildings, to perform work by contract or otherwise and to select contractors for certain purposes on the basis of contractor qualifications as well as price.

Language is included under National Foundation on the Arts and the Humanities, Matching grants, to allow for the obligation of current and preceding fiscal years' funds of gifts, bequests, and devises of money for which equal amounts have not previously been appropriated.

Language is included under Advisory Council on Historic Preservation, to restrict hiring anyone at Executive Level V or higher positions.

Language is included under National Capital Planning Commission, salaries and expenses, to provide for a pay level at the rate of Executive Level IV for all appointed members.

Title III—General provisions contains language carried in previous appropriations Acts, which limits the use of funds for the leasing of oil and natural gas by noncompetitive leasing within the boundaries of the Shawnee National Forest and prohibits use of funds to distribute literature either to promote or oppose legislative proposals on which Congressional action is incomplete.

Language is included in Title III—General provisions to prohibit the use of funds to provide personal cooks, chauffeurs or other personal servants to any office or employee and to limit use of consulting services.

Language is included in Title III—General provisions prohibiting assessments against programs funded in this bill and providing Buy American requirements.

Language is included in Title III—General provisions prohibiting the sale of giant sequoia trees in a manner different from 1995.

Language is included in Title III—General provisions prohibiting the use of funds by the National Park Service to enter into a concession contract requiring the removal of the underground lunchroom at Carlsbad Caverns NP.

Language is included in Title III—General provisions abolishing the Pennsylvania Avenue Development Corporation effective April 1, 1996, and transferring certain responsibilities to the National Park Service, the General Services Administration and the National Capital Planning Commission.

Language is included in Title III—General provisions prohibiting the use of funds for the Interior Columbia River Basin Ecoregion Assessment.

Language is included in Title III—General provisions establishing a pilot fee collection program for the land management agencies in the bill.

Language is included in Title III—General provisions providing for the sale of salvage timber in the Pacific Northwest in spotted owl habitat under certain conditions.

Language is included under Title III—General provisions, emphasizing that Federal personnel should adhere to the law with re-

spect to risk assessment, private property rights protection and unfunded mandates.

APPROPRIATIONS NOT AUTHORIZED BY LAW

Pursuant to clause 3 of rule XXI of the House of Representatives, the following table lists the appropriations in the accompanying bill which, in whole or in part, are not authorized by law:

Department of the Interior:

Bureau of Land Management, Management of Lands and Resources

Bureau of Land Management, Construction and Access

U.S. Fish and Wildlife Service, Resource Management

National Park Service, National Recreation and Preservation

Department of Energy:

Fossil Energy Research and Development

Naval Petroleum and Oil Shale Reserves

Energy Conservation

Economic Regulation

Strategic Petroleum Reserve

Energy Information Administration

Other Related Agencies:

Office of Navajo and Hopi Indian Relocation, Salaries and Expenses

National Foundation on the Arts and the Humanities (all accounts)

Pennsylvania Avenue Development Corporation, Salaries and Expenses

The Committee notes that authorizing legislation for many of these programs is in various stages of the legislative process and these authorizations are expected to be enacted into law later this year.

COMPLIANCE WITH RULE XIII—CLAUSE 3

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

Section 201 of the Emergency Wetlands Resources Act of 1986 (16 U.S.C. 3911) is amended as follows:

§ 3911. Sale of admission permit at certain refuge units

(a) SALE OF ADMISSION PERMITS.—(1) Notwithstanding the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460/–4 et seq.), in order to provide additional revenues for the conservation of wetland resources of the Nation and for the operation and maintenance of refuges—

(A) the Secretary of the Interior may, at units of the National Wildlife Refuge System designated by the Secretary under paragraph (2)—

(i) charge fees for admission permits;

(ii) sell Golden Eagle passports and Golden Age passports;