

DEPARTMENT OF THE INTERIOR AND RELATED
 AGENCIES APPROPRIATIONS BILL, 1998

JULY 1, 1997.—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. 2107]

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, 1998. 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	10
U.S. Fish and Wildlife Service	9	20
National Park Service	14	29
U.S. Geological Survey	18	45
Minerals Management Service	20	49
Office of Surface Mining Reclamation and Enforcement	22	51
Bureau of Indian Affairs	25	53
Departmental Offices	33	59

	(in thousands of dollars)		
	Budget Request	Committee Bill	Change from Request
Environmental restoration.....	165,573	167,849	+2,276
Technology development and transfer.....	1,746	1,746	---
Financial management.....	5,312	5,312	---
Executive direction.....	4,717	4,717	---
Total, Abandoned Mine Reclamation Fund.....	177,348	179,624	+2,276

The Committee has included \$5,000,000, as requested, for the Appalachian Clean Streams Initiative to address acid mine drainage problems which have destroyed over 7,000 miles of streams. The Committee is encouraged by this partnership effort and the ability of the OSM to bring various governmental, non-governmental, and industry groups together to leverage federal funds to tackle this difficult problem. The Committee allocation includes an increase of \$2,000,000 to ensure priority State restoration projects are accomplished. In addition, the Committee has included \$276,000 to cover partially fixed cost increases within the OSM.

Bill Language.—The Committee has recommended continuing bill language, carried in previous years, maintaining the Federal emergency reclamation program and limiting expenditures in any one State to 25 percent of the total appropriated for Federal and State-run emergency programs. The total recommended for fiscal year 1998 is \$18 million. 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 and bill language which provides \$5,000,000 to be used for projects in the Appalachian Clean Streams Initiative.

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

Appropriation enacted, 1997	\$1,443,502,000
Budget estimate, 1998	1,542,305,000
Recommended, 1998	1,526,815,000
Comparison:	
Appropriation, 1997	+83,313,000
Budget estimate, 1998	-15,490,000

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 118 day schools, 48 boarding schools, and 14 dormitories. Lastly, the Bureau administers more than 46 million acres of tribally owned land.

The Committee recommends \$1,526,815,000 for the operation of Indian programs, an increase of \$83,313,000 above the fiscal year 1997 level and a decrease of \$15,490,000 from the budget estimate.

The Committee agrees to all internal transfers proposed by the BIA in the budget request. Bill language is included providing for two-year funding.

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

	(in thousands of dollars)		
	Budget Request	Committee Bill	Change from Request
Tribal Priority Allocations			
Tribal government.....	303,117	303,117	---
Human services.....	134,928	134,928	---
Education.....	50,933	50,933	---
Public safety and justice.....	94,795	94,795	---
Community development.....	56,507	56,507	---
Resources management.....	57,772	57,772	---
Trust services.....	29,969	29,969	---
General administration.....	21,327	21,327	---
Small and needy tribes distribution.....	8,000	8,000	---
Subtotal, Tribal Priority Allocations.....	757,348	757,348	---
Other Recurring Programs			
Tribal government.....	5,000	5,000	---
Education			
School operations			
Forward-funded.....	380,909	374,290	-6,619
Other school operations.....	86,097	86,097	---
Subtotal, School operations.....	467,006	460,387	-6,619
Continuing education.....	30,411	28,411	-2,000
Subtotal, Education.....	497,417	488,798	-8,619
Community development.....	16,371	16,371	---
Resources management.....	38,377	37,627	-750
Subtotal, Other Recurring Programs.....	557,165	547,796	-9,369
Non-Recurring Programs			
Tribal government.....	2,375	2,375	---
Public safety and justice.....	584	584	---
Resources management.....	31,220	31,647	+427
Trust services.....	30,750	26,000	-4,750
Subtotal, Non-Recurring Programs.....	64,929	60,606	-4,323
Total, Tribal Budget System.....	1,379,442	1,365,750	-13,692
BIA Operations			
Central Office Operations			
Tribal government.....	2,605	2,605	---
Human services.....	704	704	---
Public safety and justice.....	2,487	2,487	---
Community development.....	984	984	---
Resources management.....	3,082	3,082	---
Trust services.....	1,549	1,549	---
General administration			
Education program management.....	2,074	2,074	---
Other general administration.....	34,254	33,854	-400
Subtotal, General administration.....	36,328	35,928	-400
Subtotal, Central Office Operations.....	47,739	47,339	-400
Area Office Operations			
Tribal government.....	1,336	1,336	---
Human services.....	969	969	---
Public safety and justice.....	568	568	---
Community development.....	3,086	3,086	---
Resources management.....	3,157	3,157	---
Trust services.....	10,761	9,363	-1,398
General administration.....	23,207	23,207	---
Subtotal, Area Office Operations.....	43,084	41,686	-1,398
Special Programs and Pooled Overhead			
Education.....	14,019	14,019	---
Public safety and justice.....	3,264	3,264	---
Community development.....	3,451	3,451	---
Resources management.....	1,320	1,320	---
Trust services.....	504	504	---
General administration.....	49,482	49,482	---
Subtotal, Special Programs and Pooled Overhead..	72,040	72,040	---
Total, BIA Operations.....	162,863	161,065	-1,798
Total, Operation of Indian Programs.....	1,542,305	1,526,815	-15,490

Tribal priority allocations.—The Committee recommends \$757,348,000 for tribal priority allocations, the same as the budget request.

The Committee supports the principles of Indian self determination and applauds the efforts of tribes to assume administration of BIA schools and programs. Currently over half of the BIA programs, including schools, are operated by tribes. The Committee also recognizes that the Bureau continues to reduce administrative costs in order to provide maximum resources directly to tribes. In particular, the Committee notes that the BIA has proposed a transfer of \$3,400,000 in downsizing savings to TPA. However, as a prerequisite to contracting for additional Federal programs, sufficient funds must be available to the BIA to pay severance and lump sum payments to those Federal employees displaced as a result of tribal contracting activity. Therefore, the Committee directs the Bureau to use up to \$3,400,000 of TPA funds to meet partially employee displacement costs related to increased contract and grant activity, including but not limited to TPA programs. While an increase is also provided for employee displacement in special program and pooled overhead, some tribes may still experience delays in contracting for BIA programs and schools. The Bureau is encouraged to work with the tribes to phase in contracting activity over time when employee displacement funds are insufficient.

Other recurring programs.—The Committee recommends \$547,796,000 for other recurring programs, including increases of \$7,697,000 for fixed costs, \$2,000,000 for Indian School Equalization Program (ISEP) funds, \$1,000,000 for student transportation, \$1,000,000 for tribally controlled community colleges and \$5,000,000 for the Indian self-determination fund, and a decrease of \$3,067,000 for internal transfers.

Within resources management \$800,000 is included for the Bering Sea Fisherman's Association, \$325,000 for the Chugach Regional Resources Commission, and \$69,000 for the Alaska Sea Otter Commission. Funding for the Native American Fish and Wildlife Society (NAFWS) is continued at the fiscal year 1997 level. 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 \$60,606,000 for non-recurring programs, including increases of \$405,000 for fixed costs and \$427,000 for Gila River Farms, and a decrease of \$2,668,000 for internal transfers.

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.

Central office operations.—The Committee recommends \$47,339,000 for central office operations, including increases of \$940,000 for fixed costs and \$500,000 for records management, and a decrease of \$600,000 for internal transfers.

Area office operations.—The Committee recommends \$41,686,000 for area office operations, including increases of \$893,000 for fixed costs and \$2,000,000 for land records, and a decrease of \$68,000 for internal transfers.

Special programs and pooled overhead.—The Committee recommends \$72,040,000 for special programs and pooled overhead,

including increases of \$337,000 for fixed costs and \$2,000,000 for employee displacement costs, and decreases of \$1,569,000 for trust services and \$2,801,000 for internal transfers.

The Committee is disappointed with the Bureau's failure to respond adequately to the reorganization direction included in last year's report. Because of compacts, contracts, and grants, the Bureau has reduced some agency offices to less than five Federal employees that provide only limited trust functions yet the Bureau continues to identify these units as agencies. The Committee directs that these small units be consolidated into area or other agency offices. In addition, the Committee continues to believe that consolidation of area offices is viable and important to the Bureau and offers opportunities to produce significant savings. Any savings in resources made by these efforts should be available for transfer to tribes and/or tribal priority allocations subject to reprogramming after payment of employee displacement costs.

The Committee has included bill language to allow the Cibecue Community School to use carryover school operations funds for the construction of a new high school facility. The language requires compliance with applicable building codes and that any requirement for additional construction funding for this facility come from non-Federal sources.

Language has been included under Administrative Provisions, Department of the Interior, limiting the investment of Federal funds by Indian tribes to obligations of the United States or obligations that are guaranteed by the United States.

In fiscal year 1998, the Bureau should continue to pay for and provide for current levels of service to the Office of Special Trustee (OST) for Information Resource Management systems and other contractual costs to support existing mainframe computers, licenses, and other costs similar to 1997. The Committee recognizes that BIA's IRM resources are limited and that system enhancements may be needed by both BIA and OST trust systems. The Committee expects that investments in information technology will be implemented in a coordinated and cost effective manner that ensures no duplication of resources between BIA and OST, particularly in the area of telecommunications.

CONSTRUCTION

Appropriation enacted, 1997	\$100,531,000
Budget estimate, 1998	125,118,000
Recommended, 1998	110,751,000
Comparison:	
Appropriation, 1997	+10,220,000
Budget estimate, 1998	-14,367,000

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

	(in thousands of dollars)		
	Budget Request	Committee Bill	Change from Request
Education.....	49,179	49,179	---
Public safety and justice.....	16,500	5,400	-11,100
Resources management.....	51,321	48,321	-3,000
General administration.....	2,146	2,146	---
Construction management.....	5,972	5,705	-267
Total, Construction.....	125,118	110,751	-14,367

Education.—The Committee recommends \$49,179,000 for education construction, including increases of \$40,000 for fixed costs, \$10,000,000 for construction of the Many Farms school which is the next school on the priority list, and \$8,000,000 for FI&R to begin to address the significant backlog problems.

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 1997. 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 \$5,400,000 for public safety and justice, including an increase of \$1,000,000 for FI&R to begin to address the significant backlog problems.

General administration.—The Committee recommends \$7,851,000 for general administration and construction management, including an increase of \$105,000 for fixed costs.

Resources management.—The Committee recommends \$48,321,000 for resources management, including increases of \$75,000 for fixed costs and \$2,000,000 for safety of dams, and a decrease of \$5,000,000 for the Wapato irrigation project.

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS
PAYMENTS TO INDIANS

Appropriation enacted, 1997	\$69,241,000
Budget estimate, 1998	59,352,000
Recommended, 1998	41,352,000
Comparison:	
Appropriation, 1997	- 27,889,000
Budget estimate, 1998	- 18,000,000

The Committee recommends \$41,352,000 for Indian land and water claim settlements and miscellaneous payments to Indians, including an increase of \$11,000 for fixed costs and decreases of \$8,000,000 for Fallon, \$10,000,000 for Pyramid Lake, and \$9,900,000 for Northern Cheyenne.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

Appropriation enacted, 1997	\$5,000,000
Budget estimate, 1998	5,004,000
Recommended, 1998	5,000,000
Comparison:	
Appropriation, 1997	0
Budget estimate, 1997	- 4,000

The Committee recommends \$5,000,000 for the Indian guaranteed loan program.

DEPARTMENTAL OFFICES

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

Appropriation enacted, 1997	\$65,188,000
Budget estimate, 1998	67,214,000
Recommended, 1998	68,214,000
Comparison:	
Appropriation, 1997	+3,026,000
Budget estimate, 1998	+1,000,000

The Office of Insular Affairs (OIA) was established on August 4, 1995 through Secretarial Order No. 3191 which also abolished the former Office of Territorial and International Affairs. The OIA has important responsibilities to help the United States government fulfill its responsibilities to the four U.S. territories (Guam, American Samoa, U.S. Virgin Islands and the Commonwealth of the Northern Marianas Islands (CNMI)) and the three freely associated states: the Federated States of Micronesia (FSM), the Republic of the Marshall Islands and the Republic of Palau. The permanent and trust fund payments to the territories and the compact nations provide substantial financial resources to these governments. With the signing of the fiscal year 1996 Interior and Related Agencies Appropriations Act a large re-allocation of CNMI covenant grants was achieved. This reallocation: helps the Government of Guam with the impact of Micronesian immigrants on social and education programs; meets significant capital improvement needs in American Samoa; helps rehabilitate and resettle Rongelap Atoll; and helps with a variety of other problems in the Northern Marianas.

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

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

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 37 hospitals, 61 health centers, 4 school health centers, and 48 health stations. Tribes and tribal groups, through contracts with the IHS, operate 12 hospitals, 134 health centers, 4 school health centers, 60 health stations, and 168 Alaska village clinics. The IHS, tribes and tribal groups also operate 7 regional youth substance abuse treatment centers and more than 2,000 units of staff quarters.

Appropriation enacted, 1997	\$1,806,269,000
Budget estimate, 1998	1,835,465,000
Recommended, 1998	1,829,008,000
Comparison:	
Appropriation, 1997	+22,739,000
Budget estimate, 1998	-6,457,000

The Committee recommends \$1,829,008,000 for Indian health services, an increase of \$22,739,000 from the fiscal year 1997 level and a decrease of \$6,457,000 from the budget request.

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

	(in thousands of dollars)		
	Budget Request	Committee Bill	Change from Request
Clinical Services			
IHS and tribal health delivery			
Hospital and health clinic programs.....	898,022	898,765	+743
Dental health program.....	64,737	65,037	+300
Mental health program.....	39,034	39,034	---
Alcohol and substance abuse program.....	91,677	91,677	---
Contract care.....	374,348	371,348	-3,000
Subtotal, Clinical Services.....	1,467,818	1,465,861	-1,957
Preventive Health			
Public health nursing.....	27,994	27,994	---
Health education.....	8,855	8,855	---
Community health representatives program.....	44,311	44,311	---
Immunization (Alaska).....	1,328	1,328	---
Subtotal, Preventive Health.....	82,488	82,488	---
Urban health projects.....	25,777	25,277	-500
Indian health professions.....	28,293	28,293	---
Tribal management.....	2,348	2,348	---
Direct operations.....	46,924	46,924	---
Self-governance.....	9,097	9,097	---
Contract support costs.....	172,720	168,720	-4,000
Medicare/Medicaid Reimbursements			
Hospital and clinic accreditation (Est. collecting).....	(247,397)	(247,397)	---
Total, Indian Health Services.....	1,835,465	1,829,008	-6,457

Hospitals and Health Clinics.—The Committee recommends \$898,765,000 for hospitals and clinics, including increases of \$9,371,000 for fixed costs and \$6,370,000 for staffing new facilities and a decrease of \$7,800,000 which is a transfer to the facilities account to consolidate all utility costs.

Dental Health.—The Committee recommends \$65,037,000 for the dental program, including increases of \$896,000 for fixed costs, \$1,058,000 for staffing new facilities, and \$300,000 for a periodontal program.

The Committee has provided \$300,000 to establish three pilot sites for the treatment of diabetes and periodontal disease. IHS should establish these pilot sites in areas with the highest incidence of diabetes. This new pilot program will allow IHS to determine the best ways to implement the new protocol developed as a result of the joint IHS and National Institution of Dental Research study.

Mental Health.—The Committee recommends \$39,034,000 for mental health, including increases of \$459,000 for fixed costs and \$234,000 for staffing new facilities.

Alcohol and Substance Abuse.—The Committee recommends \$91,677,000 for alcohol and substance abuse prevention and treatment, including increases of \$195,000 for fixed costs.

The Committee recommends that the fetal alcohol syndrome project at the University of Washington be funded at the fiscal year 1997 level. This project is providing important insight into early identification of fetal alcohol syndrome. Early identification and intervention by health care professionals result in significantly improved lives for those afflicted by fetal alcohol syndrome.

Contract Health Services.—The Committee recommends \$371,348,000 for contract health services which includes increases

of \$23,000 for fixed costs and a program increase of \$3,000,000 with a portion of this increase for new tribes.

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.

The Committee directs the IHS to provide an equitable allocation of IHS resources to the Pascua Yaqui tribe of Arizona from within the increase in Contract Health Services. The Committee estimates the total funding needed for the Pascua Yaqui tribe in fiscal year 1998 to be \$8.4 million.

Public Health Nursing.—The Committee recommends \$27,994,000 for public health nursing, including increases of \$382,000 for fixed costs and \$936,000 for staffing new facilities.

Health Education.—The Committee recommends \$8,855,000 for health education, including increases of \$66,000 for fixed costs and \$157,000 for staffing new facilities.

Community Health Representatives.—The Committee recommends \$44,311,000 for community health representatives, including an increase of \$338,000 for staffing new facilities.

Alaska Immunization.—The Committee recommends \$1,328,000 for Alaska immunization, the same as the budget request.

Urban Health.—The Committee recommends \$25,277,000 for urban health including an increase of \$9,000 for fixed costs and a program increase of \$500,000.

Indian Health Professions.—The Committee recommends \$28,293,000 for Indian health professions, including an increase of \$23,000 for fixed costs.

Tribal Management.—The Committee recommends \$2,348,000 for tribal management, the same as the budget request.

Direct Operations.—The Committee recommends \$46,924,000 for direct operations, including an increase of \$865,000 for fixed costs and a decrease of \$2,650,000 in downsizing savings.

Self-Governance.—The Committee recommends \$9,097,000 for self governance, including an increase of \$7,000 for fixed costs.

Contract Support Costs.—The Committee recommends \$168,720,000 for contract support costs. The Committee has provided \$7,500,000 for the Indian Self Determination Fund for new and expanded contracts and \$500,000 which is mostly a transfer from the facilities account.

General.—The Committee is aware that there are a number of tribes whose funding is well below their level of need, including the Red Cliff Band of Lake Superior Chippewas. The Committee urges the Indian Health Service to work within its allocation to begin to rectify funding inequities.

INDIAN HEALTH FACILITIES

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.

Appropriation enacted, 1997	\$247,731,000
Budget estimate, 1998	286,535,000
Recommended, 1998	257,310,000
Comparison:	
Appropriation, 1997	+9,579,000
Budget estimate, 1998	-29,225,000

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

	(in thousands of dollars)		
	Budget Request	Committee Bill	Change from Request
Maintenance and improvement.....	39,334	39,334	---
Construction facilities.....	38,900	14,900	-24,000
Sanitation facilities.....	90,042	89,042	-1,000
Facilities and environmental health support.....	104,772	101,029	-3,743
Equipment.....	13,005	13,005	---
Contract support costs.....	482	---	-482
Total, Indian Health Facilities.....	286,535	257,310	-29,225

The Committee recommends \$257,310,000 for Indian health facilities, an increase of \$9,579,000 from the fiscal year 1997 level and a decrease of \$29,225,000 from the budget request.

Maintenance and Improvement.—The Committee recommends \$39,334,000 for M&I, the same as the budget request.

Sanitation Facilities.—The Committee recommends \$89,042,000 for sanitation facilities, including an increase of \$153,000 for fixed costs and a program increase of \$1,000,000.

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 housing should be used to serve housing provided by the Bureau of Indian Affairs Housing Improvement Program, new homes, and homes renovated to like-new condition. On-site sanitation facilities may also be provided for homes occupied by the disabled or sick who have physician referrals indicating an immediate medical need for adequate sanitation facilities at home. IHS project funds shall not be used to provide sanitation facilities for new homes funded by the housing programs of the Department of Housing and Urban Development.

Construction Facilities.—The Committee recommends \$14,900,000 for facilities construction, including \$1,000,000 for modular dental units and \$13,900,000 to begin construction of the Hopi Health Center.

The Committee has recommended \$1,000,000 for modular dental units. As in past years, the Committee directs IHS to incorporate modular dental units in its base for future budget requests. In addition, IHS should provide a report to the Committee by March 1, 1998, detailing how many dental units have been purchased since fiscal year 1994 and how many units still need to be purchased to replace outdated units or to service remote areas.

Facilities and Environmental Health Support.—The Committee recommends \$101,029,000 for facilities and environmental health support, including increases of \$1,301,000 for fixed costs, \$907,000

for staffing new facilities, and a transfer of \$7,800,000 from the services account to consolidate utility costs.

Equipment.—The Committee recommends \$13,005,000 for equipment which includes a decrease of \$1,500,000 due to administrative savings.

Contract Support Costs.—The Committee has transferred \$482,000 to the services account to consolidate all contract support costs.

The Committee again recommends that funds provided for the facilities program 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

The Committee has transferred jurisdiction for the Office of Indian Education from the Interior and Related Agencies Subcommittee to the Subcommittee on Labor, Health and Human Services, and Education.

OTHER RELATED AGENCIES

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

Appropriation enacted, 1997	\$19,345,000
Budget estimate, 1998	19,345,000
Recommended, 1998	18,345,000
Comparison:	
Appropriation, 1997	– 1,000,000
Budget estimate, 1998	– 1,000,000

The dispute between the Hopi and Navajo tribes is centuries-old. The Hopi were the original occupants of the land with their origin tracing 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 634 households remain to be relocated, of which 84 are full-time residents on the Hopi Partitioned Land. A total of 2,768 Navajo families have been relocated from the Hopi Partitioned Land.

The Committee recommends an appropriation of \$18,345,000 for salaries and expenses of the Office of Navajo and Hopi Indian Relocation, which is a decrease of \$1,000,000 from both the 1997 level and the budget estimate.

The Committee expects the Office to stop further development on the New Lands beyond that required to meet expressed interest by relocatees in relocating to that area.

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.

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

Appropriation enacted, 1997	\$5,500,000
Budget estimate, 1998	5,500,000
Recommended, 1998	3,000,000
Comparison:	
Appropriation, 1997	-2,500,000
Budget estimate, 1998	-2,500,000

The Committee recommends \$3,000,000 for the Institute of American Indian and Alaska Native Culture and Arts Development, with the understanding that this will be the last year Federal funding will be provided.

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 150 years in the "increase and diffusion of knowledge among men" in accordance with the donor's instructions. For some years, it used only the funds made available by the trust. Then, before the turn of the century, it began to receive Federal appropriations to conduct some of its activities. With the expenditure of both private and Federal funds over the years, it has grown into one of the world's great scientific, cultural, and intellectual organizations. It operates magnificent museums, outstanding art galleries, and important research centers. Its collections are among the best in the world. Its traveling exhibits bring beauty and information throughout the country.

It attracted approximately 24,600,000 visitors in 1996 to its museums, galleries, and zoological park. Additional millions also view Smithsonian traveling exhibitions, which appear across the United States and abroad, and the annual Folklife Festival. As custodian of the National Collections, the Smithsonian is responsible for more

plan, mainly objecting to establishment of a new entity and removal of trust functions from BIA. Generally, there appears to be support for systems improvements related to trust funds management, particularly IIM accounting. Since there is no broad support for the establishment of a new entity or a bank, the Special Trustee is directed not to plan further or implement any improvement efforts that move to or are in support of establishment of a new entity or a bank. Rather, the Special Trustee and affected bureaus, particularly BIA, should work together to develop and implement necessary reforms in a cooperative, and coordinated manner, and consult, as appropriate, with tribes on development and implementation.

The Special Trustee is reminded of the Committee directive requiring regular reports to the Committee on progress made in the trust funds area. In fiscal year 1996, the report was to be submitted quarterly within 30 days of each quarter end; the Committee received only one report for fiscal year 1996 and that report was not received until April 1997. The Committee has changed the reporting requirement to semi-annual in 1997 and expects to receive these reports in a timely manner, particularly since Congress has doubled funding for OST since 1996. The Committee expects to be kept fully informed as to the improvements planned and implemented with these resources.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

The Committee recommends continuing several provisions carried in previous bills as follows. Sections 101 and 102 provide for emergency transfer authority with the approval of the Secretary. Section 103 provides for warehouse and garage operations and for reimbursement for those services. Section 104 provides for vehicle and other services. Section 105 provides for uniform allowances. Section 106 provides for twelve month contracts.

Section 107 prohibits implementing a final rule concerning rights-of-way under section 2477 of the Revised Statutes. This section is intended to allow time for Congress to adopt legislation clarifying the terms and scope of grants for highway rights-of-way across Federal land pursuant to section 2477 of the Revised Statutes. Historically, the Department took the position that the validity of these grants was governed by State property law because there was no general Federal law of property and no delegation of authority by Congress to interpret the terms of the statute by regulation. The Department established an administrative process for the non-adjudicatory acknowledgment of valid grants. Then as now, the courts were available to resolve disputed claims. The present contention that FLPMA, or other land management statutes enacted after the vesting of these property rights, now permits the Department to look back and re-interpret the basic terms of the grant is doubtful as a matter of law and questionable as a matter of public policy. The implications are enormous; if such a contention were valid, virtually every transfer of interest or title in Federal lands back to the founding of the Republic could be compromised. The Committee believes that the public interest will be better served if these grants to States and their political subdivisions are not put in jeopardy by the Department pending Congress-

sional clarification of these issues. Section 107 does not limit the ability of the Department to acknowledge or deny the validity of claims under RS 2477 or limit the right of grantees to litigate their claims in any court.

Sections 108 through 111 prohibit the expenditure of funds for Outer Continental Shelf leasing activities in certain areas as proposed in the budget. These provisions are addressed under the Minerals Management Service in this report.

Section 112 limits the investment of Federal funds by tribes and tribal organizations to obligations of the United States or obligations insured by the United States.

Section 113 provides authority for lump sum payments of severance pay and continued health benefits to Federal Helium Operations employees who have been separated as a result of the closure of the helium program.

Section 114 includes language requiring the United States Fish and Wildlife Service to obtain the approval of the House and Senate Committees on Appropriations prior to the creation of any new regional office.

TITLE II—RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

The U.S. Forest Service manages 192 million acres of public lands for multiple use nationwide, including lands in 44 States, Puerto Rico and the Virgin Islands. The Forest Service administers a wide variety of programs, including forest and rangeland research, State and private forestry assistance, wildfire suppression and fuels reduction, cooperative forest health programs, and human resource programs. The National Forest System (NFS) includes 156 national forests, 20 national grasslands, 4 national monuments, 9 land utilization projects, and the nation's first national tallgrass prairie established in 1996. The NFS is managed for multiple use, including timber production, recreation, wilderness, minerals, grazing, fish and wildlife habitat management, and soil and water conservation. The NFS includes about 47% of the nation's softwood inventory and supplies about 10% of the nation's softwood timber and generates approximately \$900 million per year in revenues. More than 9,000 farmers and ranchers pay for permits to graze cattle, horses, sheep and goats on 74 million acres of grassland, open forests, and other forage-producing acres of the National Forest System. Recreational use of national forest land amounted to approximately 800 million visits in 1996. The NFS includes over 125,000 miles of trails and 23,000 developed facilities, including 4,389 campgrounds, 58 major visitor centers, and about one-half of the nation's ski-lift capacity. Recreation facilities on NFS lands had a combined capacity of 2.1 million people-at-one-time in 1995. There are 51 Congressionally designated areas, including 19 national recreation areas and 7 national scenic areas. Wilderness areas cover 35 million acres, nearly two-thirds of the wilderness in the contiguous 48 States. The Forest Service also has major habitat management responsibilities for more than 3,000

funds the last several years specifically for enhancements to security.

The Committee has provided no-year funds specifically for repair, rehabilitation and exhibit development and production each year since the museum opening. The Committee has also been generous with its annual appropriations. Therefore, the Committee strongly urges the Holocaust Museum to balance maintenance needs with program and staff enhancements as it prepares for the fiscal year 1999 budget submission. If the maintenance backlog is increasing, then future staff, space and program increases should be deferred.

TITLE III—GENERAL PROVISIONS

The 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 unless it is funded in the VA, HUD and Independent Agencies fiscal year 1998 appropriations, and makes use of such funds subject to reprogramming.

Section 313 continues a limitation of funding relating to a pedestrian bridge between New Jersey and Ellis Island.

Section 314 continues a limitation on accepting and processing applications for patents and on the patenting of Federal lands; permits processing of grandfathered applications; and permits third-party contractors to process grandfathered applications.

Section 315 provides that no funds can be used for the purposes of acquiring lands in the counties of Gallia, Lawrence, Monroe, or Washington, Ohio, for the Wayne National Forest.

Section 316 continues a limitation on issuance of a final rule-making on jurisdiction, management and control over navigable waters in the State of Alaska with respect to subsistence fishing.

Section 317 keeps in place only the regulations and interim rules in effect prior to September 8, 1995 (36 CFR 223.48, 36 CFR 223.87, 36 CFR 223 Subpart D, 36 CFR 223 Subpart F, and 36 CFR 261.1) governing the export of State and Federal timber in the western United States. This language is retained so that the Administration, Congress and affected parties can have more time to address policy issues with respect to Public Law 101-382, the Forest Resources Conservation and Shortage Relief Act of 1990. The language prohibits the Secretary of Agriculture or the Secretary of the Interior from reviewing or making modifications to existing sourcing areas. The language prohibits either Secretary from enforcing or implementing regulations promulgated on September 8, 1995 at 36 CFR Part 223. The bill language also directs the Secretary of Commerce to continue the 100 percent ban on the export of logs that originate from Washington State-owned public lands.

Section 318 prohibits the use of funds for the western director and special assistant to the Secretary of Agriculture.

Section 319 limits Jobs in the Woods programs to timber dependent areas in Washington, Oregon, and northern California.

Section 320 amends the Recreational Fee Demonstration program established as section 315 in the Department of the Interior and Related Agencies Appropriations Act of 1996. The amendment permits the land management agencies to keep 100 percent of funds collected by the program beginning in fiscal year 1998.

Section 321 prohibits the use of recreational fees for the construction of any permanent structure without advance Committee approval.

Section 322 amends existing law to enhance forest health activities by the Forest Service.

Section 323 requires the Interior Columbia Basin Ecosystem Management project to do economic and social analyses. The Committee is very concerned about the discrepancy in the level of analysis between the impacts on the environment and the impacts on individuals and communities in the Interior Columbia Basin Ecosystem Management Project (ICBEMP) draft environmental statements (DEISs) released in May 1997 by the Secretaries of Agriculture and Interior. It is very important to the Committee that the project integrate, to the greatest extent practicable, information available regarding the economic and social conditions, and cultures and customs of the communities within the project area in a manner comparable to the natural resource analyses involved in the project. Economic and social analyses should not blur nor obscure the very real concerns of the many natural resource dependent communities within the 164 sub-basins in the project area. The recommended bill language requires that a more thorough analysis be done at the sub-basin level and that this be released for public review and comment as an addition to the two DEISs of May 1997. The Secretaries should extend the comment period for the existing DEISs as necessary in order to include this additional analysis and public review. The final environmental impact statements and record of decisions for the projects may not be released unless they incorporate this new analysis and the public comments to the analysis. It is the intent of the Committee that the prescriptive standards generated by the project should reflect local conditions for

both the natural resources and the human resources of the project area.

Section 324 includes language stipulating the conditions under which cities, towns, and villages in certain counties in New York can participate in the Hudson River Valley National Heritage Area.

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

<i>Department and activity</i>	<i>Amounts recommended for rescission</i>
Department of the Interior: Land and Water Conservation Fund (contract authority)	\$30,000,000
Department of Energy, Clean Coal Technology	100,000,000

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 from which transfer is to be made	Amount	Account to which transfer is to be made	Amount
Department of Energy, Alternative Fuels Production.	\$1,500,000	General Fund of the Treasury	\$1,500,000
Department of Energy, Strategic Petroleum Reserve.	209,000,000	Treasury, SPR Fund	209,000,000

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.

Language is included under Bureau of Land Management, Management of lands and resources, permitting the collection of fees for processing applications and for certain public land uses, and permitting the use of these fees for program operations.

Language is included under Bureau of Land Management, Payments in lieu of taxes, to exclude any payment that is less than \$100.

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 included providing for a Youth Conservation Corps. Language is included under United States Fish and Wildlife Service, Natural resource damage assessment, to allow previous proceeds from past liquidation of stocks and other noncash payments to remain available until expended. Language is also included limiting funding for the Endangered Species Act listing program.

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 included limiting the use of funds for the purchase of lands. Language is also included to allow the Secretary to sell land and interests in land and deposit the receipts in the Lahontan Valley and Pyramid Lake Fish and Wildlife Fund.

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.

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 and limiting the use of funds to specified amounts for certain offices.

Language is included under United States Geological Survey, Surveys, investigations and research, providing for two-year availability of funds for biological 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; and requiring cost sharing cooperative topographic mapping activities.

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 Minerals Management Service, Royalty and offshore minerals management, 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 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 mining 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 included is allowing the State of Maryland to set aside funds for acid mine abatement. 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 and to permit local school boards to determine teacher compensation rates. Language also is included allowing the Cibecue Community School to use carryover funds to construct a new school building.

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 Alas-

ka schools in 1997; 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 to the Bureau of Reclamation, and providing Safety of Dams funds on a non-reimbursable basis.

Language is included under Departmental Offices, Insular 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 Departmental offices, Office of Special Trustee for American Indians, specifying that the statute of limitations shall not commence on any claim resulting from trust funds losses.

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, 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 General provisions, Department of the Interior, limiting the investment of Federal funds by Indian tribes.

Language is included under General provisions, Department of the Interior, providing for expanded employee benefits to compensate for the closure of the helium program.

Language is included under General provisions, Department of the Interior, prohibiting the use of funds to establish a new regional office in the U.S. Fish and Wildlife Service without advance approval from the Appropriations Committees.

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

Language is included under Forest Service, Wildland fire management, allowing the use of funds to repay advances from other accounts.

Language is included under Forest Service, Reconstruction and construction, limiting use of purchaser road credits to small businesses.

Language is included under Forest Service, Midewin National Tallgrass Prairie Restoration Fund, allowing use of certain receipts to help restore the site.

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 damaged lands or waters, 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 Foreign Agricultural Service for work in foreign countries, and to support forestry 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 Na-

tional Forest, Illinois, permitting the transfer of certain funds to the State of Washington fish and wildlife department for planned projects, allowing technical assistance to rural communities, providing \$2,000,000 for matching funds and administrative expenses for the National Forest Foundation and also for the National Fish and Wildlife Foundation, providing that funds shall be available for payment to counties within the Columbia River Gorge National Scenic Area pursuant to Public Law 99-663, providing authority to the Pinchot Institute for activities at Grey Towers National Historic Landmark, allowing payments to Del Norte County, CA pursuant to Public Law 101-612, and allowing funds for retrofitting at Norton Air Force Base for Forest Service offices.

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 SPR oil and the use of proceeds for SPR operations and waiving the Budget Act.

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 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; prohibiting issuance of procurement documents without appropriations; permitting the use of contributions and fees for cooperative projects; and permitting the Federal Energy Management Program to accept funds from other Federal agencies for energy saving performance contracts.

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 re-obligation 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 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 and to allow retention of receipts generated through geographic information system services.

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 1996.

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 regarding the use of excess funds from contracts with Indian tribes; allowing payments to tribes on the first business day of a fiscal quarter; limiting use of funds for the AmeriCorps program; and limiting use of funds relating to a bridge between New Jersey and Ellis Island.

Language is included in Title III—General provisions continuing a limitation on accepting and processing applications for patents and on the patenting of Federal lands; permitting processing of grandfathered applications; and permitting third-party contractors to process grandfathered applications.

Language is included in Title III—General provisions, limiting the use of funds for the Wayne National Forest and for the Shawnee National Forest.

Language is included in Title III—General provisions, limiting the use of funds for issuing a final rulemaking on jurisdiction over subsistence fishing in Alaska; limiting the use of funds for enforcing certain timber policies; amending the pilot recreational fee demonstration program for the land management agencies in this bill by removing the base year provision; requiring Committee approval prior to using recreational fees for constructing permanent buildings; providing greater flexibility for use of the reforestation trust fund by the Forest Service; prohibiting use of funds for certain Secretary of Agriculture office functions; requiring social and economic analysis be included in the Interior Columbia Basin Ecosystem Management project documents; and specifying conditions under which certain counties and municipalities in the State of New York may participate in Heritage area programs.

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: