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106TH CONGRESS }
2d Session }

SENATE

{ REPORT
106-312

DEPARTMENT OF THE INTERIOR AND RELATED
AGENCIES APPROPRIATIONS BILL, 2001

—————
JUNE 22, 2000.—Ordered to be printed
—————

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

REPORT

[To accompany H.R. 4578]

The Committee on Appropriations to which was referred the bill (H.R. 4578) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes, reports the same to the Senate with an amendment and recommends that the bill as amended do pass.

Amounts in new budget (obligational) authority, fiscal year 2001

Amount of bill passed by House	\$14,959,420,000
Amount of increase by Senate	554,833,000
Total of bill as reported to Senate	15,514,253,000
Estimates considered by House	16,319,772,000
Estimates considered by Senate	16,319,772,000
Below the budget estimate, 2001	805,519,000
Above appropriations, 2000 (including emer- gencies)	602,603,000

INDIAN AFFAIRS

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

Appropriations, 2000	\$1,639,535,000
Budget estimate, 2001	1,795,010,000
House allowance	1,657,446,000
Committee recommendation	1,704,620,000

The Committee recommends \$1,704,620,000 for fiscal year 2001 for the operation of Indian programs, a \$65,085,000 increase above the fiscal year 2000 enacted level and \$90,390,000 below the budget estimate. The Committee regrets that, due to tight budget constraints, it is unable to provide all requested program increases. The Committee recommends all requested transfers and full funding for fixed costs, which total \$32,524,000. Additionally, the Committee recommends significant increases above the fiscal year 2000 funding level for school construction, school facilities improvement and repairs, law enforcement, school operations, and Indian trust programs. The following table provides a comparison of the budget estimate with the Committee recommendation:

	Budget estimate	Committee recommendation	Change
TRIBAL BUDGET SYSTEM			
Tribal priority allocations:			
Tribal government	\$374,634,000	\$370,087,000	-\$4,547,000
Human services	165,964,000	148,820,000	-17,144,000
Education	52,662,000	49,794,000	-2,868,000
Public safety and justice	1,364,000	1,364,000	.....
Community development	43,963,000	38,913,000	-5,050,000
Resources management	55,321,000	55,321,000	.....
Trust services	43,723,000	34,955,000	-8,768,000
General administration	23,549,000	23,549,000	.....
Subtotal, tribal priority allocations	761,180,000	722,803,000	-38,377,000
Other recurring programs:			
Education:			
School operations:			
Forward funding	439,132,000	412,556,000	-26,576,000
Other school operations	67,439,000	66,439,000	-1,000,000
Subtotal, school operations	506,571,000	478,995,000	-27,576,000
Continuing education	38,202,000	36,311,000	-1,891,000
Subtotal, education	544,773,000	515,306,000	-29,467,000
Resources management	37,184,000	40,408,000	+3,224,000
Subtotal, other recurring programs	581,957,000	555,714,000	-26,243,000
Nonrecurring programs:			
Tribal government	257,000	257,000	.....
Community development	2,000,000	2,000,000	.....
Resources management	31,428,000	31,728,000	+300,000

	Budget estimate	Committee recommendation	Change
Trust services	37,720,000	34,566,000	- 3,154,000
Subtotal, nonrecurring programs	71,405,000	68,551,000	- 2,854,000
Total, tribal budget system	1,414,542,000	1,347,068,000	- 67,474,000
BIA OPERATIONS			
Central office operations:			
Tribal government	2,607,000	2,607,000	.....
Human services	1,299,000	1,299,000	.....
Community development	868,000	868,000	.....
Resources management	3,427,000	3,427,000	.....
Trust services	2,642,000	2,642,000	.....
General administration:			
Education program management	2,392,000	2,392,000	.....
Other general administration	44,629,000	44,629,000	.....
Subtotal, general administration	47,021,000	47,021,000	.....
Subtotal, central office operations	57,864,000	57,864,000	.....
Regional office operations:			
Tribal government	1,365,000	1,365,000	.....
Human services	3,023,000	3,023,000	.....
Community development	823,000	823,000	.....
Resources management	3,307,000	3,307,000	.....
Trust services	23,543,000	12,843,000	- 10,700,000
General administration	24,733,000	24,733,000	.....
Subtotal, regional office operations	56,794,000	46,094,000	- 10,700,000
Special programs and pooled overhead:			
Education	15,598,000	15,598,000	.....
Public safety and justice	160,104,000	151,989,000	- 8,115,000
Community development	5,053,000	4,452,000	- 601,000
Resources management	1,314,000	1,314,000	.....
General administration	83,741,000	80,241,000	- 3,500,000
Subtotal, special programs	265,810,000	253,594,000	- 12,216,000
Total, BIA operations	380,468,000	357,552,000	- 22,916,000
Total, operation of Indian programs	1,795,010,000	1,704,620,000	- 90,390,000

Tribal priority allocations.—The Committee recommends \$722,803,000 for tribal priority allocations (TPA), an increase of \$22,080,000 above the fiscal year 2000 enacted level. The net increase reflects the following program increases above the fiscal year 2000 enacted level: \$5,000,000 for the Indian Self-Determination Fund for new and expanded contracts or compacts, \$2,500,000 for real estate services (trust services), \$1,000,000 for real estate appraisals (trust services), and \$1,521,000 to be used to address the probate backlog (trust services).

Additionally, the Committee directs the Bureau to continue funding the Inchelium Public Ferry that connects remote sections of the Colville Indian Reservation to educational and health care services.

Other recurring programs.—The Committee recommends \$555,714,000 for other recurring programs, an increase of \$13,668,000 above the fiscal year 2000 enacted level. The net increase reflects a \$500,000 increase above the fiscal year 2000 level for Alaska subsistence and an increase of \$176,000 above the fiscal year 2000 enacted level for the Kawerak Reindeer Herders Association to be used for its processing center, a one time increase for this purpose. Both the Alaska subsistence increase and the increase for Kawerak are within resource management.

Additionally, the Committee's recommendation for other recurring programs focuses on the importance of increasing educational program funding for Indian students. As such, the Committee's recommendation also provides the following increases above the fiscal year 2000 enacted level: \$1,000,000 for the Indian School Equalization Program (ISEP) formula funds, \$1,000,000 for administrative cost grants, and \$1,000,000 for operating grants for tribally controlled community colleges.

Finally, the Committee provides the same level of funding as the fiscal year 2000 enacted level for the Northwest Indian Fisheries Commission and tribes of Washington State for their efforts to implement the Timber-Fish-Wildlife, Forest and Fish Report. The Committee expects the Commission and the tribes to use these funds as part of the implementation process envisioned in the Forest and Fish Report that may lead to eventual development and adoption of a Habitat Conservation Plan. The Committee would like to receive a report from the Northwest Indian Fisheries Commission by September 1, 2001, on the work the tribes have done to date, progress being made on key issues, as well as a statement of any additional work necessary to implement the plan.

Non-recurring programs.—The Committee recommends \$68,551,000 for non-recurring programs, a \$4,320,000 increase above the fiscal year 2000 enacted level. Within the amount provided, there are two decreases compared to the fiscal year 2000 enacted level, \$589,000 for the Gila River Farms Program and \$100,000 for the Lake Roosevelt Council. Within the Committee's recommendation are increases above the fiscal year 2000 enacted level within the resource management forestry account; \$200,000 to accelerate the completion of the Uintah and Ouray Indian Reservation's forest inventory and analysis and \$100,000 for Alaska Village Initiatives for a compressed air foam firefighting demonstration project for roadless Alaska Native villages without access to adequate firefighting equipment to protect homes and public facilities. The Committee has also provided \$2,000,000 in community development for a distance learning, telemedicine, and fiber optic pilot system for the Crow, Fort Peck and Northern Cheyenne Reservations. Finally, in support of Congress' interest in improving Indian trust services, the Committee recommends providing the following increases above the fiscal year 2000 enacted level: \$146,000 for the Alaska Legal Services program, which restores the \$100,000 reduction in fiscal year 2000 and provides a \$46,000 increase over the

fiscal year 1999 funding level, and \$2,000,000 for real estate services.

Central Office Operations.—The Committee recommends \$57,864,000 for central office operations, a \$5,227,000 increase above the fiscal year 2000 enacted level. The recommendation includes an increase of \$500,000 above the fiscal year 2000 enacted level for the Office of Trust Responsibilities. This increase is provided to ensure that the Bureau's headquarters has enough resources to provide adequate oversight of all trust service activities. Also within the Committee's recommendation, there is a \$4,000,000 increase above the fiscal year 2000 enacted level for the implementation of the recommendations set forth in the 1999 National Academy of Public Administration (NAPA) report. The Committee looks forward to seeing positive management changes within the Bureau and directs the Bureau to provide the Committee with periodic updates as the Bureau continues to implement the NAPA recommendations.

Regional Office Operations.—The Committee recommends \$46,094,000 for regional office operations, a \$3,853,000 increase above the fiscal year 2000 enacted level. The increase provides additional resources for the regional offices to focus on trust reform. Within the recommendation are the following increases above the fiscal year 2000 enacted level: \$500,000 for general trust services, \$1,000,000 for real estate services, \$1,000,000 for land titles and records offices, and \$500,000 for land record improvements.

Special programs and pooled overhead.—The Committee recommends \$253,594,000 for special programs and pooled overhead, a \$15,937,000 increase above the fiscal year 2000 enacted level. The recommendation includes a decrease of \$522,000 below the fiscal year 2000 enacted level for the National Ironworkers Training Program, an increase of \$750,000 for the Crownpoint Institute of Technology, and an increase of \$8,000,000 above the enacted level for the law enforcement initiative.

Congress has recognized the unique Federal law enforcement responsibilities in Indian country and, in turn, has provided significant increases in each of the last two fiscal years for law enforcement. The Committee recommends another major increase for fiscal year 2001. The Committee understands that the increase in funding will allow the Bureau to focus on increasing its law enforcement manpower, operations of detention facilities, and law enforcement equipment. Additionally, the Committee notes particular concern regarding the high incidence of youth violence and delinquency in Indian country and commends the Bureau for participating in such programs as Drug Abuse Resistance Education program (D.A.R.E.), Gang Resistance Education and Training (G.R.E.A.T.), and other crime prevention activities.

Within the amount provided for the Indian Arts and Crafts Board, \$290,000 is for enforcement and compliance mandated by the Indian Arts and Crafts Act (IACA) of 1990. The Board is directed to implement a trademark registration program as authorized by IACA and begin registering trademarks to assist individual Indian artisans and tribes in marketing their works as genuine Indian-produced.

Other.—The Committee continues to be concerned about reprogramming and transfer actions that would frustrate the Committee’s support for trust system improvements. Therefore, real estate services, real estate appraisal funds, and probate funds within Tribal Priority Allocations are not to be reprogrammed without Committee approval. Further, probate backlog reduction funds within Non-Recurring Programs and land records improvement funds within Regional Office Operations are not available for transfer into the base budget of any tribe.

The Committee commends the joint efforts of the Bureau and the Boys and Girls Clubs of America, which have resulted in providing positive youth related activities such as athletic activities and alcohol and substance abuse education. The Committee strongly encourages the Bureau to continue this relationship and to coordinate with the Department of Justice in an effort to increase the use of Boys and Girls Clubs by Indian and Native youths. As mentioned elsewhere in this report, the Committee is concerned about the increase of violent crime associated with young Indians and Natives. As such, the Committee is encouraged to see that there have been efforts to provide young Indians with positive alternative activities.

Language is included in the general provisions of title I of the bill regarding small tribes in Alaska.

CONSTRUCTION

Appropriations, 2000	\$197,404,000
Budget estimate, 2001	365,912,000
House allowance	184,404,000
Committee recommendation	341,004,000

The Committee recommends \$341,004,000 for construction which is \$143,600,000 above the fiscal year 2000 enacted level. The following table provides a comparison of the budget estimate with the Committee recommendation:

	Budget estimate	Committee recommendation	Change
Education	\$300,499,000	\$276,586,000	–\$23,913,000
Public safety and justice	5,541,000	5,541,000	.....
Resources management	50,645,000	50,645,000	.....
General administration	2,171,000	2,171,000	.....
Construction management	7,056,000	6,061,000	– 995,000
Total, construction	365,912,000	341,004,000	– 24,908,000

The Committee’s recommendation for education construction provides significant increases for school replacement and also generous increased funding for facilities improvement and repairs of schools. Also, within education construction there are increases for repairs of employee housing.

The amount provided within education construction includes \$121,149,000 for construction on the top six replacement schools on the Bureau’s priority list, which is \$58,290,000 above the fiscal year 2000 enacted level.

The Committee recognizes that many Bureau owned or operated schools are in deplorable condition. It is imperative that the Fed-

eral Government takes steps to ensure that these schools are either improved and repaired or, in some instances, replaced. In response, the Committee is committed to appropriating significant funds to achieve these goals. Additionally, the Committee is encouraged that the administration has finally responded to the Committee's concern for this issue by including six replacement schools within the Bureau's budget. The amount recommended by the Committee for school replacement will provide the Bureau with enough funds for construction needs for the top six replacement schools on the Bureau's priority list: Tuba City Boarding School, AZ, Second Mesa Day School, AZ, Zia Day School, NM, Baca Thoreau (Dlo'ay Azhi) Consolidated Community School, NM, Lummi Tribal School, WA, and Wingate Elementary School, NM. Several of these schools serve multiple tribes.

In the past, the Committee has mentioned that cost sharing could be a possible way to remove schools from the Bureau's replacement list at a faster pace, whereby willing tribes could match Federal appropriations with their own funds. According to the Bureau, of the schools on the Bureau's priority list, both the Conehatta Elementary School and the Santa Fe Indian School have committed to the cost sharing concept. The Committee continues to encourage the Bureau to consider cost sharing when approached by willing tribes. Nevertheless, the Committee has already recommended a significant increase for the replacement of schools during the next fiscal year, a level that fully meets the budget request for the top six schools on the Bureau's list. As such, the Committee is unable to recommend the appropriation of additional funds for fiscal year 2001 for the replacement of other schools that are not at the top of the Bureau's school replacement list.

Additionally, for facilities, improvement and repairs of Bureau owned or operated schools, the Committee recommends \$152,325,000, which is \$84,492,000 above the fiscal year 2000 level. This increase includes \$383,000 for fixed costs and \$84,109,000 for program use. Last year, the Committee expressed its dismay that the administration had actually requested a decrease in funding for school improvement and repair. Therefore, the Committee is encouraged that, in response to Congress' urging, the administration has finally requested a significant increase for school facilities, improvement and repair. There is currently a major backlog in education repair needs, totaling approximately \$802,000,000. By providing a large increase for facilities, improvement and repairs, the Committee expects the Bureau to focus on reducing this backlog. Since it is impossible for all schools to be replaced in a short amount of time, it is essential that funds are used to repair and maintain the schools in an effort to ensure safe and comfortable learning environment for the students.

Also within education construction, the Committee provides \$3,112,000 for repairs to employee housing which is \$605,000 above the enacted fiscal year 2000 level. This increase includes \$12,000 for fixed costs and \$593,000 for a program increase. The Committee recognizes that many Bureau employees work in extremely remote areas of our country and that it is often difficult for them to find housing. To accommodate this need, the government therefore leases quarters for a limited number of Bureau employees. Unfor-

unately, these quarters are in poor condition. Therefore, the Committee recommends an increase to improve the living space for these Bureau employees who have made a commitment to work in very remote areas of the country.

INDIAN LAND AND WATER CLAIMS SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

Appropriations, 2000	\$27,128,000
Budget estimate, 2001	34,026,000
House allowance	34,026,000
Committee recommendation	35,276,000

The Committee recommends \$35,276,000 for Indian land and water claims settlements and miscellaneous payments to Indians, which is \$8,148,000 above the fiscal year 2000 enacted level. Funding is provided as follows:

	<i>Committee recommendation</i>
White Earth Land Settlement Act	\$626,000
Hoopa-Yurok settlement fund	251,000
Pyramid Lake water rights settlement	230,000
Truckee River operating agreement	112,000
Ute Indian water rights settlement	24,883,000
Aleutian-Pribilof (repairs)	1,000,000
Weber Dam	174,000
Rocky Boy's water rights settlement	8,000,000
Total	35,276,000

Of the \$230,000 provided under the Pyramid Lake water rights settlement, \$200,000 is to be available for the Pyramid Lake Paiute tribe to develop a comprehensive economic development plan to fully utilize funds which will become available to the tribe upon completion and implementation of the Truckee River Operating Agreement.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

Appropriations, 2000	\$4,985,000
Budget estimate, 2001	6,008,000
House allowance	4,985,000
Committee recommendation	4,988,000

The Committee recommends an appropriation of \$4,988,000, which is \$3,000 above the fiscal year 2000 enacted level. This increase reflects fixed costs.

DEPARTMENTAL OFFICES

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

Appropriations, 2000	\$70,171,000
Budget estimate, 2001	73,891,000
House allowance	69,471,000
Committee recommendation	68,471,000

The Committee recommends an appropriation of \$68,471,000, which is \$1,700,000 below the fiscal year 2000 enacted level. The amounts recommended by the Committee compared to the budget estimate are shown in the following table:

The Committee recommends \$74,000,000 for the Energy Information Administration, a reduction of \$1,000,000 below the budget estimate and an increase of \$1,632,000 over the fiscal year 2000 enacted level. The amount provided is to maintain core EIA programs.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

Appropriations, 2000	\$2,074,173,000
Budget estimate, 2001	2,271,055,000
House allowance	2,106,178,000
Committee recommendation	2,184,421,000

The Committee recommends an appropriation of \$2,184,421,000 for Indian health services. This amount is \$110,248,000 above the fiscal year 2000 enacted level and \$86,634,000 below the budget estimate.

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

	Budget estimate	Committee recommendation	Change
Clinical services:			
IHS and tribal health delivery:			
Hospital and health clinics programs	\$1,084,190,000	\$1,064,519,000	– \$19,671,000
Dental health program	88,258,000	87,409,000	– 849,000
Mental health program	49,405,000	45,369,000	– 4,036,000
Alcohol and substance abuse program	99,636,000	97,646,000	– 1,990,000
Contract care	447,672,000	426,756,000	– 20,916,000
Subtotal, clinical services	1,769,161,000	1,721,699,000	– 47,462,000
Preventive health:			
Public health nursing	39,772,000	36,642,000	– 3,130,000
Health education	11,030,000	9,988,000	– 1,042,000
Community health representatives program	51,105,000	46,382,000	– 4,723,000
Immunization (Alaska)	1,457,000	1,431,000	– 26,000
Subtotal, preventive health	103,364,000	94,443,000	– 8,921,000
Urban health projects	30,834,000	27,837,000	– 2,997,000
Indian health professions	32,779,000	30,604,000	– 2,175,000
Tribal management	2,413,000	2,411,000	– 2,000
Direct operations	54,119,000	53,997,000	– 122,000
Self-governance	9,604,000	9,649,000	+ 45,000
Contract support costs	268,781,000	243,781,000	– 25,000
Medicare/Medicaid reimbursements: Hospital and clinic accreditation (est. collecting)	(404,590,000)	(404,590,000)	
Total, Indian Health Services	2,271,055,000	2,184,421,000	– 86,634,000

Hospitals and health clinics.—The Committee recommends \$1,064,519,000 for hospitals and health clinics services, an increase of \$59,107,000 above the fiscal year 2000 enacted level. Included in this additional amount is \$33,007,000 for necessary pay costs, \$8,100,000 for staffing of new facilities, and a program increase of \$18,000,000.

Within the \$18,000,000 program increase, \$5,000,000 is intended specifically for the Indian Health Care Improvement Fund. The Committee designates the remaining \$13,000,000 to be directed to the Service's highest priority items. The Committee notes that there are numerous critical health needs, including additional Indian Catastrophic Health Emergency Fund dollars, more emergency medical services, further funding for tribal epidemiology centers and upgraded technological equipment, all of which should be addressed. The Committee directs the Service to determine which of the many urgent requirements outlined in the budget estimate it would propose to fund with this increase and submit it to the Committee for approval within 60 days of enactment of the bill.

Within the proposed fiscal year 2001 services appropriation, the Committee recommends an increase of \$227,750 above current year base funding for the Shoalwater Tribe's infant mortality prevention program, and up to \$500,000 for the Epidemiology Branch and AIDS program to ensure that measures are taken to provide disease surveillance for American Indians and Alaska Natives, particularly to monitor AIDS/HIV and other communicable and infectious diseases and to develop recommendations to protect the public health of Indian communities. The Committee expects that the amount of \$4,000,000 appropriated in fiscal year 2000 for the Alaska Federal Health Care Access Network to conduct a telemedicine project will be continued at the same level in fiscal year 2001.

Dental health.—The Committee recommends \$87,409,000 for dental health services. This amount is \$7,347,000 above the fiscal year 2000 enacted level. Increases include \$3,555,000 for pay costs, \$792,000 for staffing of new facilities, and \$3,000,000 for the provision of further dental services to tribes.

The Committee notes that the majority of Alaska Natives living in remote villages not connected by road do not have access to regular dental care and as a result suffer a high rate of dental problems, including loss of teeth. Within the increase provided for dental services, the Service should work with the Alaska Native Health Board to expand dental services to remote areas of Alaska to improve dental health and should coordinate with the State of Alaska on its sealant program to protect children's teeth from decay.

Mental health.—The Committee recommends \$45,369,000 for the mental health program, an increase of \$2,124,000 above the fiscal year 2000 enacted level. Additional amounts include \$1,740,000 for pay costs and \$384,000 for the staffing of new facilities.

Alcohol and substance abuse.—The Committee recommends \$97,646,000 for alcohol and substance abuse programs, an amount of \$822,000 above the fiscal year 2000 enacted level. The increase is designated for escalating pay costs.

Contract health services.—The Committee recommends \$426,756,000 for contract care, an amount of \$20,000,000 above the

fiscal year 2000 enacted level. The Committee understands that additional funding for contract care is one of the highest priorities for the Service and tribes. The Committee notes that within the contract health services activity, funds will be available to the Cowlitz Tribe for the provision of health care, if the tribe is recognized within the coming fiscal year.

Public health nursing.—The Committee recommends \$36,642,000 for public health nursing, an amount of \$2,190,000 above the fiscal year 2000 enacted level. Increases include \$1,547,000 for pay costs and \$643,000 for staffing of new facilities.

Health education.—The Committee recommends \$9,988,000 for health education programs, an amount of \$363,000 above the fiscal year 2000 enacted level. Increases include \$229,000 for pay costs and \$134,000 for staffing of new facilities.

Community health representatives.—The Committee recommends \$46,382,000 for community health representatives, an amount of \$2,000 above the fiscal year 2000 enacted level. The increase is provided to help meet escalating pay costs.

Alaska immunization.—The Committee recommends \$1,431,000 for the Alaska immunization program, an amount of \$29,000 above the fiscal year 2000 enacted level. Increases include \$27,000 for pay costs and \$2,000 for additional immunization work. The discrepancy between the budget estimate and the amount recommended by the Committee is due to the error in calculating pay costs that is referred to toward the end of this section.

Urban health.—The Committee recommends \$27,837,000 for urban health programs, an amount of \$24,000 above the fiscal year 2000 enacted level. The increase is provided for escalating pay costs.

Indian health professions.—The Committee recommends \$30,604,000 for Indian health professions activities, an amount of \$113,000 above the fiscal year 2000 enacted level. The increase is provided to help meet escalating pay costs. Within available funds, the Committee expects IHS to continue support for the University of Montana InPsych program at a level of \$250,000.

Tribal management.—The Committee recommends \$2,411,000 for tribal management, which is the same amount as the fiscal year 2000 enacted level and meets the budget request.

Direct operations.—The Committee recommends \$53,997,000 for direct operations, an amount of \$3,009,000 above the fiscal year 2000 enacted level. The increase is intended to meet escalating pay costs.

Self-governance.—The Committee recommends \$9,649,000 for self-governance activities, an amount of \$118,000 above the fiscal year 2000 enacted level. The increase is intended to meet escalating pay costs.

Contract support costs.—The Committee recommends \$243,781,000 for contract support costs, an increase of \$15,000,000 above the fiscal year 2000 enacted level. Of this amount, \$10,000,000 will be available first for new and expanded contracts and compacts, and \$5,000,000 is designated for the operation of existing programs. To the extent that the full \$10,000,000 is not needed to meet the costs of new and expanded contracts, it should

be distributed among existing contracts and compacts according to IHS policy.

Staffing for new facilities.—Increases allocated for the staffing of new facilities within the above activities are distributed as follows: \$8,100,000 within the hospitals and clinics activity, of which \$3,959,000 is for the Talihina, OK Hospital and \$4,141,000 is for the Hopi Health Center; \$792,000 within dental services, of which \$387,000 is for the Talihina, OK Hospital and \$405,000 is for the Hopi Health Center; \$384,000 within the mental health activity, of which \$226,000 is for the Talihina, OK Hospital and \$158,000 is for the Hopi Health Center; \$643,000 within the public health nursing activity, of which \$495,000 is for the Talihina, OK Hospital and \$148,000 is for the Hopi Health Center; and \$134,000 within the health education activity, of which \$66,000 is for the Talihina, OK Hospital and \$68,000 is for the Hopi Health Center.

Bill language.—The Committee has included two provisions that are intended to ensure that dollars appropriated to the Service are used most efficiently and effectively. The first provision prevents IHS appropriations from being used to pay for contract health services in excess of the established Medicare and Medicaid rate for similar services. Implementation of this provision should increase the Service's buying power by approximately 30 percent. The second provision gives tribes access to prime vendor rates for the costs of pharmaceutical products on the same basis and for the same purposes as the Indian Health Service may access these same products. Again, the intent of the provision is to maximize the buying power of funds appropriated to the IHS.

Pay cost increases.—The disparity between the amount appropriated for pay cost increases and the amount requested in the budget estimate is the result of a calculation error on the part of the Service. The amount of \$44,193,000 recommended by the Committee is the correct amount as recalculated by the Service for the direct and tribal pay cost increases originally included in the budget estimate in the amount of \$53,158,000.

Diabetes.—The Committee expects the Indian Health Service to continue the diabetes prevention and research activities centered at the National Diabetes Prevention Center in Gallup, New Mexico, and jointly funded with the Centers for Disease Control.

Obesity.—The Committee notes that obesity and related health disorders from heart disease to diabetes to colon cancer is a leading killer of Americans, and is a particular problem among Indian and Native populations. The Committee directs the Indian Health Service to work with the National Institutes of Health to develop a multi-disciplinary, long-range plan to address this public health problem. The plan, which would be submitted to the House and Senate Committees on Appropriations no later than March 1, 2001, should address nutrition and physical education for both children and adults to prevent obesity; treatment programs including medical and psychological support; and maintenance programs for those who successfully lose weight.

Other.—The Committee has heard from both the Ponca Tribe and the Confederated Salish and Kootenai Tribes of the Flathead Nation regarding perceived inequities in the allocation of funds within their IHS service areas. The Committee instructs the Service to in-

investigate these complaints and, to the extent possible within existing funds and overall priorities, rectify whatever problems might come to light as a result of these inquiries. The Service should report back to the Committee by March 1, 2001 regarding the outcome of its investigation into these matters.

The Committee notes that Alaska Natives living in Ketchikan and Saxman must travel by air or ferry to receive hospital services in Sitka. Ketchikan General Hospital is currently providing certain specialty care for Native patients in their community and has the capacity to provide hospital and other services locally. In administering funds for the Ketchikan Indian Corporation and the Native Village of Saxman, the Indian Health Service should negotiate with Ketchikan General Hospital to provide such hospital and specialized services locally. The Committee believes that section 351 of Public Law 105-277, the Omnibus Appropriations Act of 1999 provides the Service with the necessary authority to procure hospital services from Ketchikan General Hospital on behalf of KIC and Saxman and directs the Service to advise it immediately if additional authority is required.

INDIAN HEALTH FACILITIES

Appropriations, 2000	\$316,555,000
Budget estimate, 2001	349,374,000
House allowance	336,423,000
Committee recommendation	349,350,000

The Committee has provided an appropriation of \$349,350,000 for Indian health facilities. This amount is \$32,795,000 above the fiscal year 2000 enacted level and \$24,000 below the budget estimate. The amounts recommended by the Committee as compared to the budget estimate are shown in the following table:

	Budget estimate	Committee recommendation	Change
Maintenance and improvement	\$45,407,000	\$46,433,000	+ \$1,026,000
Sanitation facilities	96,651,000	93,992,000	- 2,659,000
Construction of facilities	65,237,000	70,969,000	+ 5,732,000
Facilities and environmental health support	129,850,000	125,727,000	- 4,123,000
Equipment	12,229,000	12,229,000	.....
Total, Indian health facilities	349,374,000	349,350,000	- 24,000

Maintenance and improvement.—The Committee recommends \$46,433,000 for maintenance and improvement work, an increase of \$3,000,000 above the fiscal year 2000 enacted level. Of the additional amount provided, \$2,000,000 will be used to help further reduce the extensive maintenance backlog faced by the Service. An additional amount of \$1,000,000 in matching funds is included within this activity for the NW Portland Area Indian Health Service Office to continue its AMEX project, which is designed to assist tribes in addressing their most critical maintenance and improvement work. The Committee understands that with this amount, three tribes that could not be reached with the initial Federal funding dedicated to the project can now be considered.

Sanitation facilities.—The Committee recommends \$93,992,000 for sanitation facilities, an increase of \$1,875,000 above the fiscal year 2000 enacted level. Of the additional amount provided, \$375,000 is for pay cost increases and \$1,500,000 is for additional program work.

Construction of facilities.—The Committee recommends \$70,969,000 for the construction of facilities, an increase of \$20,576,000 above the fiscal year 2000 enacted level. Funds are distributed as follows: \$40,115,000 for the Fort Defiance, AZ Hospital; \$12,286,000 for the Winnebago, NE Hospital; \$8,328,000 for the Parker, AZ Health Center; and \$240,000 for the Hopi Tribe to assist with the debt associated with the construction of staff quarters that is being funded by the tribe. In addition to the foregoing, \$5,000,000 is provided to begin construction of the Bethel, AK staff quarters, the first priority for funding on the staff quarters list. Language is included in the bill that will allow the Service to direct funds to the Yukon-Kuskokwim Corporation, which will oversee construction of the project.

Also included in the Committee recommendation is \$5,000,000 and accompanying bill language that will allow the Service and tribes to initiate the Joint Venture construction program on a small scale. The Committee expects the Service to establish a new health care facilities construction priority methodology that encourages alternative financing and more partnerships with tribes to meet the wide variances in tribal needs and capabilities. The Committee is encouraged by the efforts of many tribes, led by the Oneida Tribe of Wisconsin, to secure non-Federal funding for their health care facility needs. Many of these tribes do not have existing Federal health care facilities and are unable to get on the existing IHS construction priority list. The Joint Venture project funding authority provides a basis for these tribes to provide an appropriate health care facility in exchange for future equipment and staffing funds. The Committee wants to demonstrate that Joint Venture projects are cost-effective and can be started and completed quickly. Therefore, a strong emphasis has been placed on projects already planned, which have high relative health care facility needs, and are ready to go to design and construction.

With regard to construction of the Fort Defiance, AZ Hospital project, the Committee is concerned that the Service may not be able to complete its construction and equipment needs within the amounts currently designated for the project. The Committee directs the Service to provide it with a brief report by December 1, 2000, that will include the most current construction project cost estimate, with appropriate adjustments for inflation and phased funding. The Committee notes, however, that this report should not be the vehicle for any major program redesign or expansion of the project. Of the \$40,115,000 appropriated for work in fiscal year 2001, up to \$6,000,000 may be used for the design and construction of the infrastructure and some of the quarters.

Facilities and environmental health support.—The Committee recommends \$125,727,000 for facilities and environmental health support, an increase of \$9,445,000 above the fiscal year 2000 enacted level. Additional amounts provided include \$5,780,000 for pay cost increases, \$1,665,000 for staffing of new facilities, and

\$2,000,000 for injury prevention work. Within the amount provided for staffing of new facilities, \$904,000 is designated for the Hopi Health Center and \$761,000 is designated for the Talihina, OK Hospital.

Equipment.—The Committee recommends \$12,229,000 for equipment. This amount is \$2,101,000 below the fiscal year 2000 enacted level and meets the budget request. The reduction has been taken because of one-time expenditures related to Y2K work.

OTHER RELATED AGENCIES

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

Appropriations, 2000	\$8,000,000
Budget estimate, 2001	15,000,000
House allowance	8,000,000
Committee recommendation	15,000,000

The Committee recommends an appropriation of \$15,000,000, which is \$7,000,000 above the fiscal year 2000 level and is the same as the budget estimate. Congress significantly decreased funding in fiscal year 2000 because the Office of Navajo and Hopi Relocation expected to have a very large carryover of unobligated balances. Subsequently, the Office has informed the Committee that during fiscal year 2000, the Office significantly reduced its carryover and therefore needs an increase above the fiscal year 2000 level to continue moving families at the same rate it did in fiscal year 2000.

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

PAYMENTS TO THE INSTITUTE

Appropriations, 2000	\$2,125,000
Budget estimate, 2001	4,250,000
House allowance	
Committee recommendation	4,125,000

The Committee recommends an appropriation of \$4,125,000, which is \$2,000,000 above the fiscal year 2000 enacted level and \$125,000 below the budget estimate.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

Appropriations, 2000	\$371,230,000
Budget estimate, 2001	396,800,000
House allowance	375,230,000
Committee recommendation	387,755,000

The Committee recommends an appropriation of \$387,755,000 for salaries and expenses of the Smithsonian Institution. This amount is \$16,525,000 above the fiscal year 2000 enacted level and \$9,045,000 below the budget estimate.

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

2000 enacted level. The amount provided includes increases of \$1,510,000 for fixed costs and \$250,000 for investigations.

OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN INDIANS
FEDERAL TRUST PROGRAMS

Appropriations, 2000	\$90,025,000
Budget estimate, 2001	82,628,000
House allowance	82,428,000
Committee recommendation	82,628,000

The Committee recommends an appropriation of \$82,628,000 for the Office of the Special Trustee for American Indians, which is the same level as the budget estimate and a decrease of \$7,397,000 below the fiscal year 2000 enacted level. The Committee continues to recognize the dire need for the Federal Government to improve Indian trust management. The Committee fully supports the efforts of both the Office of Special Trustee and the Bureau of Indian Affairs to focus on trust reform. In addition to increases provided within the Bureau of Indian Affairs' budget, the Committee reflects its support for trust reform within the Office of Special Trustee's budget.

INDIAN LAND CONSOLIDATION PROJECT

Appropriations, 2000	\$5,000,000
Budget estimate, 2001	12,501,000
House allowance	5,000,000
Committee recommendation	10,000,000

The Committee recommends \$10,000,000 for Indian land consolidation, which is a \$5,000,000 increase above the fiscal year 2000 enacted level and is \$2,501,000 below the budget estimate. The Committee recognizes that fractionated ownership of Indian allotted lands has become an ever expanding problem. When these lands are fractionated into smaller pieces, the Federal Government's administration and management costs increase. Additionally, multiple ownership leads to inefficiencies and ultimately reduce the economic value of the Indian owned land. Therefore, the increase provided for the land consolidation project will lead to a savings for both the Federal Government and the land owners in the future.

NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

Appropriations, 2000	\$5,374,000
Budget estimate, 2001	5,403,000
House allowance	5,374,000
Committee recommendation	5,403,000

The Committee recommends \$5,403,000 for natural resource damage assessments, the same as the budget request and an increase of \$29,000 above the fiscal year 2000 enacted level. The increase provided is for fixed costs.

GENERAL PROVISIONS

DEPARTMENT OF THE INTERIOR

The Committee has included in "General Provisions, Department of the Interior" various legislative provisions affecting the Department of the Interior. Several of these provisions have been carried in previous years and others are proposed new this year. The provisions are:

SEC. 101. Provides Secretarial authority to transfer program funds for expenditures in cases of emergency when all other emergency funds are exhausted.

SEC. 102. Provides for expenditure or transfer of funds by the Secretary in the event of actual or potential emergencies including forest fires, range fires, earthquakes, floods, volcanic eruptions, storms, oilspills, grasshopper and Mormon cricket outbreaks, and surface mine reclamation emergencies.

SEC. 103. Provides for use of appropriated funds for operation of garages, shops, warehouses, and similar facilities.

SEC. 104. Provides for use of appropriated funds for contracts, rental cars and aircraft, certain library memberships, and certain telephone expenses.

SEC. 105. Provides for use of appropriated funds to purchase uniforms or to provide a uniform allowance.

SEC. 106. Provides that contracts issued for services and rentals with appropriated funds be in effect for a period not to exceed 12 months.

SECS. 107-110. Prohibits the use of funds provided in the act for certain offshore leasing and related activities pursuant to the revised 5-year plan for Outer Continental Shelf oil and gas leasing.

SEC. 111. Provides that advance payments under the Indian Self-Determination and Education Assistance Act may be (1) invested only in obligations of the United States, or in obligations or securities that are guaranteed or insured by the United States, or mutual (or other) funds registered with the Securities and Exchange Commission and which only invest in obligations of the United States or securities that are guaranteed or insured by the United States; or (2) deposited only into accounts that are insured by an agency or instrumentality of the United States, or are fully collateralized to ensure protection of the funds, even in the event of a bank failure.

SEC. 112. Prohibits the National Park Service from implementing a reduced entrance fee program to accommodate non-local travel through a unit, but allows the Secretary to provide for local non-recreational passage through individual park units.

SEC. 113. Makes permanent the retention and use of refunds and rebates from a credit card services provider under the Department of Interior's charge card programs to fund management initiatives of general benefit to the Department of the Interior.

SEC. 114. Provides for the transfer of unobligated balances from the Bureau of Indian Affairs or the Office of the Special Trustee for American Indians for expenditure or transfer for Indian trust management activities.

SEC. 115. Provides the Secretary of the Interior with the authority to negotiate and enter into agreements and leases for all or part

of the property within Fort Baker as part of Golden Gate National Recreation Area, allows for retention of proceeds from these agreements and leases.

SEC. 116. Provides for the renewal of grazing permits and leases that will expire on the same terms and conditions as contained in the expiring permits or until the Bureau of Land Management processes the permits. Inability on the part of the Federal Government to accomplish permit renewal procedural requirements should not prevent or interrupt ongoing grazing activities on public lands. This language is not intended to change any existing laws and the Committee supports the timely analysis of grazing activities using sound proven science.

SEC. 117. Allows the hiring of administrative law judges to address the Indian probate backlog.

SEC. 118. Prohibits distribution of Tribal Priority Allocation funds to tribes in the State of Alaska with memberships of less than 25 individuals, and provides for the redistribution of funds that would have been provided to such tribes.

SEC. 119. Prohibits the use of funds to establish a national wildlife refuge in the Kankakee River basin unless it is consistent with the United States Army Corps of Engineers' efforts to control flooding and siltation in that area. House and Senate Committees on Appropriations are to be provided written certification of consistency prior to refuge establishment.

SEC. 120. Provides for the protection of lands of the Huron Cemetery for religious and cultural uses and as a burial ground.

SEC. 121. Prohibits the use of funds to transfer land into trust status for the Shoalwater Bay Indian Tribe in Clark County, Washington, until the tribe and the county reach a legally enforceable agreement addressing the impact of new development. The Committee is concerned about the pending application submitted by the Shoalwater Bay Indian Tribe to place 170 acres near Ridgefield, Washington, into trust. This land, in Clark County, Washington, lies 114 miles from the tribe's coastal reservation. The Shoalwater Bay Tribe has proposed various uses for the property, ranging from building a 1,580 unit housing development to light industry. Unfortunately, no plans have been made available either to Clark County or the City of Ridgefield, and thus, the impact of any future developments on the property are unclear. The proposed development would occur in an area outside the county's urban growth boundary, and is zoned as 10 and 20 acre parcels. Either proposed development would violate State law and county code. Trust status would exempt the tribe from the same taxes, land-use regulations, and zoning laws that apply to every other landowner in Clark County. The Committee believes the property should not, during fiscal year 2001 and while negotiations are underway, be put into trust status and removed from county control unless and until the tribe and the county reach a legally enforceable agreement that addresses the financial impact of new development on the county, school district, fire district, and other local governments and the impact on zoning and development.

SEC. 122. Prohibits the use of funds provided in this Act to implement two provisions in Secretarial Order 3206, issued in June 1997. The first would give preferential treatment to Indian activi-

ties at the expense of non-Indian activities in determining conservation restrictions to species listed under the Endangered Species Act. The second would give preferential treatment to tribal lands at the expense of other privately owned lands in designating critical habitat under the Endangered Species Act. The Committee continues to be concerned by the actions of the Administration regarding the implementation of the Endangered Species Act on Indian tribal lands and tribal activities. The Secretarial Order, although it has no force of law, purports to change the administration of the ESA in ways that are inconsistent with the law. Nothing in the ESA as currently enacted supports the preferential treatment contained in these provisions.

SEC. 123. Continues a provision prohibiting the Department of the Interior from studying or implementing any plan to drain Lake Powell or reduce water levels below levels required for the operation of Glen Canyon Dam.

SEC. 124. Continues a provision requiring the allocation of Bureau of Indian Affairs postsecondary schools funds consistent with unmet needs.

SEC. 125. Provides for the continuation of efforts to eliminate Caspian Tern nesting at Rice Island in the Columbia River Estuary. This issue is further addressed in the Fish and Wildlife Service section of the report.

SEC. 126. Continues a provision that land and other reimbursement the Secretary may receive in the conveyance of the Twin Cities Research Center may be used for the benefit of the National Wildlife Refuge System in Minnesota and for activities authorized by Public Law 104-134.

SEC. 127. Amends a provision in the Fiscal Year 1994 Interior and Related Agencies Appropriations Act. As amended, the provision will protect the historic rights associated with a pre-ANILCA entry permit by allowing a reorganized company to continue providing visitor services.

SEC. 128. Designates Anchorage, AK as a port of entry for purposes of the Endangered Species Act.

SEC. 129. Makes minor boundary adjustment to Sitka National Historic Park.

TITLE III—GENERAL PROVISIONS

The Committee has recommended inclusion of several general provisions in the bill including the following:

SEC. 301. Provides that contracts which provide consulting services be a matter of public record and available for public review, except where otherwise provided by law.

SEC. 302. Provides a restriction on noncompetitive bidding in the Shawnee National Forest, IL.

SEC. 303. Provides that appropriations available in the bill shall not be used to produce literature or otherwise promote public support of a legislative proposal on which legislative action is not complete.

SEC. 304. Provides that appropriations made available in this bill will not remain available beyond the current fiscal year unless otherwise provided.

SEC. 305. Provides that appropriations made available in this bill cannot be used to provide a cook, chauffeur, or other personal servants.

SEC. 306. Provides for restrictions on departmental assessments unless approved by the Committees on Appropriations.

SEC. 307. Limits the actions of the Forest Service and the Bureau of Land Management with regard to the sale of giant sequoia trees to a manner consistent with such sales as were conducted in fiscal year 2000.

SEC. 308. Prohibits the National Park Service from implementing a concession contract which permits or requires the removal of the underground lunchroom at Carlsbad Caverns National Park.

SEC. 309. Restricts the use of any funds in the bill for the AmeriCorps program unless the reprogramming guidelines are followed and the program is funded in the VA–HUD appropriations act.

SEC. 310. Prohibits the use of funds appropriated in the bill to demolish the bridge between Jersey City, NJ, and Ellis Island or to prevent the pedestrian use of such bridge when it is made known that such use is consistent with generally accepted safety standards.

SEC. 311. Retains mining patent moratorium carried in previous years.

SEC. 312. Provides that funds appropriated to the Bureau of Indian Affairs and the Indian Health Service for contract support costs for fiscal years 1994 through 2001 are the total amounts available except that, for the Bureau of Indian Affairs, tribes and tribal organizations may use their tribal priority allocations for unmet indirect costs of ongoing contracts, grants, self-governance compacts, or annual funding agreements.

SEC. 313. Includes language allowing competition for watershed restoration projects through the “Jobs in the Woods” component of

the President's forest plan for the Pacific Northwest or for the "Jobs in the Woods" program for Alaska to be limited to individuals and entities in historically timber-dependent areas covered by the plan.

SEC. 314. Includes language requiring prior approval by the Appropriations Committees before commencing planning, design, or construction of any project funded with recreational fee demonstration moneys when the estimated total project cost is greater than \$500,000.

SEC. 315. Provides that all interests created under leases, contracts, permits, and other agreements associated with the Presidio Trust are exempt from taxes and assessments by the State of California and its political subdivisions.

SEC. 316. Prohibits the use of funds for posting clothing optional signs at Cape Canaveral NS, FL.

SEC. 317. Includes language defining the grantmaking capabilities and responsibilities of the National Endowment of the Arts. Grants to individuals may be made only for literature fellowships, national heritage fellowships, or American jazz masters fellowships. The Chairperson of the Endowment will establish procedures to ensure that grants made, except those to a State or local arts agency, will not be used to make a further grant to any other organization or individual to conduct activity independent of the direct grant recipient. Grants for seasonal support may not be awarded unless the application is specific to the contents of the season.

SEC. 318. Includes language allowing the National Endowment for the Arts and the National Endowment for the Humanities to raise funds and receive gifts, to deposit such in an interest-bearing account for the appropriate Endowment, and to use such to further the functions of the respective Endowments in accordance with the specified intent of the donors.

SEC. 319. Provides language for awarding financial assistance to underserved populations under the National Foundation on the Arts and the Humanities Act of 1965. With funds appropriated to carry out section 5 of the act, the chairman will establish a category of national significance grants. With the exception of this grant category, the chairman will not make grants exceeding 15 percent, in the aggregate, of such funds to any single State.

SEC. 320. Prohibits the use of appropriations for any activities associated with the revision of national forest land management plans until such time that the Administration publishes new final rules in the Federal Register.

SEC. 321. Prohibits the use of appropriations to fund any activities associated with the issuance of the 5-year program under the Forest and Rangeland Renewable Resources Planning Act. Strategic planning activities carried out for that act should now be completed as part of the agency's compliance with the Government Performance and Results Act, Public Law 103-62.

SEC. 322. Prohibits the use of funds to support Government-wide administrative functions unless they are justified in the budget process and approved by the House and Senate Appropriations Committees.

SEC. 323. Prohibits the use of funds for GSA Telecommunications Centers or the President's Council on Sustainable Development.

SEC. 324. Prohibits the use of funds to make improvements to Pennsylvania Avenue in front of the White House without Committee approval.

SEC. 325. Provides additional authority to use the roads and trails funds for priority forest health related management. The Committee recognizes that there is a serious backlog in important road, trail and bridge work throughout the national forest system just as there is a serious backlog in needed management related to forest health.

SEC. 326. Prohibits the use of funds to support the Council on Environmental Quality or other Executive Office of the President functions for purposes related to the American Heritage Rivers Program. This provision does not prohibit agencies funded in this bill from conducting their own activities related to the American Heritage Rivers program with funds provided herein.

SEC. 327. Limits the use of funds that may be used to operate telephone answering machines during core business hours unless an option is provided that enables callers to reach promptly an individual on-duty at that agency.

SEC. 328. Addresses timber sales involving Alaska western red cedar. This provision is the same as section 333 of the Fiscal Year 2000 Interior Appropriations Act, which deals with export of certain western red cedar timber from Alaska. Mills which process western red cedar in the Pacific Northwest have an insufficient supply of western red cedar, and the national forest in southeast Alaska sometimes has a surplus. This provision continues a program by which Alaska's surplus western red cedar is made available preferentially to U.S. domestic mills outside Alaska, prior to export abroad.

SEC. 329. Prohibits the use of funds to propose or issue rules, regulations, decrees, or orders to implement the Kyoto Protocol prior to Senate confirmation.

SEC. 330. Provides that the Forest Service in consultation with the Department of Labor shall modify concessions contracts so that they fall within the exemption from the Service Contract Act. Concessions contracts which cannot be so modified may be offered as a service contract.

SEC. 331. Provides that the Forest Service may not inappropriately use the Recreation Fee Demonstration program to supplant existing recreation concessions on the national forests.

SEC. 332. Amends the National Energy Conservation Policy Act to raise the Congressional notification threshold for energy savings performance contracts from \$750,000 to \$10,000,000. The Committee believes this increase will help accelerate implementation of energy saving measures at Federal facilities while maintaining reasonable controls on liabilities. The Committee strongly encourages the Department to keep the appropriations and authorizing committees informed of contracting activities regardless of the statutory dollar threshold.

SEC. 333. Provides for the rescission of funds provided in Title V of the fiscal year 1998 appropriations Act for maintenance of the Beartooth Highway. Funds are provided for this purpose in the Forest Service section of this bill.

SEC. 334. Extends the Recreation Fee Demonstration Program for a period of one year beyond the current expiration. Fees may be collected until September 30, 2002, and remain available through September 30, 2005. While the Committee strongly supports the fee demonstration program, it recommends this limited extension with some reluctance so that participating agencies may make necessary management plans beyond the current expiration date. The Committee feels that the fee demonstration program ultimately will benefit from a formal authorization by the appropriate authorizing committees. To this end, the Committee strongly urges the Secretary of the Interior and the Secretary of Agriculture to submit a legislative proposal that would permanently authorize the program and address some of the concerns and criticisms that have been raised to date.

In the interim, the Committee directs the Secretaries to report to the committees on appropriations and the relevant authorizing committees on the results of the demonstration program. The report should address whether fees are an unreasonable barrier to public use, delineate and respond to various criticisms of the program that have come to the Secretaries' attention, evaluate the degree of success at the sites with demonstration programs, assess which types of uses are suited for fees and which are not, and describe how much was collected for each use at each site and how those funds have been used. The report should also address the criteria used to determine the success of programs at different sites; the degree to which standard guidance has been and should be provided to local managers; the merits of uniform nationwide fee structures; policies and guidelines for the distribution of collected funds and allowable uses therefor; concerns regarding multiple fees for recreation activities at neighboring parks, forests and refuges; and methods to ensure that facilities at fee collection sites are in suitable condition before fees are imposed. The Committee recommends that opportunities for comment by interested parties be provided prior to preparation of this report. The report should be delivered to the Committees on Appropriations and the relevant authorizing committees no later than September 1, 2001.

SEC. 335. Prohibits issuance of prospecting permits and the segregation and withdrawal of lands for mineral activities on the Mark Twain National Forest. This issue is further addressed in the Forest and Rangeland Research section of this report.

SEC. 336. Authorizes the Forest Service to expand the number of stewardship and end result contracts. Of the contracts authorized in Region 6, three shall be used for projects on the Okanogan, Wenatchee, and Colville National Forests.

SEC. 337. Addresses concerns that the authority granted by Congress to the Forest Service and the Bureau of Land Management to retain certain fees relating to the processing of special use permits and rights of way may provide an incentive for these agencies to assess the costs for doing work that benefits the public at large to individual permit applicants. This section specifies that such expenses should not be charged to individual applicants.

SEC. 338. Provides that residents living within the boundaries of the White Mountain National Forest are exempt from certain user fees.

SEC. 339. Prohibits fee increases for fiberoptic cable rights-of-way. The Committee feels such fee increases should not be implemented until such time as all affected stakeholders have been consulted and Congress has given the issue a full hearing.

SEC. 340. The Committee has included language in the bill authorizing the Secretary of Agriculture to limit competition for fire and fuel treatment and watershed restoration contracts in the Giant Sequoia National Monument and the Sequoia National Forest. The purpose of this language is to give priority consideration to dislocated workers in Tulare, Kern and Fresno counties. By providing this authority to the Secretary, the Committee in no way implies its approval or disapproval of the process by which the Monument was established, nor does the grant of this authority in any way address the legality of the President's use of his powers under the Antiquities Act in this instance.

SEC. 341. Provides for preparation of a regulatory flexibility analysis for the proposed White River National Forest plan revision.

SEC. 342. Prohibits the use of funds to finalize or implement the published roadless area conservation rule of the Forest Service in any inventoried roadless area in the White Mountain National Forest.

SEC. 343. Directs the Secretary of Energy to release, within 30 days after enactment of this Act, program funds in the amount of \$750,000 appropriated in fiscal year 1999. Such funds were to be used by the Southern Research Institute for the purpose of conducting PM 2.5 monitoring and research in fine particulate control/air toxics.

SEC. 344. Provides additional funds for Tribally Controlled Community Colleges, offset by reductions in travel funds.

BUDGETARY IMPACT OF BILL

PREPARED IN CONSULTATION WITH THE CONGRESSIONAL BUDGET OFFICE PURSUANT TO SEC.
308(a), PUBLIC LAW 93-344, AS AMENDED

[In millions of dollars]

	Budget authority		Outlays	
	Committee allocation	Amount of bill	Committee allocation	Amount of bill
Comparison of amounts in the bill with Committee allocations to its subcommittees of amounts in the First Concurrent Resolution for 2001: Subcommittee on Interior and Related Agencies:				
General purpose, non-defense discretionary	15,474	15,474	15,511	¹ 15,509
Mandatory	59	57	70	69
Projection of outlays associated with the recommendation:				
2001 .....	.....	.....	.....	² 10,137
2002 .....	.....	.....	.....	3,905
2003 .....	.....	.....	.....	982
2004 .....	.....	.....	.....	412
2005 and future year .....	.....	.....	.....	99
Financial assistance to State and local governments for 2001	NA	1,159	NA	610

¹ Includes outlays from prior-year budget authority.

² Excludes outlays from prior-year budget authority.

NA: Not applicable.