

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES
 APPROPRIATIONS BILL, 2002

JUNE 19, 2001.—Committed to the Committee of the Whole House on the State of
 the Union and ordered to be printed

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

REPORT

together with

ADDITIONAL VIEWS

[To accompany H.R. 2217]

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, 2002. The bill provides regular annual appropriations for the Department of the Interior (except the Bureau of Reclamation) and for other related agencies, including the Forest Service, the Department of Energy, the Indian Health Service, the Smithsonian Institution, and the National Foundation on the Arts and the Humanities.

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The Committee recommends \$203,554,000 for the Abandoned mine reclamation fund, an increase of \$1,562,000 above the 2001 funding level and \$36,771,000 above the request. The Committee recognizes the great amount of reclamation work that remains to be done and has maintained the funding increase for this program which was provided the past two years. The Committee does not have the resources this year to continue the special allocation provided in fiscal year 2001 for the anthracite region of Pennsylvania but the Committee does recognize how important, and large, the clean-up work is for this region. The Committee has continued the authority for the Appalachian Clean Streams Initiative at a total of \$10,000,000, returned the minimum State funding level to \$1,500,000 as it was prior to fiscal year 2001, and provided \$500,000 to continue the demonstration project in Pennsylvania dealing with resource recovery from acid mine drainage.

BUREAU OF INDIAN AFFAIRS

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 regional offices and 83 agency offices. In addition, the Bureau provides education programs to Native Americans through the operation of 115 day schools, 56 boarding schools, and 14 dormitories. Lastly, the Bureau administers more than 43 million acres of tribally owned land, and 11 million acres of individually owned land.

OPERATION OF INDIAN PROGRAMS

Appropriation enacted, 2001	\$1,738,575,000
Budget estimate, 2002	1,780,486,000
Recommended, 2002	1,790,781,000
Comparison:	
Appropriation, 2001	+52,206,000
Budget estimate, 2002	+10,295,000

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

	FY 2001 Enacted	Budget Request	(in thousands of dollars) Committee Bill	Change Enacted	from Request
Tribal Priority Allocations					
Tribal government.....	369,273	377,281	380,631	+11,358	+3,350
Human services.....	152,484	151,199	151,199	-1,285	---
Education.....	49,684	50,036	50,036	+352	---
Public safety and justice.....	1,361	1,417	1,417	+56	---
Community development.....	38,827	39,784	39,784	+957	---
Resources management.....	55,199	56,743	56,743	+1,544	---
Trust services.....	42,700	49,205	49,205	+6,505	---
General administration.....	23,497	24,815	24,815	+1,318	---
Subtotal, Tribal Priority Allocations.....	733,025	750,480	753,830	+20,805	+3,350
Other Recurring Programs					
Education					
School operations					
Forward-funded.....	422,125	436,427	436,427	+14,302	---
Other school operations.....	66,295	67,588	67,588	+1,295	---
Subtotal, School operations.....	488,418	504,015	504,015	+15,597	---
Continuing education.....	38,118	39,118	39,118	+1,000	---
Subtotal, Education.....	526,536	543,133	543,133	+16,597	---
Resources management.....	40,319	36,295	41,615	+1,296	+5,320
Subtotal, Other Recurring Programs.....	566,855	579,428	584,748	+17,893	+5,320
Non-Recurring Programs					
Tribal government.....	256	---	---	-256	---
Community development.....	1,297	---	75	-1,222	+75
Resources management.....	31,658	30,906	31,935	+277	+1,029
Trust services.....	36,785	36,866	36,866	+81	---
Yakima Nation Signal Peak road.....	1,197	---	---	-1,197	---
Subtotal, Non-Recurring Programs.....	71,193	67,772	68,876	-2,317	+1,104

Total, Tribal Budget System.....	1,371,073	1,397,680	1,407,454	+36,381	+9,774
BIA Operations					
Central Office Operations					
Tribal government.....	2,601	2,649	2,649	+48	---
Human services.....	1,296	909	909	-387	---
Community development.....	866	886	886	+20	---
Resources management.....	3,419	3,476	3,476	+57	---
Trust services.....	2,636	3,129	3,129	+493	---
General administration					
Education program management.....	2,387	2,435	2,435	+48	---
Other general administration.....	44,531	44,621	44,621	+90	---
Subtotal, General administration.....	46,918	47,056	47,056	+138	---
Subtotal, Central Office Operations.....	57,736	58,105	58,105	+369	---
Regional Office Operations					
Tribal government.....	1,362	1,324	1,324	-38	---
Human services.....	3,016	3,067	3,067	+51	---
Community development.....	821	847	847	+26	---
Resources management.....	3,300	4,365	4,365	+1,065	---
Trust services.....	22,134	23,669	23,669	+1,535	---
General administration.....	24,679	29,407	29,407	+4,728	---
Subtotal, Regional Office Operations.....	55,312	62,679	62,679	+7,367	---
Special Programs and Pooled Overhead					
Education.....	15,564	16,039	16,039	+475	---
Public safety and justice.....	152,652	160,652	160,652	+8,000	---
Community development.....	4,863	3,543	4,064	-799	+521
Resources management.....	1,311	1,311	1,311	---	---
General administration.....	80,064	80,477	80,477	+413	---
Subtotal, Special Programs and Pooled Overhead..	254,434	262,022	262,543	+8,089	+521

	(in thousands of dollars)			
	FY 2001 Enacted	Budget Request	Committee Bill	Change from Enacted Request
Total, BIA Operations.....	367,502	382,806	383,327	+15,825
Total, Operation of Indian Programs.....	1,738,575	1,780,486	1,790,781	+52,206
				+10,295

The Committee recommends \$1,790,781,000 for the operation of Indian programs, an increase of \$10,295,000 above the budget request and an increase of \$52,206,000 above the fiscal year 2001 level. The Committee agrees to all internal transfers by the BIA in the budget request. The Committee has provided increases above the enacted level to continue to fund the Administration's request to fix the long-standing problems associated with management of the Indian trust funds.

Tribal priority allocations.—The Committee recommends \$753,830,000 for tribal priority allocations, an increase of \$3,350,000 above the budget request and \$20,805,000 above the 2001 level, including increases above the 2001 level of \$1,376,000 resulting from internal transfers, \$8,611,000 for fixed costs, \$3,350,000 for self governance compacts fixed costs, \$3,000,000 for the ISD fund, \$11,000 for contract support, 1,500,000 for tribal courts, \$1,000,000 for real estate services, \$3,000,000 for real estate appraisals, and \$1,500,000 for probate backlog and a decrease of \$2,543,000 for welfare assistance.

Other recurring programs.—The Committee recommends \$584,748,000 for other recurring programs, an increase of \$5,320,000 above the budget request and \$17,893,000 above the 2001 level, including increases above the 2001 level of \$6,728,000 for fixed costs, \$9,129,000 for ISEP school operations program, \$1,000,000 for tribally controlled community colleges, \$400,000 for Columbia River fisheries management, \$285,000 for the Great Lakes Indian Fish and Wildlife Commission, and \$454,000 for the bison program, and a decrease of \$103,000 for internal transfers.

Non-recurring programs.—The Committee recommends \$68,876,000 for non-recurring programs, an increase of \$1,104,000 above the budget request and a decrease of \$2,317,000 below the 2001 level, including increases above the 2001 level of \$559,000 for fixed costs and \$75,000 for the Washington ferry assessment, and decreases of \$56,000 for internal transfers, \$256,000 for self governance grants, \$998,000 for the distance learning project, \$299,000 for tribal guiding light, \$146,000 for Alaska legal services, and \$1,196,000 for the Signal Peek road project.

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.

The Committee has provided \$75,000 for the Bureau to work cooperatively with the State of Washington, the Department of Transportation, and other stakeholders on an assessment of Northwest ferry operations and capital facility needs. Bureau funding is limited on this project at this time to cooperation on the assessment.

Central office operations.—The Committee recommends \$58,105,000 for central office operations, the same as the budget request and an increase of \$369,000 above the 2001 level, including increases above the 2001 level of \$590,000 for fixed costs, \$1,000,000 for ADP services, and \$2,000,000 for security investigations associated with trust fund reform, and decreases of \$3,221,000 for internal transfers.

Regional office operations.—The Committee recommends \$62,679,000 for regional office operations, the same as the budget request and an increase of \$7,367,000 above the 2001 level, includ-

ing increases above the 2001 level of \$1,524,000 for fixed costs and \$3,843,000 for internal transfers, \$1,000,000 for range management, and \$1,000,000 for land title and records.

Special programs and pooled overhead.—The Committee recommends \$262,543,000 for special programs and pooled overhead, an increase of \$521,000 above the budget request and an increase of \$8,089,000 above the 2001 level, including increases above the 2001 level of \$6,089,000 for fixed costs and \$5,000,000 for the law enforcement initiative, and decreases of \$897,000 for the Crownpoint Institute, \$1,000,000 for employee displacement costs, and \$1,103,000 for internal transfers.

No funds were requested in the fiscal year 2002 budget for the Crownpoint Institute of Technology. The Committee has deferred consideration of funding for the Institute at this time, pending clarification of the funding situation at Crownpoint, because of confusion about various funding sources for support of the Institute. The 2001 Appropriations Act required the Institute to supply to the Committee a report detailing total revenues and expenditures. At the time of Committee action on the 2002 bill, the required report had not been submitted. Pending submission of the required report, the Committee cannot approve further funds for the Institute.

The Committee encourages the Bureau to support efforts of New Mexico Native American Pueblos in the Rio Grand Valley to improve the habitat of their lands which in turn will improve the quality of water in the Rio Grand River. The Committee believes that the Bureau should be actively involved in providing technical assistance to the Pueblos as part of an overall effort by the Department to minimize the social and economic impacts of the endangered silvery minnow.

The Committee remains concerned that the Bureau has shown little progress in addressing the land issues of the Canoncito Band of Navajos. The Committee directs the Bureau to accelerate its efforts to open, at least, a part time lands office at Canoncito, New Mexico.

The Committee is aware of two innovative programs underway by the Tohono O'odham Nation in Arizona. The Nation has developed a Higher Education Services program to assist tribal members in identifying available funding sources for higher education, as well as preparatory course work. The Nation has also developed an employment assistance program to assist tribal members to find employment through direct employment assistance and vocational training. The Committee encourages the Bureau to favorably review these programs as it develops the 2003 budget.

CONSTRUCTION

Appropriation enacted, 2001	\$356,618,000
Budget estimate, 2002	357,132,000
Recommended, 2002	357,132,000
Comparison:	
Appropriation, 2001	+514,000
Budget estimate, 2002	0

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

	FY 2001 Enacted	(in thousands of dollars)			Change from Request
		Budget Request	Committee Bill	Enacted	
Education.....	292,341	292,503	292,503	+162	---
Public safety and justice.....	5,529	5,541	5,541	+12	---
Resources management.....	50,534	50,645	50,645	+111	---
General administration.....	2,166	2,179	2,179	+13	---
Construction management.....	6,048	6,264	6,264	+216	---
	=====	=====	=====	=====	=====
Total, Construction.....	356,618	357,132	357,132	+514	---
	=====	=====	=====	=====	=====

The Committee recommends \$357,132,000 for construction, the same as the budget request and \$514,000 above the fiscal year 2001 level.

Education.—The Committee recommends \$292,503,000 for education construction as requested and \$162,000 above the 2001 level. Funding is provided for six replacement schools: the Wingate Dorm, NM; the Polacca Day School, AZ; the Holbrook Dorm, AZ; the Sante Fe Indian School, NM; the Ojibwa Indian School, ND; and the Paschal Sherman Indian School, WA. Advance planning and design is funded at \$5,000,000, employee housing is funded at \$3,114,000, and facilities improvement and repair is funded at \$161,590,000.

The Committee has provided phase I funding for the Sante Fe Indian School. The Bureau is directed to provide phase II funding as part of its 2003 budget submission.

Public safety and justice.—The Committee recommends \$5,541,000 for public safety and justice, the same as the budget request and \$12,000 above the 2001 level.

Resources management.—The Committee recommends \$50,645,000 for resources management, the same as the budget request and \$111,000 above the 2001 level.

General administration and construction management.—The Committee recommends \$8,443,000 for general administration and construction management, the same as the budget request and \$229,000 above the 2001 level.

The Committee has included bill language allowing the Bureau to use funds from settlements arising from cost overruns at the Dunseith Day School on the Turtle Mountain Reservation to be used for other school construction needs.

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS
PAYMENTS TO INDIANS

Appropriation enacted, 2001	\$37,443,000
Budget estimate, 2002	60,949,000
Recommended, 2002	60,949,000
Comparison:	
Appropriation, 2001	+23,506,000
Budget estimate, 2002	0

The Committee recommends \$60,949,000 for Indian land and water claim settlements and miscellaneous payments to Indians, the same as the budget request and an increase of \$23,506,000 above the 2001 level. Funding includes \$625,000 for White Earth, \$250,000 for Hoopa-Yurok, \$24,728,000 for the Ute settlement, \$142,000 for Pyramid Lake, \$7,950,000 for Rocky Boys, \$6,254,000 for Michigan Great lakes fishing, \$5,000,000 for the Shiviwitz Band, \$2,000,000 for Santo Domingo Pueblo, \$8,000,000 for Colorado Ute, and \$6,000,000 for Torres Martinez.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

Appropriation enacted, 2001	\$4,977,000
Budget estimate, 2002	4,986,000
Recommended, 2002	4,986,000
Comparison:	
Appropriation, 2001	+9,000
Budget estimate, 2002	0

The Committee recommends \$4,986,000 for the Indian guaranteed loan program account as requested and an increase of \$9,000 above the 2001 level.

DEPARTMENTAL OFFICES

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

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 of Guam, American Samoa, U.S. Virgin Islands and the Commonwealth of the Northern Marianas Islands (CNMI) and also the three freely associated States: the Federated States of Micronesia (FSM), the Republic of the Marshall Islands (RMI) 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.

Appropriation enacted, 2001	\$75,366,000
Budget estimate, 2002	69,450,000
Recommended, 2002	72,289,000
Comparison:	
Appropriation, 2001	-3,077,000
Budget estimate, 2002	+2,839,000

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

	FY 2001 Enacted	(in thousands of dollars)			Change from Enacted	Request
		Budget Request	Committee Bill	Change from Enacted		
Territorial Assistance						
Office of Insular Affairs.....	4,385	4,528	4,528	+143	---	
Technical assistance.....	13,631	7,461	10,500	-3,331	+2,839	
Maintenance assistance fund.....	2,295	2,300	2,300	+5	---	
Brown tree snake.....	2,345	2,350	2,350	+5	---	
Insular management controls.....	1,488	1,491	1,491	+3	---	
Coral reef Initiative.....	1,499	500	500	+1	---	
Subtotal, Territorial Assistance.....	24,663	18,630	21,469	-3,174	+2,839	
American Samoa						
Operations grants.....	23,003	23,100	23,100	+97	---	
Northern Marianas						
Covenant grants.....	27,720	27,720	27,720	---	---	
Total, Assistance to Territories.....	75,366	69,450	72,289	-3,077	+2,839	

The Committee recommends \$72,289,000 for assistance to territories, \$3,077,000 below the fiscal year 2001 level and \$2,839,000 above the budget request.

Territorial Assistance.—The Committee recommends \$21,469,000, \$3,174,000 below the fiscal year 2001 level and \$2,839,000 above the budget request. The increase above the budget request includes \$800,000 for Guam compact impact payments, \$500,000 for CNMI compact impact payments, up to \$200,000 for a grant to the Virgin Islands Water and Power Authority Buy-out Committee to conduct a detailed study of the feasibility of altering the utility situation in the territory, and \$1,339,000 for the Virgin Islands emergency loan repayment.

The Committee has provided a special allocation of \$1,339,000 for the Virgin Islands in order to forgive previous emergency loans to the Territory that were used to recover from the economic impact from Hurricane Hugo. The Committee has also given the Secretary authority to use other Federal funds, previously appropriated to the Virgin Islands, but not yet expended, for emergency loan forgiveness, up to a total of \$3,500,000, if the \$1,339,000 allocation is not sufficient. Under the terms of the Federal Credit Reform Act of 1990, as amended, agency action to forgive a borrower's repayment obligations on a direct loan constitutes a modification of such direct loan and requires an appropriation to cover the cost of such modification. In fiscal year 2001, the Virgin Islands Community Disaster Loan No. 841, made following Hurricane Hugo in 1989, was modified when a portion of the accrued interest on the loan was forgiven. The net present value of the loan to the United States, thereafter, was reestimated as provided by OMB Circular No. A-11. Following reestimate, the net present value of this loan does not now exceed \$3,500,000, and will not exceed such amount when the funds provided herein are made available. Of the amounts made available for technical assistance, up to \$1,339,000 shall be transferred to the Federal Emergency Management Agency (FEMA) to cover the cost of FEMA's forgiveness of the entire amount of the repayment obligation and for the cancellation of the Virgin Islands Community Disaster Loan No. 841 (Hurricane Hugo). The Secretary shall also transfer additional funds appropriated to the Virgin Islands in 1992, up to \$2,161,000, to the FEMA for forgiveness of this loan if the \$1,339,000 is not sufficient to cover the reestimated value of the outstanding loan.

The Committee is encouraged by work to address the brown tree snake problem, and encourages the Department to work diligently with the Marine Resources Pacific Consortium, coordinated by the University of Guam, to enhance management and preservation of coral reefs among the Pacific Islands of the CNMI, Guam, American Samoa, the Federated States of Micronesia, the Republic of Palau, and the Republic of the Marshall Islands.

American Samoa.—The Committee recommends \$23,100,000 as requested, which is \$97,000 above the 2001 level for operations grants. The Committee is still very concerned about continuing fiscal problems in American Samoa. Last year the Committee encouraged the American Samoa government to take decisive action to control government spending and payroll costs and enhance revenues. The Committee expressed an expectation that American Samoa would develop a new financial recovery plan and complete

an MOU with the Secretary of the Interior that clearly stipulates fiscal and operational reforms and cost reductions with clear benchmarks. The Committee stated that if this was not done by the time the Committee considered the fiscal year 2002 budget, it would seriously consider reducing the American Samoa government operations appropriation. The Committee is very disappointed that the financial recovery plan and MOU were not completed by the imposed deadline. The Department is directed to withhold \$1,000,000 in first quarter funding from the American Samoa operations grant. This money may not be disbursed to American Samoa until a satisfactory plan and MOU have been approved by the Department and transmitted to the Committee. The MOU must include specific benchmarks with scheduled reports and an implementation schedule which begins no later than the first quarter of fiscal year 2002. The Department is further directed to withhold additional funds each quarter, as the Secretary determines appropriate, until scheduled benchmarks are met; unless the Secretary sends the Committee a letter which clearly explains the justifiable reason for failure to meet any scheduled benchmark. The American Samoa Government is reminded that authorizing legislation for the Federal loan backed by the tobacco settlement requires a balanced budget by fiscal year 2003.

The Committee has included bill language which directs the Secretary to increase compensation of the High Court Justices because their compensation may no longer be competitive with others in the Federal system. To address this situation, the Committee is directing the Secretary to use up to \$20,000 of the American Samoa funding increase to raise the judge's compensation to the maximum amount allowed by regulation.

Northern Mariana Islands/Covenant grants.—The Committee recommends \$27,720,000 for CNMI covenant grants as requested, which is equal to the 2001 level. The Committee has accepted the Administration's requested funding distribution but, in order to maintain the compact impact payment to the CNMI at the fiscal year 2001 level of \$1,000,000, an additional \$500,000 is allocated for this purpose within the technical assistance activity. The Committee notes that local economic conditions in the CNMI have made it difficult for the CNMI government to match Federal CIP assistance with local funds. The Committee encourages the Interior Department to re-evaluate the local match requirement to ensure sufficient flexibility exists in order for the CNMI government to obtain needed Federal assistance.

Guam.—The Committee notes the \$4,580,000 payment to Guam using Covenant grant funds is to address the impact resulting from the implementation of the Compact of Free Association. Although the Committee does not have the resources to maintain the fiscal year 2001 compact impact payment, the Committee has added an additional \$800,000 above the budget request for this purpose within the technical assistance activity.

COMPACT OF FREE ASSOCIATION

Appropriation enacted, 2001	\$20,726,000
Budget estimate, 2002	23,245,000
Recommended, 2002	23,245,000
Comparison:	
Appropriation, 2001	+2,519,000
Budget estimate, 2002	0

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

	(in thousands of dollars)			
	FY 2001 Enacted	Budget Request	Committee Bill	Change from Enacted Request
Compact of Free Association - Federal services.....	7,338	7,354	7,354	+16
Mandatory payments - program grant assistance.....	12,000	14,500	14,500	+2,500
Enewetak support.....	1,388	1,391	1,391	+3
Total, Compact of Free Association.....	20,726	23,245	23,245	+2,519

The Committee recommends \$23,245,000 for the compact of free association as requested, \$2,519,000 above the 2001 level. The Committee notes the lack of progress of the Republic of the Marshall Islands at renegotiating terms of their compact with the United States. The Committee is encouraged by the active negotiations being conducted by the Federated States of Micronesia. The OIA and the State Department negotiators are encouraged to provide the Committee semi-annual updates on the status of Compact negotiations with the Federated States of Micronesia and the Republic of the Marshall Islands.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

Appropriation enacted, 2001	\$64,178,000
Budget estimate, 2002	64,177,000
Recommended, 2002	64,177,000
Comparison:	
Appropriation, 2001	- 1,000
Budget estimate, 2002	0

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

	FY 2001 Enacted	(in thousands of dollars)			
		Budget Request	Committee Bill	Change from Enacted	Request
Departmental direction.....	12,240	11,940	11,940	-300	---
Management and coordination.....	23,798	22,702	22,702	-1,096	---
Hearings and appeals.....	8,288	8,288	8,288	---	---
Central services.....	18,964	20,363	20,363	+1,399	---
Bureau of Mines workers compensation/unemployment.....	888	884	884	-4	---
Total, Departmental Management.....	64,178	64,177	64,177	-1	---

The Committee recommends \$64,177,000 for salaries and expenses, the same as the budget request and \$1,000 below the fiscal year 2001 level.

The Committee is aware that many public land management decisions impact the daily lives of citizens who live near these lands and the people whose livelihoods depend on the multiple use of our public lands. This human dimension of Federal government actions in many cases has been totally left out of the decision making process leading to a schism between Federal managers and local citizens. The Committee encourages the Secretary of Agriculture and the Secretary of the Interior to work with universities to develop a State by State multi-cultural awareness program that can become part of the respective Department's ongoing training programs. A pilot socio-economic based cultural training program in New Mexico, with its tri-cultural heritage, would prove a good testing ground for this effort.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

Appropriation enacted, 2001	\$40,108,000
Budget estimate, 2002	42,207,000
Recommended, 2002	45,000,000
Comparison:	
Appropriation, 2001	+4,892,000
Budget estimate, 2002	+2,793,000

The Committee recommends \$45,000,000, \$4,892,000 above the fiscal year 2001 level and \$2,593,000 above the budget request. The increase is to address the large workload increases for natural resource, endangered species, Indian programs, and other issues.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

Appropriation enacted, 2001	\$27,785,000
Budget estimate, 2002	30,490,000
Recommended, 2002	30,490,000
Comparison:	
Appropriation, 2001	+2,705,000
Budget estimate, 2002	0

The Committee recommends \$30,490,000 for salaries and expenses, an increase of \$2,705,000 above the below the fiscal year 2001 level and the same as the budget request.

OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS

FEDERAL TRUST PROGRAMS

Appropriation enacted, 2001	\$109,985,000
Budget estimate, 2002	\$99,224,000
Recommended, 2002	99,224,000
Comparison:	
Appropriation, 2001	-10,761,000
Budget estimate, 2002	0

The Committee recommends \$99,224,000 for the office of the special trustee for American Indians the same as the budget request and a decrease of \$10,761,000 below the 2001 level. The Committee

has provided \$2,496,000 for executive direction and \$96,728,000 for program operations, support, and improvements.

The Committee remains very concerned over the escalating costs associated with the Cobell v. Norton litigation. In the fiscal year 2001 Conference Report, the managers directed the Department to provide a comprehensive report to the Committee detailing the costs and benefits associated with the Department's proposed efforts to use a statistical sampling methodology for an historical Individual Indian Money Accounts (IIM) accounting. To date the Congress has appropriated over \$31,000,000 for litigation related activities of which approximately \$17,000,000 has been used to conduct an historical accounting of the five named plaintiffs and their antecedents.

The Court of Appeals recently upheld the lower Court ruling requiring an historical accounting. The Committee believes that this places additional pressure on the Government to begin some type of reconciliation process. The Committee has yet to receive the Department's report for a sampling approach, and has not included any additional funds for an historical accounting in fiscal year 2002. Before the Department agrees to any method for undertaking an historical IIM accounting, the Committee directs the Department to submit a comprehensive report to the Committee detailing the costs and benefits and likely results associated with any proposal.

The Congress has already provided approximately \$614,000,000 for trust reform efforts. This includes the development and implementation of the Trust Fund Accounting System and the development and partial deployment of the Trust Asset and Accounting Management System and associated efforts in the area of data cleanup, records management, real estate services and a host of other reform projects that make up the High Level Implementation Plan. Beginning in fiscal year 1996, this Committee made a commitment to provide the support and resources necessary to ensure that the Department puts in place the hardware, software, people, and training to fix the broken trust systems.

However, the Committee has no interest in appropriating additional resources for litigation support when these resources come at the expense of on-the-ground Indian programs designed to promote the well being of the Indian and Alaska Native populations. Therefore, the Committee reiterates its position that it will not appropriate hundreds of millions of dollars for an historical accounting that provides funds for a protracted reconciliation process whose outcome is unlikely to be successful. If the Department, working with the plaintiffs and the Court, cannot find a cost effective method for an historical accounting, the Congress may have to consider a legislative remedy to resolve this and other litigation related issues.

INDIAN LAND CONSOLIDATION

Appropriation enacted, 2001	\$8,980,000
Budget estimate, 2002	10,980,000
Recommended, 2002	10,980,000
Comparison:	
Appropriation, 2001	+2,000,000
Budget estimate, 2002	0

The Committee recommends \$10,980,000 for Indian land consolidation, the same as the budget request and \$2,000,000 above the 2001 enacted level.

NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

The purpose of the Natural Resource Damage Assessment Fund is to provide the basis for claims against responsible parties for the restoration of injured natural resources. Assessments ultimately will lead to the restoration of injured resources and reimbursement for reasonable assessment costs from responsible parties through negotiated settlements or other legal actions. Operating on a “polluter pays” principle, the program anticipates recovering over \$41 million in receipts in fiscal year 2002, with the vast majority to be used for the restoration of injured resources. The program works to restore sites ranging in size from small town landfills to the Exxon Valdez oil spill of 1989 in Alaska.

Prior to fiscal year 1999, this account was included under the United States Fish and Wildlife Service appropriation. The account was moved to the Departmental Offices appropriation because its functions relate to several different bureaus within the Department of the Interior.

Appropriation enacted, 2001	\$5,391,000
Budget estimate, 2002	5,497,000
Recommended, 2002	5,497,000
Comparison:	
Appropriation, 2001	+106,000
Budget estimate, 2002	0

The Committee recommends \$5,497,000 for the natural resource damage assessment fund, which is equal to the budget request and \$106,000 above the fiscal year 2001 level.

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. Sections 107 through 110 prohibit the expenditure of funds for Outer Continental Shelf (OCS) leasing activities in certain areas. These OCS provisions are addressed under the Minerals Management Service in this report. Section 111 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 112 prohibits the National Park Service from reducing recreation fees for non-local travel through any park unit.

Section 113 continues a provision permitting the transfer of funds between the Bureau of Indian Affairs and the Office of Special Trustee for American Indians for the Trust Management Improvement Project High Level Implementation Plan.

Section 114 requires the renewal of grazing permits and leases by the Bureau of Land Management until the Secretary completes processing of the permit or lease application.

Section 115 continues a provision allowing the hiring of administrative law judges to address the Indian probate backlog.

Section 116 permits the redistribution of tribal priority allocation and tribal base funds to alleviate funding inequities.

Section 117 continues a provision placing a limitation on establishment of a Kankakee National Wildlife Refuge in Indiana and Illinois that is inconsistent with the U.S. Army Corp of Engineers' efforts to control flooding and siltation in that area.

Section 118 continues a provision requiring the allocation of Bureau of Indian Affairs postsecondary schools funds consistent with unmet needs.

Section 119 limits the use of the Huron Cemetery in Kansas City to religious purposes.

Section 120 prohibits the use of funds for plans or studies associated with draining Lake Powell.

Section 121 continues a provision permitting the conveyance of the Twin Cities Research Center of the former Bureau of Mines for the benefit of the National Wildlife Refuge System.

Section 122 extends for one year a provision regarding the use of transportation fees under the National Parks Omnibus Management Act of 1998.

Section 123 continues a provision authorizing a cooperative agreement with the Golden Gate National Parks Association.

Section 124 continues a provision permitting the Bureau of Land Management to retain funds from the sale of seeds and seedlings.

Section 125 continues a provision permitting a tribal school construction demonstration program.

Section 126 continues a provision permitting the sale of improvements and equipment at the White River Oil Shale Mine in Utah and the retention and use of those funds by the Bureau of Land Management and the General Services Administration.

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 and Puerto Rico. 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 155 National forests, 20 National grasslands, 20 National recreation areas, a National tallgrass prairie, 5 National monuments, and 6 land utilization projects. The NFS is managed for multiple use, including timber production, recreation, wilderness, minerals, grazing, fish and wildlife habitat management, and soil and water conservation.

Last year the Congress fully funded the national fire plan submitted by the Secretaries of Agriculture and the Interior. This effort provides critically needed resources to manage the impacts of

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

Appropriation enacted, 2001	\$75,509,000
Budget estimate, 2002	75,499,000
Recommended, 2002	78,499,000
Comparison:	
Appropriation, 2001	+2,990,000
Budget estimate, 2002	+3,000,000

The Committee recommends \$78,499,000 for the Energy Information Administration, an increase of \$3,000,000 above the budget request and \$2,990,000 above the fiscal year 2001 level. The increase is for the fixed costs at EIA and is necessary to ensure that essential energy data and analysis programs are not reduced.

The Committee agrees to the following:

1. The EIA should continue the State Energy Price and Expenditure Report and the State Data Report.
2. EIA should continue its international analysis capability enhancement efforts; and should incorporate as appropriate, the results of its interruptible natural gas study into its data and analysis efforts.
3. The Changing Structure of the Electric Power Industry report should be continued annually.
4. EIA should also continue, on schedule, its information processing technology improvements.

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 1830s by the U.S. Supreme Court under Chief Justice John Marshall. Numerous treaties, statutes, constitutional provisions, and international law have reconfirmed this relationship. 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 36 hospitals, 58 health centers, 4 school health centers, and 44 health stations. Tribes and tribal groups, through contracts with the IHS, operate 13 hospitals, 161 health centers, 3 school health centers, and 249 health stations (including 170 Alaska village clinics). The IHS, tribes and tribal groups also operate 7 regional youth substance abuse treatment centers and 2,152 units of staff quarters.

Appropriation enacted, 2001	\$2,265,663,000
Budget estimate, 2002	2,387,014,000
Recommended, 2002	2,390,014,000
Comparison:	
Appropriation, 2001	+124,351,000
Budget estimate, 2002	+3,000,000

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

	FY 2001 Enacted	Budget Request	(in thousands of dollars) Committee Bill	Change from Enacted	Request
Clinical Services					
IHS and tribal health delivery	1,084,173	1,137,711	1,154,711	+70,538	+17,000
Hospital and health clinic programs.....	91,018	95,305	95,305	+4,287	---
Dental health program.....	45,018	47,142	47,142	+2,124	---
Mental health program.....	130,254	135,005	135,005	+4,751	---
Alcohol and substance abuse program.....	445,773	445,776	460,776	+15,003	+15,000
Contract care.....					
Subtotal, Clinical Services.....	1,796,236	1,860,939	1,892,939	+96,703	+32,000
Preventive Health					
Public health nursing.....	36,114	37,781	37,781	+1,667	---
Health education.....	10,063	10,628	10,628	+565	---
Community health representatives program.....	48,061	49,789	49,789	+1,728	---
Immunization (Alaska).....	1,471	1,526	1,526	+55	---
Subtotal, Preventive Health.....	95,709	99,724	99,724	+4,015	---
Urban health projects					
Indian health professions.....	29,843	29,947	30,947	+1,104	+1,000
Tribal management.....	30,486	30,565	30,565	+79	---
Direct operations.....	2,406	2,406	2,406	---	---
Self-governance.....	52,946	65,323	55,323	+2,377	-10,000
Contract support costs.....	9,803	9,876	9,876	+73	---
Subtotal, Urban Health Projects.....	248,234	288,234	288,234	+20,000	-20,000
Medicare/Medicaid Reimbursements					
Hospital and clinic accreditation (Est. collecting).....	(404,590)	(499,985)	(499,985)	(+95,395)	---
Total, Indian Health Services.....	2,265,663	2,387,014	2,390,014	+124,351	+3,000

The Committee recommends \$2,390,014,000 for Indian health services, an increase of \$3,000,000 above the budget request and \$124,351,000 above the fiscal year 2001 level. Changes to the budget request are discussed below.

Hospital and clinic programs are increased by \$17,000,000, including \$15,000,000 for the Indian health care improvement fund, \$1,000,000 for Joslin diabetes programs, and \$1,000,000 for technology upgrades. Other increases include \$15,000,000 for contract health services and \$1,000,000 in the urban program to restore funding for the SIPI and First Nations dental programs in the Albuquerque, New Mexico area. Decreases include \$10,000,000 in direct operations for the Federal cost of Navajo contract conversion and \$20,000,000 in contract support costs.

The Committee agrees to the following:

1. In distributing the funding increase for contract health services, the Service should consider the needs of the Hopi people for inpatient services now that the Keams Canyon Hospital has been closed.

2. The disparate treatment of contract support costs between BIA and IHS needs to be addressed. This issue is discussed in more detail below.

3. No new and expanded contracts may be executed beyond those that can be accommodated within the funds provided for contract support costs. An increase of \$20,000,000 has been provided for such costs.

4. Funds for the pharmacy residency program remain in the base for fiscal year 2002.

5. Last year's direction on the use of loan repayment program funding should continue to be followed in fiscal year 2002.

Bill language is included limiting the execution of new and expanded self-determination contracts and self-governance compacts once the amount available for contract support costs has been committed. The language also prohibits any increase in direct contract support cost funding for existing contracts. The Committee expects the Service to request additional funding in fiscal year 2003 for any new or expanded contracts that are requested but not consummated in fiscal year 2002 because of a funding shortfall. Likewise the Committee expects the Service to request any needed Federal costs for contract conversion in the fiscal year 2003 budget.

The Committee continues to be concerned by the disparate treatment of contract support costs by the various agencies, especially the differences between the Bureau of Indian Affairs and the Indian Health Service.

Indirect and start-up contract support costs are paid by both BIA and IHS, but at different rates. Examples of indirect costs include costs for financial management, property and procurement management, data processing and information management, insurance and risk management, audits, executive management, human resource management, planning and evaluation, office services, legal services, and facilities management. Examples of start-up costs include costs for computer hardware and software, training and staff development, systems development, and equipment and furnishings to support the administrative unit.

The Indian Health Service currently pays about \$55,000,000 in direct contract support costs and BIA pays no direct contract sup-

port costs. Examples of direct contract support costs include costs for unemployment taxes, discipline-specific training, workers compensation, long distance telephone charges, and postage. The Committee's recommended language does not take direct contract support cost funding away from tribes that are currently receiving such funds. However, the Committee continues to be concerned that the Indian Health Service independently elected to pay these optional costs several years ago without justifying the need for these funds through the Office of Management and Budget and Congressional budget processes.

The Committee believes that it is imperative to have a single, consistent policy across all agencies with respect to the payment of contract support costs. The Office of Management and Budget should take the lead on establishing this policy and request the appropriate level of funding to implement the policy in fiscal year 2003 and beyond. In the meantime, IHS should receive OMB approval on the payment of direct contract support costs prior to instituting any policy for new and expanded contracts in fiscal year 2002.

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. The IHS has estimated that as many as 21 hospitals and 52 health centers should be considered for replacement; renovations should be considered for 16 hospitals, 82 health centers, and 284 health stations; and 15 new health centers and 21 new health stations should be considered. Safe and sanitary water and sewer systems for existing homes and solid waste disposal needs currently are estimated to amount to over \$830 million for those projects that are considered to be economically feasible.

Appropriation enacted, 2001	\$363,103,000
Budget estimate, 2002	319,795,000
Recommended, 2002	369,795,000
Comparison:	
Appropriation, 2001	+6,692,000
Budget estimate, 2002	+50,000,000

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

	(in thousands of dollars)				
	FY 2001 Enacted	Budget Request	Committee Bill	Change Enacted	Change from Request
Maintenance and improvement.....	46,331	45,331	46,331	---	+1,000
Sanitation facilities.....	93,617	93,827	93,827	+210	---
Construction facilities.....	85,525	37,568	86,568	+1,043	+49,000
Facilities and environmental health support.....	121,336	126,775	126,775	+5,439	---
Equipment.....	16,294	16,294	16,294	---	---
	=====	=====	=====	=====	=====
Total, Indian Health Facilities.....	363,103	319,795	369,795	+6,692	+50,000
	=====	=====	=====	=====	=====

The Committee recommends \$369,795,000 for Indian health facilities, an increase of \$50,000,000 above the budget request and \$6,692,000 above the fiscal year 2001 level. Changes to the budget request include \$1,000,000 in maintenance and improvement to restore the Portland Area AMEX program and \$49,000,000 in hospital and clinic construction, including \$2,600,000 for Pinon, AZ clinic infrastructure, \$5,000,000 for Pawnee, OK clinic infrastructure, \$1,500,000 for Sisseton, SD clinic design, \$5,000,000 for Bethel, AK clinic staff quarters (phase II), \$2,000,000 for Zuni, NM staff quarters (Phase I), \$1,000,000 to restore funding for dental units, \$26,900,000 for small ambulatory care facilities, and \$5,000,000 to restore funding for joint ventures.

The Committee agrees to the following distribution of hospital and clinic construction funds:

Project	Budget request	Committee recommendation
Fort Defiance, AZ (hospital)	\$14,327,000	\$14,327,000
Pinon, AZ (clinic)	0	2,600,000
Winnebago, NE (hospital)	23,241,000	23,241,000
Pawnee, OK clinic	0	5,000,000
Sisseton, SD clinic	0	1,500,000
Bethel, AK quarters	0	5,000,000
Zuni, NM quarters	0	2,000,000
Dental units	0	1,000,000
Small ambulatory care facilities	0	26,900,000
Joint ventures	0	5,000,000
Totals	37,568,000	86,568,000

The Committee agrees to the following:

1. The Service should continue to work on needed improvements to the facilities priority system so that the full range of need for facilities in Indian country is given appropriate consideration.
2. Funding for staff quarters construction needs to receive a higher priority in future budget requests.
3. The methodology used to distribute facilities funding should address the fluctuating annual workload and maintain parity among IHS areas and tribes as the workload shifts.
4. 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. Onsite 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.
5. Sanitation funds should not be used to provide sanitation facilities for new homes funded by the housing programs of the Department of Housing and Urban Development. The HUD should provide any needed funds to the IHS for that purpose.
6. The IHS may use up to \$5,000,000 in sanitation funding for projects to clean up and replace open dumps on Indian lands pursuant to the Indian Lands Open Dump Cleanup Act of 1994.
7. The IHS should continue to support tribes in identifying and implementing alternative and innovative approaches to funding construction and repair and replacement of health care facilities throughout Indian country, including cost-sharing arrangements and the enhanced use of third-party collections for improving aging

facilities. These alternative approaches should not result in increased operational funding requirements for IHS.

Bill language is included to continue the joint venture program and permit up to two new facilities under that program. Priority must first be given to facilities already on the priority list.

OTHER RELATED AGENCIES

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

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 300 households remain to be relocated, of which 33 are full-time residents on the Hopi Partitioned Land. A total of 3,198 families have been relocated from the Hopi Partitioned Land.

Appropriation enacted, 2001	\$14,967,000
Budget estimate, 2002	15,148,000
Recommended, 2001	15,148,000
Comparison:	
Appropriation, 2001	+181,000
Budget estimate, 2002	0

The Committee recommends \$15,148,000 for salaries and expenses of the Office of Navajo and Hopi Indian Relocation, the same as the budget request and \$181,000 above the 2001 enacted level.

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND
ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

Appropriation enacted, 2001	\$4,116,000
Budget estimate, 2002	4,490,000
Recommended, 2002	4,490,000
Comparison:	
Appropriation, 2001	+374,000
Budget estimate, 2002	0

The Committee recommends \$4,490,000 for the Institute of American Indian and Alaska Native Culture and Arts Development, the same as the budget request and \$374,000 above the 2001 enacted level.

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 over 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.

The Smithsonian attracted approximately 33,500,000 visitors in 2000 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 than 140 million art objects, natural history specimens, and artifacts. These collections are displayed for the enjoyment and education of visitors and are available for research by the staff of the Institution and by hundreds of visiting students, scientists, and historians each year. Other significant study efforts draw their data and results directly from terrestrial, marine, and astrophysical observations at various Smithsonian installations.

The Smithsonian complex presently consists of 15 exhibition buildings in Washington, DC and New York City in the fields of science, history, technology and art; a zoological park in Washington, DC and an animal conservation and research center in Front Royal, Virginia; the Anacostia Museum, which performs research and exhibit activities in the District of Columbia; a preservation, storage and air and spacecraft display facility in Suitland, Maryland; a natural preserve in Panama and one on the Chesapeake Bay; an oceanographic research facility in Fort Pierce, Florida; astrophysical stations in Cambridge, Massachusetts and Mt. Hopkins, Arizona and elsewhere; and supporting administrative, laboratory, and storage areas.

Appropriation enacted, 2001	\$6,486,000
Budget estimate, 2002	7,253,000
Recommended, 2002	7,253,000
Comparison:	
Appropriation, 2001	+767,000
Budget estimate, 2002	0

The Committee recommends \$7,253,000, the same as the budget request and \$767,000 above the 2001 level. This substantial funding increase was necessitated due to costs of the agency's recent office move. The Committee expects the National Capital Planning Commission to facilitate the timely completion of the World War II memorial on the National mall.

UNITED STATES HOLOCAUST MEMORIAL COUNCIL
HOLOCAUST MEMORIAL MUSEUM

In 1980 Congress passed legislation creating a 65 member Holocaust Memorial Council with the mandate to create and oversee a living memorial/museum to victims of holocausts. The museum opened in April 1993. Construction costs for the museum came solely from donated funds raised by the U.S. Holocaust Memorial Museum Campaign and appropriated funds were used for planning and development of programmatic components, overall administrative support, and annual commemorative observances. Since the opening of the museum, appropriated funds have been provided to pay for the ongoing operating costs of the museum as authorized by Public Law 102-529 and Public Law 106-292.

Appropriation enacted, 2001	\$34,363,000
Budget estimate, 2002	36,028,000
Recommended, 2002	36,028,000
Comparison:	
Appropriation, 2001	+1,665,000
Budget estimate, 2002	0

The Committee recommends \$36,028,000, the same as the budget request and \$1,665,000 above the below the fiscal year 2001 level.

PRESIDIO TRUST
PRESIDIO TRUST FUND

Appropriation enacted, 2001	\$33,327,000
Budget estimate, 2002	22,427,000
Recommended, 2002	22,427,000
Comparison:	
Appropriation, 2001	- 10,900,000
Budget estimate, 2002	0

The Committee recommends \$22,427,000, the same as the budget request and \$10,900,000 below the below the fiscal year 2001 level.

TITLE III—GENERAL PROVISIONS

Section 301 provides for public availability of information on consulting services contracts.

Section 302 prohibits activities to promote public support or opposition to legislative proposals.

Section 303 provides for annual appropriations unless expressly provided otherwise in this Act.

Section 304 limits the use of personal cooks, chauffeurs or servants.

Section 305 limits assessments against programs without Committee approval.

Section 306 limits the sale of giant sequoia trees by the Forest Service.

Section 307 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, NM.

Section 308 continues a limitation of funding relating to a pedestrian bridge between New Jersey and Ellis Island.

Section 309 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 310 limits payments for contract support costs in past years to the funds available in law and accompanying report language in those years for the Bureau of Indian Affairs and the Indian Health Service.

Section 311 concerns the Jobs in the Woods program and timber dependent areas in Washington, Oregon, Alaska and northern California.

Section 312 extends the recreational fee demonstration program for 4 additional years and makes other modifications, including prohibiting the use of recreational demonstration program fees in excess of \$500,000 for the construction of any permanent structure without advance Committee approval.

Section 313 makes permanent a provision carried last year exempting properties administered by the Presidio Trust from certain taxes and special assessments.

Section 314 prohibits the use of funds for posting clothing optional signs at Canaveral NS, FL.

Section 315 contains reforms and limitations dealing with the National Endowment for the Arts.

Section 316 permits the collection and use of private funds by the National Endowment for the Arts and the National Endowment for the Humanities.

Section 317 continues direction to the National Endowment for the Arts on funding distribution.

Section 318 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.

Section 319 prohibits the use of funds for GSA Telecommunication Centers.

Section 320 prohibits the use of funds to make improvements to Pennsylvania Avenue in front of the White House without Committee approval.

Section 321 continues a provision which permits the Forest Service to use the roads and trails fund for backlog maintenance and priority forest health treatments.

Section 322 limits the use of answering machines during core business hours except in case of emergency and requires an option of talking to a person. The American taxpayer deserves to receive personal attention from public servants.

Section 323 continues a provision carried last year regulating the export of Western red cedar from National forest system lands in Alaska.

Section 324 permits the Forest Service in consultation with the Department of Labor to modify concession contracts for certain campgrounds.

Section 325 prohibits the Forest Service from using revenue from the recreation fee demonstration program to supplant existing concessions.

Section 326 gives preference to dislocated workers for certain restoration contracts in the Great Sequoia National Monument and the Sequoia National Forest.

Section 327 encourages expeditious completion of Forest Service land management plans.

Section 328 clarifies the requirement for mutually significant benefits when the Forest Service conducts cooperative agreements.

Section 329 includes a four year pilot program to allow the Forest Service to dispose of certain excess structures and reinvest the proceeds for maintenance and rehabilitation.

Section 330 extends a previous provision for an additional two years allowing the Forest Service at the Land Between the Lakes National Recreation Area to continue to use certain procurement and contracting authorities previously enjoyed by the Tennessee Valley Authority when it managed this area.

Section 331 extends for four years the cooperative agreements authority originally established in Section 323 of the fiscal year 1999 Interior and Related Agencies Appropriations Act. This authority, also enjoyed by the Bureau of Land Management, allows the Forest Service to enter into cooperative agreements with willing Federal, tribal, State and local governments, private and non-profit entities and landowners to implement watershed restoration and enhancement agreements that allow work to be accomplished both on and near NFS lands.

RESCISSIONS

Pursuant to clause 3(f)(2), rule XIII of the Rules 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

TRANSFER OF FUNDS

Pursuant to clause 3(f)(2), rule XIII of the Rules 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, Clean Coal Technology.	\$50,000,000	Department of Energy, Energy Resource, Elk Hills School Lands Fund.	\$50,000,000

CHANGES IN APPLICATION OF EXISTING LAW

Pursuant to clause 3, rule XIII 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, permitting the use of receipts from the Land and Water Conservation Act of 1965; providing funds to the National Fish and Wildlife Foundation under certain conditions; permitting the use of fees from communication site rentals; limiting the use of funds for destroying wild horses and burros; and permitting the collection of fees for processing mining 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, Wildland fire management, to permit the use of funds from other accounts for firefighting; to permit the use of funds for lodging and subsistence of firefighters; to permit the acceptance and use of funds for firefighting; to permit the use of grants contracts and cooperative agreements for hazardous fuels reduction, including cost-sharing and local assistance; and to permit reimbursement to the Fish and Wildlife Service and the National Marine Fisheries Service for consultation activities under the Endangered Species Act.

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, Payments in lieu of taxes, to exclude any payment that is less than \$100.

Language is included under Bureau of Land Management, Forest ecosystems health and recovery fund permitting the use of salvage timber receipts.

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, permitting the payment of rewards for information on violations of law on Bureau lands; and providing for cost-sharing arrangements for printing services.

Language is included under Bureau of Land Management, Administrative provisions, permitting the use of fees to offset the costs of the mining law administration program.

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 also is included, providing for the Natural Communities Conservation Planning program and for a Youth Conservation Corps; limiting funding for certain Endangered Species Act listing programs; permitting payment for information or rewards in the law enforcement program; and earmarking funds for contaminant analysis.

Language is included under United States Fish and Wildlife Service, land acquisition, prohibiting the use of project funds for overhead expenses.

Language is included under United States Fish and Wildlife Service, Multinational species conservation fund, exempting these programs from certain sanctions on a permanent basis.

Language is included under United States Fish and Wildlife Service, State wildlife grants, specifying the distribution formula and planning and cost-sharing requirements and requiring that funds unobligated after two years be reappropriated.

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 and other facilities; the acceptance of donated aircraft; cost-shared arrangements for printing services. Language also is included to limit the use of funds for establishing new refuges.

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 also is included providing for a Youth Conservation Corps program; providing for the use of funds in support of Everglades land acquisition; permitting reimbursement to the Park Police for special events under limited circumstances; and limiting the use of funds for a new associated director position for partnerships.

Language is included under National Park Service, U.S. Park Police contributions for annuity benefits, making pension benefits a mandatory appropriations.

Language is included under National Park Service, Land and water conservation fund, rescinding \$30 million in contract authority.

Language is included under National Park Service, Land acquisition and State assistance, to permit the use of funds to assist the State of Florida with Everglades restoration; making the use of funds for Everglades contingent on certain conditions; and limiting the use of funds to establish a contingency fund for State grants.

Language is included under National Park Service, Administrative provisions, requiring the inclusion of 18 U.S.C. 1913 in the text of grant and contract documents; preventing the implementation of an agreement for the redevelopment of the southern end of Ellis Island; limiting the use of funds for the United Nation's Biodiversity Convention; permitting the use of funds for workplace safety needs; and permitting the conveyance of a leasehold interest in Cuyahoga National Park, OH.

Language is included under U.S. Geological Survey, Surveys, investigations and research, providing for two-year availability of funds for biological research and for the operations of cooperative research units; prohibiting the conduct of new surveys on private property without permission; and requiring cost sharing for cooperative topographic mapping and water resource data collection activities.

Language is included under U.S. Geological Survey, Administrative provisions, permitting contracting for certain mapping and surveys; permitting construction of facilities; permitting acquisition of land for certain uses; allowing payment of expenses for the National Committee on Geology; permitting payments to interstate compact negotiators; and permitting the use of certain contracts, grants, and cooperative agreements.

Language is included under Minerals Management Service, Royalty and offshore minerals management, permitting the use of excess receipts from Outer Continental Shelf leasing activities; providing for reasonable expenses related to volunteer beach and marine clean-up activities; providing for refunds for overpayments on Indian allottee leases; providing for collecting royalties and late payment interest on amounts received in settlements associated with Federal and Indian leases; and permitting the use of revenues from a royalty-in-kind program.

Language is included under Office of Surface Mining Reclamation and Enforcement, Regulation and Technology, permitting the use of moneys collected pursuant to assessment of civil penalties to reclaim lands affected by coal mining after August 3, 1977; 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, limiting the amounts in the account for acid mine drainage activities and for emergency reclamation projects; allowing the use of debt recovery to pay for debt collection; and earmarking funds for acid mine drainage remediation in Pennsylvania.

Language is included under Bureau of Indian Affairs, Operation of Indian programs, limiting funds for contract support costs and for administrative cost grants for schools; permitting the use of tribal priority allocations for general assistance payments to individuals, for contract support costs, and for repair and replacement of schools; 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.

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; providing Safety of Dams funds on a non-reimbursable basis; requiring the use of administrative and cost accounting principles for certain school construction projects and exempting such projects from certain requirements; requiring conformance with building codes and health and safety standards; specifying the procedure for dispute resolution; and permitting the use of certain overpayments for school construction.

Language is included under the Bureau of Indian Affairs, Construction, allowing the Bureau to use certain settlement funds for school construction needs.

Language is included under Bureau of Indian Affairs, Administrative provisions, prohibiting funding of Alaska schools; limiting schools and the expansion of grade levels in individual schools; to limit the use of funds for contracts, grants and cooperative agreements; and requiring an evaluation of certain Bureau schools.

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 payment to the Federal Emergency Management Agency for Virgin Islands obligations; 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; providing for payments to the Prior Service Benefits Trust Fund and limiting administrative expenses; providing for capital infrastructure in various territories; and providing for compensation for American Samoa high court justices.

Language is included under Departmental Offices, Departmental management, salaries and expenses, permitting payments to former Bureau of Mines workers.

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; exempting quarterly statements for accounts less than \$1; and requiring annual statements and records maintenance.

Language is included under Departmental Offices, Indian land consolidation, permitting transfers of funds for administration and permitting cooperative agreements with tribes to acquire fractional interest.

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 acquisition of aircraft through various means and 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 and 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 permit the Department 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, 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, to limit the use of funds for contract support costs; and to prohibit fee exemptions for non-local traffic through National Parks.

Language is included under General provisions, Department of the Interior, requiring lease and grazing permit renewals by the Bureau of Land Management under certain conditions; providing for administrative law judges to handle Indian issues; permitting the redistribution of certain Indian funds with limitation; limiting the establishment of a Kankakee National Wildlife Refuge; directing allocation of funds for Bureau of Indian Affairs funded post-secondary schools; limiting the use of the Huron Cemetery to religious and cultural activities; prohibiting the use of funds for studies to drain Lake Powell; permitting the conveyance of the Twin Cities Research Center; extending for one year the transportation fee retention provision of the National Parks Omnibus Management Act of 1998; authorizing a cooperative agreement with the Golden Gate National Parks Association; permitting the Bureau of Land Management to retain funds from the sale of seeds and seedlings; permitting a tribal school construction demonstration program; and permitting the sale of equipment and interests at the White River Oil Shale Mine in Utah.

Language is included under Forest Service, State and private forestry, requiring House and Senate Appropriations Committee approval before releasing forest legacy project funds.

Language is included under Forest Service, National forest system, allowing 50 percent of the fees collected under the Land and Water Conservation Fund Act to remain available until expended; and requiring the fiscal year 2002 budget justification to display unobligated balances available at the start of fiscal year 2001.

Language is included under Forest Service, Wildland fire management, allowing the use of funds to repay advances from other accounts and requiring 50 percent of any unobligated balances remaining at the end of fiscal year 2000, excepting hazardous fuels funding, to be transferred to the Knutson-Vandenberg fund as repayment for past advances; and permitting the use of funds for the Joint Fire Science program.

Language is included under Forest Service, Capital improvement and maintenance, allowing funds to be used for road decommissioning; requiring that no road decommissioning be funded until notice and an opportunity for public comment has been provided; and merging unobligated balances from the Federal infrastructure improvement account for deferred maintenance into the capital improvement and maintenance account.

Language is included under Forest Service, Range betterment fund, providing that 6 percent of the funds may be used for administrative expenses.

Language is included under Forest Service, Administrative provisions, providing that proceeds from the sale of aircraft may be used to purchase replacement aircraft; limiting the availability of funds to change the boundaries of or abolish any region or to move or close any regional office; allowing funds to be used through the Agency for International Development and the Foreign Agricultural Service for work in foreign countries, and to support other forestry activities outside of the United States.

Language is included under Forest Service, Administrative provisions, prohibiting the following without advance approval: (1) the transfer of funds under the Department of Agriculture transfer authority; (2) reprogramming of funds; and (3) transfer of funds in excess of the level transferred during fiscal year 2000 to the working capital fund of the Department of Agriculture.

Language is included under Forest Service, Administrative provisions, permitting the transfer of any funds available to the Secretary of Agriculture for wildland fire emergencies.

Language is included under Forest Service, Administrative provisions, providing for a Youth Conservation Corps program; allowing funds to be used for representation expenses by the Chief; providing for matching funds and administrative expenses for the National Forest Foundation and also matching funds for the National Fish and Wildlife Foundation; providing funds for sustainable rural development; permitting the transfer of certain funds to the State of Washington fish and wildlife department for planned projects; providing that funds shall be available for payment to counties within the Columbia River Gorge National Scenic Area; providing authority to the Pinchot Institute for activities at Grey Towers National Historic Landmark; allowing payments to Del Norte County, CA; limiting employee details; permitting limited reimbursements

to the Office of General Counsel in USDA; and restricting the use of administrative funds and requiring displays of such funds in budget justifications, including limitations on trust funds; allowing the use of fundings for law enforcement emergencies.

Language is included under Department of Energy, Fossil energy, limiting the field testing of nuclear explosives for the recovery of oil and gas and providing for activities at the Albany Research Center, OR.

Language is included under the Department of Energy, Energy conservation, providing allocations of grants for weatherization and State energy conservation; requiring a cost share for weatherization grants; and providing for cost share exemptions under limited circumstances.

Language is included under Department of Energy, Naval Petroleum and oil shale reserves permitting the use of unobligated balances.

Language is included under Administrative provisions, Department of Energy, providing for vehicle and guard services and uniform allowances; 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; and permitting the use of contributions and fees for cooperative projects.

Language is included under Indian Health Service, Indian health services, providing that certain contracts and grants may be performed in two fiscal years; exempting certain tribal funding from fiscal year constraints; limiting funds for catastrophic care, loan repayment and certain contracts; capping contract support cost spending and limiting the payment of direct contract support costs; 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; and providing for certain purchases from other agencies and for a demolition fund.

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

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

Language is included under Indian Health Service, Administrative provisions, to prevent the Indian Health Service from billing Indians in order to collect from third-party payers until Congress has agreed to implement a specific policy.

Language is included under Indian Health Service, Administrative provisions, allowing payment of expenses for meeting attendance; specifying that certain funds shall not be subject to certain

travel limitations; prohibiting the expenditure of funds to implement new eligibility regulations; providing that funds be apportioned only in the appropriation structure in this Act; prohibiting changing the appropriations structure without approval of the Appropriations Committees; and permitting the sale of goods and services for fees and for the use of those fees.

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; providing that funds may be used to support American overseas research centers; and permitting the use of certain funds for the Victor Building.

Language is included under Smithsonian Institution, repair, restoration and alteration of facilities, permitting the Smithsonian Institution to select contractors for certain purposes on the basis of contractor qualifications as well as price; and permitting the merger of funds previously appropriated for zoo construction.

Language is included under Smithsonian Institution, Administrative provisions, precluding any changes to the Smithsonian Science Program without prior approval of the Board of Regents; limiting the design or expansion of current space or facilities without prior approval of the Committee; and limiting reprogramming of funds and the use of funds for the Holt House.

Language is included under National Gallery of Art, Salaries and expenses, allowing payment in advance for membership in library, museum, and art associations or societies; providing uniform allowances and for restoration and repair of works of art by contract without advertising; and providing no-year availability of funds for special exhibitions.

Language is included under National Gallery of Art, Repair, restoration and renovation of buildings, permitting the Gallery 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 Endowment for the Arts, Grants and administration, permitting the merger and use of previously appropriated funds from the matching grants account.

Language is included under National Foundation for the Humanities, Matching grants, allowing obligation of current and prior year funds of gifts, bequests, and devises of money for which equal amounts have not previously been appropriated.

Language is included under National Foundation on the Arts and the Humanities, Administrative provisions, limiting the use of funds for reception expenses and permitting the use of non appropriated funds for such expenses.

Language is included under Commission of Fine Arts, Salaries and expenses, permitting the charging and use of fees for its publications.

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

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.

Language is included under Holocaust Memorial Council, providing no year funding availability for repair and rehabilitation and museums exhibitions.

Language is included under Title III—General provisions prohibiting the use of funds to distribute literature either to promote or oppose legislative proposals on which Congressional action is incomplete.

Language is included under Title III—General provisions, prohibiting the use of funds to provide personal cooks, chauffeurs or other personal servants to any office or employee; limiting use of consulting services; and specifying that funds are for one year unless provided otherwise.

Language is included under Title III—General provisions, prohibiting assessments against programs funded in this bill.

Language is included under Title III—General provisions, prohibiting the sale of giant sequoia trees in a manner different from 2001.

Language is included under 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 under Title III—General provisions, limiting use of funds relating to a bridge between New Jersey and Ellis Island.

Language is included under 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 under Title III—General provisions, limiting the use of funds for contract support costs on Indian contracts.

Language is included under Title III—General provisions, to permit limiting competition under the Jobs in the Woods program; extending the recreational fee demonstration program for 4 additional years, allowing certain Forest Service special use permit fees to be included in the program beginning in fiscal year 2003, raising the limit on the number of fee sites each agency may use, and requiring Committee approval prior to using recreational fees for constructing certain permanent buildings; exempting on a permanent basis, the Presidio Trust from certain taxes and special assessments; limiting funds for posting clothing optional signs at Cape Canaveral NS; making reforms in the National Endowment for the Arts, including funding distribution reforms; permitting the National Foundation on the Arts and the Humanities to collect, invest and use private donations; permitting the use of Forest land management plans pending completion of required revisions; limiting

funds for improvements to Pennsylvania Avenue in front of the White House without Committee approval; limiting the use of funds for any government-wide administrative functions and for GSA telecommunications centers; limiting the use of telephone answering machines; limiting the sale for export of Western redcedar in Alaska; placing a moratorium on new and expanded Indian self-determination contracts and compacts.

Language is included under Title III—General Provisions, permitting the Forest Service in consultation with the Department of Labor to modify concession contracts for certain campgrounds; prohibiting the Forest Service from using revenue from the recreation fee demonstration program to supplant existing concessions; giving preference to dislocated workers for certain restoration contracts in the Giant Sequoia National Monument and the Sequoia National Forest; and encouraging the Forest Service to update National Forest System land management plans as expeditiously as practicable.

Language is included under Title III—General Provisions, clarifying the requirement for mutually significant benefits when the Forest Service conducts cooperative agreements; authorizing a four year pilot program to allow the Forest Service to dispose of certain excess structures and reinvest the proceeds for maintenance and rehabilitation; extending a previous provision for an additional two years allowing the Forest Service at the Land Between the Lakes National Recreation Area to continue to use certain procurement and contracting authorities previously enjoyed by the Tennessee Valley Authority when it managed this area; and extending for four years the cooperative agreements authority originally established in Section 323 of the fiscal year 1999 Interior and Related Agencies Appropriations Act. This authority, also enjoyed by the Bureau of Land Management, allows the Forest Service to enter into cooperative agreements with willing Federal, tribal, State and local governments, private and nonprofit entities and landowners to implement watershed restoration and enhancement agreements that allow work to be accomplished both on and near NFS lands.

APPROPRIATIONS NOT AUTHORIZED BY LAW

Pursuant to clause 3(f)(1) of rule XIII of the Rules of the House of Representatives, the following table lists the appropriations in the accompanying bill which are not authorized by law:

(In thousands of dollars)

	Last year of authorization	Authorization level	Appropriations in last year of authorization	Appropriations in this bill
National Endowment for the Arts	1993	“Such sums as may be necessary”.	\$174,460	\$105,234
National Endowment for the Humanities	1993	“Such sums as may be necessary”.	\$177,413	\$120,504
Office of Navajo & Hopi Indian Relocation Bureau of Land Management	2000	\$30,000	\$8,000	\$15,148
Management of Lands and Resources: Mining claim fee in lieu of annual maintenance	2001	NA	\$34,328	\$32,298