

DEPARTMENT OF THE INTERIOR AND RELATED
 AGENCIES APPROPRIATION BILL, 2005

JUNE 15, 2004.—Committed to the Committee of the Whole House on the State of
 the Union and ordered to be printed

Mr. TAYLOR of North Carolina, from the Committee on
 Appropriations, submitted the following

R E P O R T

together with

MINORITY VIEWS

[To accompany H.R. 4568]

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, 2005. 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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COMPARISON WITH BUDGET RESOLUTION

Section 308(a)(1)(A) of the Congressional Budget and Impoundment Control Act of 1974 (Public Law 93-344), as amended, requires that the report accompanying a bill providing new budget authority contain a Statement detailing how the authority compares with the reports submitted under section 302 of the Act for the most recently agreed to concurrent resolution on the budget for the fiscal year. This information follows:

[In millions of dollars]

	Sec. 302(b)		This bill—	
	Discretionary	Mandatory	Discretionary	Mandatory
Budget authority	19,499	52	19,999	52
Outlays	19,788	59	20,205	59

Note.—The amounts in this bill are technically in excess of the subcommittee section 302(b) suballocation. However, pursuant to section 312 of S.Con.Res. 95 (108th Congress), increases to the Committee's section 302(a) allocation are authorized for funding in the reported bill for wildland fire suppression. After the bill is reported to the House, the Chairman of the Committee on the Budget will provide an increased section 302(a) allocation consistent with the funding provided in the bill. That new allocation will be suballocated to the Interior subcommittee and will eliminate the technical difference prior to floor consideration.

SUMMARY OF THE BILL

The Committee has conducted hearings on the programs and projects provided for in the Interior and Related Agencies Appropriations bill for 2005. The hearings are contained in 8 published volumes totaling nearly 9,200 pages.

During the course of the hearings, testimony was taken at 11 hearings on 10 days, not only from agencies which come under the jurisdiction of the Interior Subcommittee, but also from Members of Congress, and, in written form, from State and local government officials, and private citizens.

The Committee recommends \$194,106,000 for the abandoned mine reclamation fund, \$49,757,000 below the budget request and \$3,515,000 above the 2004 funding level. The recommendation does not include the requested allocation of \$53,000,000 to implement the Administration's legislative proposal which would return the State share balances to certified States. The recommendation does include other aspects of the Administration request under this heading, but does not allow any funds to be transferred for certain E-GOV Quicksilver projects. The Committee has recommended bill language, in Title III—General Provisions, prohibiting the use of funds for Safecom, Disaster Management, E-Training, and E-Rule-making activities. Funds requested for these activities should be reprogrammed to cover equitably fixed cost increases not funded in the budget request. Funding for AML grants and the environmental restoration activity are maintained at the fiscal year 2004 level, an increase of \$3,243,000 above the request. The Committee has also retained language, as in past years, which limits funding for minimum program States to \$1,500,000 and provides Maryland special flexibility.

The Committee recognizes the merit of the Administration's legislative proposal to extend and modify the Surface Mining Control and Reclamation Act (SMCRA), which is included in H.R. 3778. Without reauthorization, the existing State and tribal share accounts would not receive any additional fees collected after September 30, 2004. The Committee notes that legislative action is still pending on this proposal, so funds are not included at this time for its implementation. The Committee encourages the authorizing committees to act on this reasonable legislative proposal, which would increase the rate at which dangerous abandoned sites would be reclaimed; do so at a lower cost; and provide a fair and reasonable method of compensating Wyoming, which has completed abandoned coal mine reclamation. The Committee expects to revisit funding needs for this account once reauthorization occurs. Absent legislative action, existing law will allow continued distribution of AML funds to States in a manner similar to that which occurred in fiscal year 2004.

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 1.5 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 118 day schools, 52 boarding schools, and 14 dormitories. The Bureau administers more than 45 million acres of tribally owned land, and 10 million acres of individually owned land and over 309,000 acres of Federally owned land, which is held in trust status.

OPERATION OF INDIAN PROGRAMS

Appropriation enacted, 2004	\$1,892,706,000
Budget estimate, 2005	1,929,477,000
Recommended, 2005	1,935,033,000
Comparison:	
Appropriation, 2004	+42,327,000
Budget estimate, 2005	+5,556,000

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

(dollars on thousands)					
	FY 2004 Enacted	FY 2005 Request	Recommended	Recommended versus Enacted	Request
Operation of Indian Programs					
Tribal Budget System					
Tribal Priority Allocations					
Tribal government.....	387,223	391,666	391,666	+4,443	---
Human services.....	147,745	147,465	147,465	-280	---
Education.....	49,375	48,980	48,980	-395	---
Public safety and justice.....	1,229	1,239	1,239	+10	---
Community development.....	39,969	41,226	41,226	+1,257	---
Resources management.....	62,253	62,872	62,872	+619	---
Trust services.....	57,654	56,906	56,906	-748	---
General administration.....	25,189	25,277	25,277	+88	---
Subtotal, Tribal Priority Allocations.....	770,637	775,631	775,631	+4,994	---
Other Recurring Programs					
Education					
School operations					
Forward-funded.....	452,874	453,115	458,057	+5,183	+4,942
Other school operations.....	69,129	69,253	69,253	+124	---
Subtotal, School operations.....	522,003	522,368	527,310	+5,307	+4,942
Continuing education.....	48,600	43,390	43,390	-5,210	---
Subtotal, Education.....	570,603	565,758	570,700	+97	+4,942
Resources management.....	43,533	34,853	41,403	-2,130	+6,550
Subtotal, Other Recurring Programs.....	614,136	600,611	612,103	-2,033	+11,492

(dollars on thousands)				
	FY 2004 Enacted	FY 2005 Request	Recommended	Recommended versus Enacted Request
Non-Recurring Programs				
Community development.....	2,469	---	---	-2,469
Resources management.....	35,988	36,584	36,734	+746
Trust services.....	37,184	36,427	36,427	-757
Subtotal, Non-Recurring Programs.....	75,641	73,011	73,161	-2,480
Total, Tribal Budget System.....				
	1,460,414	1,449,253	1,460,895	+481
BIA Operations				
Central Office Operations				
Tribal government.....	2,867	3,136	2,279	-588
Human services.....	896	899	899	+3
Community development.....	864	871	---	-864
Resources management.....	3,445	3,464	3,464	+19
Trust services.....	5,252	19,340	19,340	+14,088
General administration				
Education program management.....	2,383	2,381	2,381	-2
Education personnel services.....	2,107	2,135	5,946	+3,839
Other general administration.....	70,692	102,218	110,712	+40,020
Subtotal, General administration.....	75,182	106,734	119,039	+43,857
Subtotal, Central Office Operations.....	88,506	134,444	145,021	+56,515
Subtotal, Central Office Operations.....				+10,577

(dollars on thousands)					
	FY 2004	FY 2005	Recommended	Recommended	Recommended versus
	Enacted	Request	Requested	Enacted	Request
Regional Office Operations					
Tribal government.....	1,328	1,111	1,111	-217	---
Human services.....	3,152	3,081	3,081	-71	---
Community development.....	846	789	789	-57	---
Resources management.....	5,407	5,394	5,394	-13	---
Trust services.....	24,134	24,388	24,388	+254	---
General administration.....	28,819	27,760	7,183	-21,636	-20,577
Subtotal, Regional Office Operations.....	63,686	62,523	41,946	-21,740	-20,577
Special Programs and Pooled Overhead					
Education.....	16,252	16,566	16,566	+314	---
Public safety and justice.....	172,495	182,600	182,600	+10,105	---
Community development.....	8,254	1,057	5,880	-2,374	+4,823
Resources management.....	1,290	1,287	1,287	-3	---
General administration.....	81,809	81,747	80,838	-971	-909
Subtotal, Special Programs and Pooled Overhead..	280,100	283,257	287,171	+7,071	+3,914
Total, BIA Operations.....	432,292	480,224	474,138	+41,846	-6,086
Total, Operation of Indian Programs.....	1,892,706	1,929,477	1,935,033	+42,327	+5,556

The Committee recommends \$1,935,033,000 for the operation of Indian programs, \$5,556,000 above the budget request and \$42,327,000 above the 2004 enacted level.

Tribal Priority Allocations.—The Committee recommends \$775,631,000 for tribal priority allocations, the same as the budget request and \$4,994,000 above the fiscal year 2004 enacted level.

Other Recurring Programs.—The Committee recommends \$612,103,000 for other recurring programs, \$11,492,000 above the budget request and \$2,033,000 below the 2004 enacted level. Changes from the budget request include increases of \$1,942,000 for student transportation, \$3,000,000 for the administrative cost grant fund, \$4,000,000 for the timber-fish-wildlife program, \$320,000 for Upper Columbia United Tribes, \$630,000 for Lake Roosevelt management, \$600,000 for Wetlands and Waterfowl Management (Circle of Flight) and \$1,000,000 for the intertribal bison council. The funds within the base for the Chippewa/Ottawa Resource Authority (CORA) are to be allocated based on the allocation in House Report 108–10.

The Committee has again restored the \$3,000,000 for start-up administrative costs and overhead as incentives for tribal school boards to begin to assume responsibility for the remaining schools that are still being managed by the Bureau. The Committee expects this to be a separate fund to enable the conversion of Bureau operated schools without compromising funding for tribally operated schools.

Non Recurring Programs.—The Committee recommends \$73,161,000 for non-recurring programs, \$150,000 above the budget request and \$2,480,000 below the 2004 enacted level. The increase above the budget request is for water management planning and predevelopment for the Seminole tribe to address water quality programs as part of Everglades restoration efforts.

Central Office Operations.—The Committee recommends \$145,021,000 for central office operations, \$10,577,000 above the budget request and \$56,515,000 above the 2004 enacted level. Changes from the request include an increase of \$20,577,000 to reflect internal transfers made in fiscal year 2004 and a decrease of \$10,000,000 for information resources technology.

The Committee commends the Bureau for the significant progress it has made in addressing the information technology needs for their day-to-day operations and for continuing to move forward on trust reform efforts. The reduction to the increase proposed in the budget request is a result of the current budget constraints. The Committee appreciates that the Bureau is taking a comprehensive approach to its information technology needs and has agreed to a \$19,051,000 increase above the 2004 level for information resources technology.

Regional Office Operations.—The Committee recommends \$41,946,000 for regional office operations, \$20,577,000 below the budget request and \$21,740,000 below the 2004 enacted level. The decrease to the budget request reflects internal transfers made in fiscal year 2004.

Special Programs and Pooled Overhead.—The Committee recommends \$287,171,000 for special programs and pooled overhead, \$3,914,000 above the budget request and \$7,071,000 above the 2004 enacted level. Changes from the budget request include in-

creases of \$3,000,000 for the United Tribes Technical College, \$515,000 for the National Ironworkers Training Program, and \$1,308,000 for Crownpoint Institute and decreases of \$409,000 for E-government programs and \$500,000 for the Enterprise Services Network.

CONSTRUCTION

Appropriation enacted, 2004	\$346,825,000
Budget estimate, 2005	283,126,000
Recommended, 2005	348,626,000
Comparison:	
Appropriation, 2004	+1,801,000
Budget estimate, 2005	+65,500,000

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

(dollars on thousands)

	FY 2004 Enacted	FY 2005 Request	Recommended	Recommended versus Enacted	Request
Construction					
Education.....	294,954	229,083	294,583	-371	+65,500
Public safety and justice.....	4,981	4,985	4,985	+4	---
Resources management.....	38,679	40,857	40,857	+2,178	---
General administration.....	2,154	2,156	2,156	+2	---
Construction management.....	6,057	6,045	6,045	-12	---
	=====	=====	=====	=====	=====
Total, Construction.....	346,825	283,126	348,626	+1,801	+65,500
	=====	=====	=====	=====	=====

The Committee recommends \$348,626,000 for construction, \$65,500,000 above the budget request and \$1,801,000 above the 2004 enacted level.

Education.—The Committee recommends \$294,583,000 for education construction, \$65,500,000 above the budget request and \$371,000 below the 2004 enacted level. Changes from the budget request include an increase of \$65,500,000 to restore the school construction program, of which \$7,000,000 is to restore partially the facilities improvement and repair program. The funding restored for replacement school construction is sufficient to begin the replacement of the highest priority schools on the updated priority list provided to the Committee in a letter transmitted February 24, 2004.

Public Safety and Justice.—The Committee recommends \$4,985,000 for public safety and justice construction, the same as the budget request and \$4,000 above the 2004 enacted level.

Resources Management.—The Committee recommends \$40,857,000 for resources management construction, the same as the budget request and \$2,178,000 above the 2004 enacted level.

General Administration and Construction Management.—The Committee recommends \$8,201,000 for general administration and construction management, the same as the budget request and \$10,000 below the 2004 enacted level.

Bill Language.—Bill language is included providing \$4,500,000 in the tribal school demonstration program for the Eastern Band of Cherokee education facility at the Ravensford tract.

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

Appropriation enacted, 2004	\$54,866,000
Budget estimate, 2005	34,771,000
Recommended, 2005	44,771,000
Comparison:	
Appropriation, 2004	- 10,095,000
Budget estimate, 2005	+10,000,000

The Committee recommends \$44,771,000 for Indian land and water claim settlements and miscellaneous payments to Indians, \$10,000,000 above the budget request and \$10,095,000 below the 2004 enacted level. Funding includes \$625,000 for White Earth, \$250,000 for Hoopa-Yurok, \$142,000 for Pyramid Lake, \$8,000,000 for Colorado Ute, \$9,972,000 for Cherokee, Choctaw and Chickasaw, \$10,032,000 for the Quinalt Settlement Agreement, \$14,000,000 for the Zuni Water Settlement, and 1,750,000 for Seneca-Cuba Lake Land Settlement.

Bill Language.—Bill language is included providing \$10,032,000 for payment to the Quinault Indian Nation for the North Boundary Settlement Agreement.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

Appropriation enacted, 2004	\$6,417,000
Budget estimate, 2005	6,421,000
Recommended, 2005	6,421,000
Comparison:	
Appropriation, 2004	+4,000
Budget estimate, 2004	0

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, 2004	\$5,564,000
Budget estimate, 2005	5,818,000
Recommended, 2005	5,818,000
Comparison:	
Appropriation, 2004	+254,000
Budget estimate, 2005	0

The Committee recommends \$5,818,000, the budget request, for the natural resource damage assessment fund, an increase of \$254,000 above the fiscal year 2004 level.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

Sections 101 and 102 provide for emergency transfer authority with the approval of the Secretary.

Section 103 makes permanent a provision that provides for warehouse and garage operations and for reimbursement for those services.

Section 104 provides for vehicle and other services.

Section 105 makes permanent a provision that provides for uniform allowances.

Section 106 makes permanent a provision that provides for twelve-month contracts.

Sections 107 through 109 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.

Section 110 prohibits the National Park Service from reducing recreation fees for non-local travel through any park unit.

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 permits the transfer of funds between the Bureau of Indian Affairs and the Office of Special Trustee for American Indians.

Section 113 continues a provision allowing the hiring of administrative law judges to address the Indian probate backlog.

Section 114 continues a provision permitting the redistribution of tribal priority allocation and tribal base funds to alleviate funding inequities.

Section 115 continues a provision requiring the allocation of Bureau of Indian Affairs postsecondary schools funds consistent with unmet needs.

Section 116 continues a provision limiting the use of the Huron Cemetery in Kansas City to religious purposes.

Section 117 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 118 continues a provision authorizing a cooperative agreement with the Golden Gate National Parks Association.

Section 119 makes permanent a provision permitting the Bureau of Land Management to retain funds from the sale of seeds and seedlings.

Section 120 continues a provision authorizing the Secretary of the Interior to use helicopter or motor vehicles to capture and transport horses and burros at the Sheldon and Hart National Wildlife Refuges.

Section 121 authorizes federal funds for Shenandoah Valley Battlefield NHD and Ice Age NST to be transferred to a State, local government, or other governmental land management entity for acquisition of lands.

Section 122 continues a provision prohibiting the closure of the underground lunchroom at Carlsbad Caverns NP, NM.

Section 123 continues a provision preventing the demolition of a bridge between New Jersey and Ellis Island.

Section 124 continues a provision prohibiting the posting of signs at Canaveral National Seashore as clothing optional areas if it is inconsistent with county ordinance.

Section 125 continues a provision limiting compensation for the Special Master and Court Monitor appointed by the Court in *Cobell v. Norton* to 200 percent of the highest Senior Executive Service rate of pay.

Section 126 continues a provision allowing the Secretary to pay private attorney fees for employees and former employees incurred in connection with *Cobell v. Norton*.

Section 127 continues a provision dealing with the U.S. Fish and Wildlife Service's responsibilities for mass marking of salmonid stocks.

Section 128 requires the use of Departmental Management funds for operational needs at the Midway Atoll National Wildlife Refuge airport.

Section 129 prohibits the conduct of gaming under the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.) on lands described in section 123 of the Department of the Interior and Related Agencies Appropriations Act, 2001, or land that is contiguous to that land.

Section 130 continues a provision prohibiting the use of funds to study or implement a plan to drain or reduce water levels in Lake Powell.

Section 131 allows the National Indian Gaming Commission to collect \$12,000,000 in fees for fiscal year 2006.

Section 132 makes funds appropriated for fiscal year 2005 available to the tribes within the California Tribal Trust Reform Consortium and others on the same basis as funds were distributed in fiscal year 2004, and separates this demonstration project from the Department of the Interior's trust reform reorganization.

Section 133 limits the use of the National Mall for special events.

mittee encourages the Department to provide a sufficient budget request for EIA in fiscal year 2006 that will ensure that the end use surveys are sufficiently funded to return to a 3-year cycle and to ensure that no additional surveys are cancelled.

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, 59 health centers, 2 school health centers, and 49 health stations. Tribes and tribal groups, through contracts and compacts with the IHS, operate 13 hospitals, 172 health centers, 3 school health centers, and 260 health stations (including 176 Alaska Native village clinics). The IHS, tribes, and tribal groups also operate 9 regional youth substance abuse treatment centers and 2,252 units of staff quarters.

Appropriation enacted, 2004	\$2,530,364,000
Budget estimate, 2005	2,612,824,000
Recommended, 2005	2,628,322,000
Comparison:	
Appropriation, 2004	+97,958,000
Budget estimate, 2005	+15,498,000

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

(dollars on thousands)					
	FY 2004 Enacted	FY 2005 Request	Recommended	Recommended versus Enacted	Request
Indian Health Services					
Clinical Services					
IHS and tribal health delivery					
Hospital and health clinic programs.....	1,249,782	1,295,353	1,310,353	+60,571	+15,000
Dental health program.....	104,513	110,255	110,255	+5,742	---
Mental health program.....	53,294	55,801	55,801	+2,507	---
Alcohol and substance abuse program.....	138,250	141,680	141,680	+3,430	---
Contract care.....	479,070	479,085	479,085	+15	---
Catastrophic health emergency fund.....	---	18,000	18,000	+18,000	---
Subtotal, Clinical Services.....	2,024,909	2,100,174	2,115,174	+90,265	+15,000
Preventive Health					
Public health nursing.....	42,580	45,576	45,576	+2,996	---
Health education.....	11,793	12,633	12,633	+840	---
Community health representatives program.....	50,996	52,383	52,383	+1,387	---
Immunization (Alaska).....	1,561	1,604	1,604	+43	---
Subtotal, Preventive Health.....	106,930	112,196	112,196	+5,266	---
Urban health projects.....					
Indian health professions.....	31,619	32,410	32,410	+791	---
Tribal management.....	30,774	30,803	30,803	+29	---
Direct operations.....	2,376	2,376	2,376	---	---
Self-governance.....	60,714	61,795	62,293	+1,579	+498
Contract support costs.....	5,644	5,672	5,672	+28	---
Subtotal, Urban Health.....	267,398	267,398	267,398	---	---

(dollars on thousands)

	FY 2004 Enacted	FY 2005 Request	Recommended	Recommended versus Enacted	Request
Medicare/Medicaid Reimbursements					
Hospital and clinic accreditation (Est. collecting)	(567,620)	(598,662)	(598,662)	(+31,042)	---
Total, Indian Health Services	2,530,364	2,612,824	2,628,322	+97,958	+15,498
(Non-contract services)	(2,051,294)	(2,115,739)	(2,131,237)	(+79,943)	(+15,498)
(Contract care)	(479,070)	(479,085)	(479,085)	(+15)	---
(Catastrophic health emergency fund)	---	(18,000)	(18,000)	(+18,000)	---

The Committee recommends \$2,628,322,000 for Indian health services, an increase of \$15,498,000 above the budget request and \$97,958,000 above the fiscal year 2004 level. Changes to the budget request include an increase of \$15,000,000 in the hospital and health clinic programs for the Indian health care improvement fund and an increase of \$498,000 in direct operations for Federal staffing and support costs at Headquarters. The Indian health care improvement fund money should be distributed in the same manner as in fiscal year 2003, which was the last year in which funds were appropriated for this program. The increase for Headquarters staffing is critically needed because the IHS Headquarters capability to perform its many critical oversight and outreach functions has been hampered by staffing decreases over the past several years.

The Committee agrees to the following:

1. The Service should reprogram the increases included in the budget to cover partially pay cost increases so that there is an equitable distribution across all Federal and tribal programs.
2. Funds for the pharmacy residency program remain in the base for fiscal year 2005.
3. The fiscal year 2001 direction on the use of loan repayment program funding should continue to be followed in fiscal year 2005.
4. The Joslin diabetes program should be considered for funding using the special diabetes program funding in addition to the base funding of \$1,500,000 for fiscal year 2005.

INDIAN HEALTH FACILITIES

The need for new Indian health care facilities has not been fully quantified but it is safe to say that many billions of dollars would be required to renovate existing facilities and construct all the needed new hospitals and clinics. Safe and sanitary water and sewer systems for existing homes and solid waste disposal needs currently are estimated to amount to over \$859 million for those projects that are considered to be economically feasible.

Appropriation enacted, 2004	\$391,351,000
Budget estimate, 2005	354,448,000
Recommended, 2005	405,048,000
Comparison:	
Appropriation, 2004	+13,697,000
Budget estimate, 2005	+50,600,000

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

(dollars on thousands)					
	FY 2004	FY 2005	Recommended	Recommended	Recommended versus
	Enacted	Request	Enacted	Request	Request
Indian Health Facilities					
Maintenance and improvement.....	48,897	48,897	50,897	+2,000	+2,000
Sanitation facilities.....	93,015	103,158	93,158	+143	-10,000
Construction facilities.....	94,555	41,745	99,345	+4,790	+57,600
Facilities and environmental health support.....	137,803	143,567	143,567	+5,764	---
Equipment.....	17,081	17,081	18,081	+1,000	+1,000
Total, Indian Health Facilities.....	391,351	354,448	405,048	+13,697	+50,600

The Committee recommends \$405,048,000 for Indian health facilities, an increase of \$13,697,000 above the fiscal year 2004 level and \$50,600,000 above the budget request. Changes to the budget request include a decrease of \$10,000,000 for sanitation facilities and increases of \$2,000,000 for maintenance and improvement, \$1,000,000 for equipment, and \$57,600,000 for hospital and clinic construction.

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

Project	2005 request	Committee recommendation	Difference
CA Regional Youth Treatment Centers	0	\$2,700,000	+\$2,700,000
Clinton, OK clinic	0	19,300,000	+19,300,000
Eagle Butte, SD clinic	0	18,300,000	+18,300,000
Joint Ventures (using existing list)	0	4,800,000	+4,800,000
Mobile dental units	0	1,500,000	+1,500,000
New health clinic planning and design	0	1,000,000	+1,000,000
Phoenix Indian Medical Center, AZ	0	4,000,000	+4,000,000
Red Mesa, AZ health center	\$19,382,000	19,382,000
Sisseton, SD health center	17,300,000	17,300,000
Small ambulatory facilities	0	6,000,000	+6,000,000
Wagner, SD staff quarters	2,538,000	2,538,000
Zuni, NM staff quarters	2,525,000	2,525,000
Total	41,745,000	99,345,000	+57,600,000

The Committee recommends bill language permitting the use of up to \$2,700,000 for the purchase of land for the northern and southern California youth regional treatment centers subject to advance approval by the House and Senate Committees on Appropriations.

The Committee agrees to the following:

1. The maintenance program funding increase needs to remain in the base budget for fiscal year 2006 and beyond. Further increases will be necessary as existing facilities get older and as more hospitals and clinics are built and expanded.

2. Funds for the Clinton, OK clinic will complete that project. Funds for the Eagle Butte, SD clinic will fund phase I of the construction effort. Funds for the California Regional Youth Treatment Centers are for planning and design of 2 centers. Funds for the Phoenix Indian Medical Center, AZ are for the design of a southwest clinic and a southeast clinic.

3. The funds for new health clinic planning and design are for facilities with newly approved program justification documents (PJDs). The Committee understands that there are two locations that potentially will have completed and approved PJDs within the next couple of months—San Carlos, Apache, AZ and Kayenta, AZ. The Committee urges the Service and the tribes to work together to complete these PJDs prior to conference consideration of this bill.

4. The joint venture funding is for up to 2 projects using the existing list of qualified projects from the last solicitation.

5. The Service should issue a new solicitation for small ambulatory care facilities. There should be a cap of \$2,000,000 for any one project and most, if not all, projects should be funded substantially below that level.

6. The increase for equipment should be focused on replacing outdated analog medical devices with digital medical devices and telemedicine equipment and should remain in the base budget. Further increases will be necessary as existing equipment becomes outdated and as more hospitals and clinics are built and expanded.

7. 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.

8. 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.

9. 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.

10. 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.

11. 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.

ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

The Committee recommends bill language permitting the use of third party collections for the purchase of land for the IHS hospital in Tahlequah, Oklahoma subject to advance approval by the House and Senate Committees on Appropriations. The land will be used for a parking lot expansion at the W.W. Hastings hospital.

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 trace their origin on the land back to the Anasazi race whose presence is recorded back to 1150 A.D. Later in the 16th century Navajo settlement led to the isolation of the Hopi Reservation as an island within the area occupied by the Navajo reservation. 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 Navajo tribe and the 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 re-

UNITED STATES HOLOCAUST MEMORIAL MUSEUM
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, 2004	\$39,505,000
Budget estimate, 2005	41,433,000
Recommended, 2005	41,433,000
Comparison:	
Appropriation, 2004	+1,928,000
Budget estimate, 2005	0

The Committee recommends \$41,433,000 for the Holocaust Memorial Museum, the same as the budget request and \$1,928,000 above the enacted level.

PRESIDIO TRUST

PRESIDIO TRUST FUND

Appropriation enacted, 2004	\$20,445,000
Budget estimate, 2005	20,000,000
Recommended, 2005	20,000,000
Comparison:	
Appropriation, 2004	– 445,000
Budget estimate, 2005	0

The Committee recommends \$20,000,000 for the Presidio Trust fund, the same as the budget request and \$445,000 below the enacted level.

TITLE III—GENERAL PROVISIONS

Section 301 continues a provision providing for public availability of information on consulting services contracts.

Section 302 continues a provision prohibiting activities to promote public support or opposition to legislative proposals.

Section 303 continues a provision providing for annual appropriations unless expressly provided otherwise in this Act.

Section 304 continues a provision limiting the use of personal cooks, chauffeurs or servants.

Section 305 provides for restrictions on departmental assessments unless approved by the Committees on Appropriations.

Section 306 continues a provision limiting the sale of giant sequoia.

Section 307 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 308 continues a provision limiting 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 309 continues a provision specifying reforms and limitations dealing with the National Endowment for the Arts.

Section 310 continues a provision permitting the collection and use of private funds by the National Endowment for the Arts and the National Endowment for the Humanities.

Section 311 continues direction to the National Endowment for the Arts on funding distribution.

Section 312 continues a limitation on completing and issuing the five-year program under the Forest and Rangeland Renewable Resources Planning Act.

Section 313 continues a provision prohibiting 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 Committees on Appropriations.

Section 314 permits the Secretaries of Agriculture and the Interior to limit competition for watershed restoration project contracts under the "Jobs in the Woods" program.

Section 315 continues a provision which permits the Forest Service to use the roads and trails fund for backlog maintenance and priority forest health treatments.

Section 316 continues a provision limiting 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 317 amends the Knutson-Vandenburg act to clarify that the Forest Service shall not return Knutson-Vandenburg funds designated as excess to the Treasury, as long as there may be a need to use such funds for wildfire suppression and if the amount designated as excess is less than the total amount of unreimbursed funds previously transferred from this account for wildfire suppression. Should the amount of excess funds exceed the unreimbursed amount, the excess portion may be transferred to the Treasury unless there is no anticipated need to use the funding for wildfire suppression. This section also updates the Act concerning the gender of the Secretary and clarifies that all KV funded project categories are of equal priority.

Section 318 continues a provision prohibiting the Forest Service from using projects under the recreation fee demonstration program to supplant existing concessions.

Section 319 continues a provision clarifying the Forest Service land management planning revision requirements.

Section 320 continues a provision limiting preleasing, leasing, and related activities within the boundaries of National monuments.

Section 321 extends the Forest Service Conveyances Pilot Program.

Section 322 makes permanent a provision providing authority for the staff of Congressionally established foundations to use GSA contract airfare rates and Federal government hotel accommodation rates when on official business.

Section 323 continues a provision providing the Secretary of the Interior and the Secretary of Agriculture the authority to enter into reciprocal agreements with foreign nations concerning the personal liability of firefighters.

Section 324 continues a provision authorizing a demonstration program for the Cheyenne River Sioux Tribe, which permits the Eagle Butte service unit to pay higher salaries and bonuses to attract health professionals, if they can do so at no additional cost. The tribe has reported that part-time contract employees currently are costing more than it would cost the tribe to hire full-time permanent employees under this demonstration program.

Section 325 continues a provision prohibiting the transfer of funds to other agencies other than provided in this Act.

Section 326 continues a legislative provision limiting funds for oil or gas leasing or permitting on the Finger Lakes National Forest, NY.

Section 327 continues a provision limiting the use of funds for the planning, design, or construction of improvements to Pennsylvania Avenue in front of the White House.

Section 328 continues a provision which authorizes the Secretary of the Interior and the Secretary of Agriculture to give consideration to rural communities, local and non-profit groups, and disadvantaged workers in entering into contracts for hazardous fuels and watershed projects.

Section 329 continues a provision which limits the use of funds for filing declarations of takings or condemnations. This provision does not apply to the Everglades National Park Protection and Environmental Act.

Section 330 restricts the Forest Service use of the Recreation Fee Demonstration program to certain developed sites.

Section 331 provides guidance on competitive sourcing activities and clarifies annual reporting requirements to specify the reporting of the full costs associated with sourcing studies and related activities. Language is also included concerning the Forest Service so the previous, faulty competitive sourcing studies are not repeated in the future.

Section 332 requires overhead charges, deductions, reserves or holdbacks to be presented in annual budget justifications, with changes presented to the Appropriations Committees for approval.

Section 333 prohibits the expenditure of funds on Safecom, Disaster Management, E-Training, and E-Rulemaking.

Section 334 authorizes the conveyance of land within the San Bernardino National Forest, CA.

Section 335 extends a previous provision for four more years which encourages cooperative hazardous fuels projects with the State of Colorado and the Forest Service, and extends this authority to the Bureau of Land Management.

TITLE IV—SUPPLEMENTAL APPROPRIATIONS FOR FISCAL
YEARS 2004 AND 2005 FOR URGENT WILDLAND FIRE SUP-
PRESSION ACTIVITIES

Chapter I—Supplemental Wildland Fire Suppression Funding for
Fiscal Year 2004

The Committee has included supplemental appropriations for the Department of the Interior and the Forest Service that provide an additional \$500,000,000 in wildland fire suppression funds pursuant to Section 312 of the Concurrent Budget Resolution for fiscal year 2005. This includes \$100,000,000 for the Department of the Interior and \$400,000,000 for the Forest Service. The supplemental funding provided in this Title will become available if the wildland fire suppression program is funded at the 10-year average; there are insufficient funds in the suppression program for the current fiscal year; and the current fire season is of sufficient severity to require the funds.

Severe drought conditions in many regions of the country, the expansion of the wildland urban interface, and the condition of the nation's forests are likely to cause severe wildfire conditions in fiscal year 2004. This funding is intended to preclude borrowing additional amounts from ongoing agency programs. Past borrowing of funds from ongoing projects for wildland fire suppression caused project cancellations, strained relationships with partners, and disruptions in management.

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

WILDLAND FIRE MANAGEMENT

The Committee recommends an additional amount of \$100,000,000 for "Wildland Fire Management", in fiscal year 2004, as needed, and as described above.

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

WILDLAND FIRE MANAGEMENT

The Committee recommends an additional amount of \$400,000,000 for "Wildland Fire Management", in fiscal year 2004, as needed, and as described above.

Chapter II—Supplemental Wildland Fire Suppression Funding for
Fiscal Year 2005

The Committee has included supplemental appropriations for the Department of the Interior and the Forest Service to provide an additional \$500,000,000 in wildland fire suppression funds pursuant to Section 312 of the Concurrent Budget Resolution for fiscal year 2005. This includes \$100,000,000 for the Department of the Interior and \$400,000,000 for the Forest Service. Bill language is included that provides the additional funds only if funds provided in Titles I and II of this Act for wildland fire suppression are insufficient.

The Committee anticipates severe drought conditions in many regions of the country as well as increased expansions of the wildland urban interface and the deterioration of the nation's forests. These conditions are likely to cause severe wildfire conditions in fiscal year 2005. This funding, available only if needed, is intended to preclude borrowing additional amounts from ongoing agency programs. Past borrowing of funds from ongoing projects for wildland fire suppression caused project cancellations, strained relationships with partners, and disruptions in management.

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

WILDLAND FIRE MANAGEMENT

The Committee recommends an additional amount of \$100,000,000 for "Wildland Fire Management", in fiscal year 2005, as needed, and as described above.

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

WILDLAND FIRE MANAGEMENT

The Committee recommends an additional amount of \$400,000,000 for "Wildland Fire Management", in fiscal year 2005, as needed, and as described above.

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:

<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

TRANSFERS 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 transfers of funds provided in the accompanying bill.

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 the Interior, Departmental Management.	\$13,500,000	Bureau of Land Management, Central Hazardous Materials Fund.	\$13,500,000

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. 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; permitting the use of these fees for program operations, and providing for a Youth Conservation Corp.

Language is included under Bureau of Land Management, Wildland fire management, permitting the use of funds from other accounts for firefighting; permitting the use of funds for lodging and subsistence of firefighters; permitting the acceptance and use of funds for firefighting; permitting the use of grants, contracts and cooperative agreements for hazardous fuels reduction, including cost-sharing and local assistance; permitting reimbursement to the Fish and Wildlife Service and the National Marine Fisheries Service for consultation activities under the Endangered Species Act; permits the use of firefighting funds for the leasing of properties or the construction of facilities; providing for the transfer of funds between the Department of the Interior and the Department of Agriculture; and providing funds for support of Federal emergency response actions.

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, Oregon and California grant lands, authorizing the transfer of receipts to the Treasury.

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, allowing the 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 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, Landowner incentive program, providing matching grants to States and territories.

Language is included under United States Fish and Wildlife Service, Private Stewardship grants, providing for grants for private conservation efforts.

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

Language is included under United States Fish and Wildlife Service, Administrative provisions, providing for repair of damage to public roads; providing options for the purchase of land not to exceed \$1; providing for installation of certain recreation facilities; and permitting the maintenance and improvement of aquaria and other facilities, cost-shared arrangements for printing services, permitting the use of funds for employment related legal services, the acceptance of donated aircraft, and limiting the use of funds for establishing new refuges.

Language is included under National Park Service, Operation of the National park system, allowing 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, and permitting reimbursement to the Park Police for special events under limited circumstances.

Language is included under National Park Service, National recreation and preservation, prohibiting the use of cooperative agreements and any form of cash grant for the rivers, trail, and conservation assistance program, and providing funds for the city of Tacoma, WA.

Language is included under National Park Service, Historic preservation fund, providing grants for Save America's Treasures to be matched by non-Federal funds; individual projects are only eligible

for one grant and are subject to prior approval; and funds for Federal projects are available by transfer to individual agencies.

Language is included under National Park Service, construction, limiting funds for Park Service Partnership projects with certain exceptions, limiting donation or services associated with new facilities, limiting funds for certain facilities at the Washington Monument, providing funds for Modified Water Deliveries to Everglades National Park with certain restriction, and limiting funds for Dayton Aviation Heritage National Historical Park.

Language is included under National Park Service, Land and water conservation fund, rescinding \$30,000,000 in contract authority.

Language is included under National Park Service, Land acquisition and State assistance, and limiting the use of funds to establish a contingency fund for State grants.

Language is included under National Park Service, Administrative provisions, limiting funds for grants and contracts that don't include the text of 18 U.S.C. 1913, preventing the implementation of an agreement for the redevelopment of the southern end of Ellis Island; allowing funds to be used to maintain certain parts of the District of Columbia near the White House; limiting the use of funds for the United Nation's Biodiversity Convention; permitting the use of funds for workplace safety needs; authorizing reimbursable agreements in advance of receipt of funds; allowing the Secretary of Interior to appeal value determinations; and allowing certain franchise fees to be available for expenditure without further appropriation to extinguish or reduce liability for certain possessory interests.

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 reimbursement of funds to the GSA for security services, 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; permitting the use of certain contracts, grants, and cooperative agreements; and recognizing students and recent graduates as Federal employees for the purposes of travel and work injury compensation.

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; permitting the use of revenues from a royalty-in-kind program; and providing that royalty-in-kind be equal to, or greater than, royalty-in-value.

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 and permitting payment to State and tribal personnel for travel and per diem expenses for training.

Language is included under Office of Surface Mining Reclamation and Enforcement, Abandoned mine reclamation fund, earmarking funds for acid mine drainage; limiting grants to minimum program States; allowing the use of debt recovery to pay for debt collection; providing certain grant flexibility to the State of Maryland; and allowing funds to be used for travel expenses while attending training.

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; providing for an Indian self-determination fund; and allowing the transfer of certain forestry funds.

Language is included under Bureau of Indian Affairs, Construction, providing that six percent of Federal Highway Trust Fund contract authority may be used for management costs; providing Safety of Dams funds on a non-reimbursable basis; providing for the transfer of Navajo irrigation project funds to the Bureau of Reclamation; 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 providing funds for the Eastern Band of Cherokee education facility at the Ravensford tract.

Language is included under Bureau of Indian Affairs, Indian Land and Water Claims Settlements and Miscellaneous Payments to Indians, permitting funding for the Quinault Indian Nation boundary settlement.

Language is included under Bureau of Indian Affairs, Indian Guaranteed Loan Program account, limiting funds for loans under certain circumstances, and providing administrative expenses.

Language is included under Bureau of Indian Affairs, Administrative provisions, allowing contracting for the San Carlos Irrigation Project; limiting the use of funds for contracts, grants and cooperative agreements; allowing tribes to return appropriated funds for distribution to other tribes; prohibiting funding of Alaska schools; and limiting the number of schools and the expansion of grade levels in individual 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; allowing grants for the Pacific Basin Development Council; providing a grant to the Close-Up foundation; providing for capital infrastructure in various Territories; and allowing appropriations for disaster

assistance to be used as non-Federal matching funds for hazard mitigation grants.

Language is included under Departmental Offices, Departmental management, salaries and expenses, permitting payments to former Bureau of Mines workers; directing transfer of unobligated balances in the Central Hazardous Material Fund; limiting the establishment of additional reserves in the working capital fund.

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

Language is included under Departmental Offices, Office of special trustee for American Indians, limiting the amount of funding available for historical accounting, 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; requiring annual statements and records maintenance; limiting use of funds to correct administrative errors; and permitting the use of recoveries from erroneous payments.

Language is included under Departmental Offices, Indian land consolidation, permitting transfers of funds for administration.

Language is included under Departmental Offices, Administrative provisions, allowing the sale of existing aircraft with proceeds used to offset the purchase price of replacement aircraft; prohibiting the use of working capital or consolidated working funds to augment certain offices and allowing the acquisition of aircraft through various means; requiring description of working capital fund charges in annual budget justifications; and requiring reports on National Business Center activities.

Language is included under General Provisions, Department of the Interior, allowing 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, permitting 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, allowing 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, prohibiting fee exemptions for non-local traffic through National Parks, and limiting the investment of Federal funds by Indian tribes.

Language is included under General Provisions, Department of the Interior, permitting the transfer of funds between the Bureau

of Indian Affairs and the Office of Special Trustee for American Indians; providing for administrative law judges to handle Indian issues; permitting the redistribution of certain Indian funds with limitations; 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; permitting the conveyance of the Twin Cities Research Center; 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; allowing the use of helicopters and motor vehicles on Sheldon and Hart National Wildlife refuge; authorizing funding transfers for Shenandoah Valley Battlefield NHD and Ice Age NST; and prohibiting the closure of the underground lunchroom at Carlsbad Caverns NP.

Language is included under General Provisions, Department of the Interior, prohibiting demolition of the bridge between New Jersey and Ellis Island; prohibiting posting of clothing optional signs at Canaveral NS; limiting compensation for the Special Master and Court Monitor for the Cobell v. Norton litigation; allowing payment of attorney fees for Federal employees related to the Cobell v. Norton litigation; requiring the Fish and Wildlife Service to mark hatchery salmon; and allowing for the transfer of certain Departmental Management funds to the U.S. Fish and Wildlife Service for Midway Island Refuge airport; addressing the use of certain Indian lands for gaming purposes; and preventing funds to study or reduce the water level at Lake Powell.

Language is included under General Provisions, Department of the Interior, limiting funds for the National Indian Gaming Commission; providing for expansion of a tribal school demonstration program.

Language is included under General Provisions, Department of the Interior, limiting the use of funds for certain special events on the National Mall.

Language is included under Forest Service, State and private forestry, deriving Forest Legacy funding from the Land and Water Conservation Fund; and requiring House and Senate Appropriations Committee notification 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; requiring the fiscal year 2006 budget justification to display unobligated balances available at the start of fiscal year 2005; and permitting the transfer of funds to the Bureau of Land Management for wild horse and burro management and for cadastral surveys.

Language is included under Forest Service, Wildland fire management, allowing the use of funds to repay advances from other accounts; allowing reimbursement of States for certain emergency activities; requiring 50 percent of any unobligated balances remaining at the end of fiscal year 2004, excepting hazardous fuels funding, to be transferred to the Knutson-Vandenberg Fund as repayment for past advances; permitting the use of funds for the Joint Fire Science program; providing for grants and cooperative agreements with local communities; providing for use of funds on adjacent, non-Federal lands for hazard reduction; providing funding for

implementing the Community Forest Restoration Act; providing contract authority for fuel reduction projects; and providing for the transfer of funds between the Department of Interior and the Department of Agriculture.

Language is included under Forest Service, Capital improvement and maintenance, allowing funds to be used for road decommissioning and requiring that no road decommissioning be funded until notice and an opportunity for public comment has been provided.

Language is included under Forest Service, Range betterment fund, providing that six 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; allowing funds for certain employment contracts; allowing funds to be used for purchase and alteration of building; allowing for acquisition of certain lands and interests; allowing expenses for certain volunteer activities; providing for the cost of uniforms; providing for debt collections on certain contracts; permitting the transfer of funds for emergency firefighting from other Forest Service accounts under certain circumstances; providing that the first transfer of funds for emergency firefighting shall include land acquisition and Forest Legacy funds; and 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 transfer of funds under the Department of Agriculture transfer authority; canceling \$40,000,000 in funding from the fiscal year 2002 farm bill; prohibiting the use of funds to implement the Forest Land Enhancement program; prohibiting reprogramming without approval; and limiting funds to be transferred to the USDA Working Capital Fund.

Language is included under Forest Service, Administrative provisions, providing for a Youth Conservation Corps program; 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; providing payments to counties within the Columbia River Gorge National Scenic Area; permitting limited reimbursements to the Office of General Counsel in USDA; allowing the limited use of funds for law enforcement emergencies; allowing the transfer of funds to the Department of the Interior for endangered species consultation; and providing Federal employee status for certain individuals employed under the Older American Act of 1965.

Language is included under Department of Energy, Clean coal technology, deferring certain funding for one year; and providing funding and limitations for the FutureGen program.

Language is included under Department of Energy, Fossil energy research and development, permitting the use of funds from other program accounts for the National Energy Technology Laboratory; specifying certain conditions for the Clean Coal Power Initiative; and limiting the field testing of nuclear explosives for the recovery of oil and gas.

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

Language is included under the Department of Energy, Energy conservation, providing allocations of grants for weatherization and State energy conservation.

Language is included under Administrative provisions, Department of Energy, providing for vehicle and guard services and uniform allowances; providing for the transfer of funds to other agencies of the Government; limiting programs of price supports and loan guarantees to what is provided in appropriations Acts; 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; providing for use of collections under Title IV of the Indian Health Care Improvement Act; and permitting the use of Indian Health Care Improvement Fund monies for facilities improvement.

Language is included under Indian Health Service, Indian health facilities, providing that funds may be used to purchase land, modular buildings and trailers; providing for certain purchases and for a demolition fund; providing authority for contracts for small ambulatory facilities; and providing for land purchases for IHS facilities in California subject to advance approval.

Language is included under Indian Health Service, Administrative provisions, providing for payments for telephone service in private residences in the field, purchase of motor vehicles, aircraft and reprints; providing for purchase and erection of portable buildings; providing funds for uniforms; 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 funds are not available for assessments by the Department of Health and Human Services; providing a limitation on personnel ceilings at certain IHS facilities; providing that reimbursements for IHS training provide total costs; allowing purchase of certain lands in Oklahoma.

Language is included under Indian Health Service, Administrative provisions, allowing payment of expenses for meeting attendance; specifying that certain funds shall not be subject to certain travel limitations; prohibiting the expenditure of funds to implement new eligibility regulations; providing that funds be apportioned only in the appropriation structure in this Act; and prohibiting changing the appropriations structure without approval of the Appropriations Committees.

Language is included under Office of Navajo and Hopi Indian Relocation, Salaries and expenses, defining eligible relocatees; prohibiting movement of any single Navajo or Navajo family unless a new

or replacement home is available; limiting relocatees to one new or replacement home; and establishing a priority for relocation of Navajos to those certified eligible who have selected and received homesites on the Navajo reservation or selected a replacement residence off the Navajo reservation.

Language is included under Smithsonian Institution, Salaries and expenses, providing that funds may be used to support American overseas research centers; allowing for advance payments to independent contractors performing research services or participating in official Smithsonian presentations; and permitting the use of certain funds for the Victor Building.

Language is included under Smithsonian Institution, facilities capital, permitting the Smithsonian Institution to select contractors for certain purposes on the basis of contractor qualifications as well as price.

Language is included under Smithsonian Institution, 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; limiting the use of funds for the Holt House; limiting reprogramming of funds; and prohibiting purchase of buildings without prior consultation.

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 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 grants and contracts which do not include the text of 18 U.S.C. 1913; requiring certain language in contracts and grants permitting the use of non-appropriated funds for reception expenses; and allowing the chairperson of the NEA to approve small grants under limited circumstances.

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, Salaries and expenses, restricting hiring at Executive Level V or higher.

Language is included under National Capital Planning Commission, Salaries and expenses, allowing certain funds to be used for official representation expenses.

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, providing for availability of information on consulting services contracts; prohibiting the use of funds to distribute literature either to promote or oppose legislative proposals on which Congressional action is incomplete; specifying that funds are for one year unless provided otherwise prohibiting the use of funds to provide personal cooks, chauffeurs or other personal servants to any office or employee; prohibiting assessments against programs funded in this bill; and prohibiting the sale of giant sequoia trees in a manner different from 2004.

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, making reforms in the National Endowment for the Arts, including funding distribution reforms; permitting the National Endowments for the Arts and the Humanities to collect, invest and use private donations; limiting funds for completing or issuing the five-year program under the Forest and Rangeland Renewable Resources Planning Act; limiting the use of funds for any government-wide administrative functions; permitting limits on competition for certain Jobs-in-the-Woods activities; permitting the use of Forest Service road and trail funds for maintenance and forest health; limiting the use of telephone answering machines; clarifying use of the Knutson-Vandenburg reforestation fund.

Language is included under Title III—General Provisions, prohibiting the Forest Service from using projects under the recreation fee demonstration program to supplant existing concessions and permitting the use of Forest land management plans pending completion of required revisions.

Language is included under Title III—General Provisions, limiting leasing and preleasing activities within National Monuments; extending and expanding the pilot program allowing the Forest Service to dispose of certain excess structures and reinvest the proceeds for maintenance and rehabilitation; providing authority for the staff of Congressionally established foundations to use GSA contract airfare rates and Federal government hotel accommodation rates when on official business; providing the Secretary of the Interior and the Secretary of Agriculture the authority to enter into reciprocal agreements with foreign nations concerning the personal liability of firefighters; authorizing a demonstration program for the Cheyenne River Sioux Tribe, which permits the Eagle Butte service unit to pay higher salaries and bonuses to attract health professionals; prohibiting the transfer of funds to other agencies other than provided in this Act; and limiting the use of funds to prepare or issue a permit or lease for oil or gas drilling in the Finger Lakes National Forest, NY.

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2004
 AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2005
 (Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
Bureau of Indian Affairs					
Operation of Indian programs.....	1,892,706	1,929,477	1,935,033	+42,327	+5,556
Construction.....	346,825	283,126	348,626	+1,801	+65,500
Indian land and water claim settlements and miscellaneous payments to Indians.....	54,866	34,771	44,771	-10,095	+10,000
Indian guaranteed loan program account.....	6,417	6,421	6,421	+4	---
Total, Bureau of Indian Affairs.....	2,300,814	2,253,795	2,334,851	+34,037	+81,056
Departmental Offices					
Insular Affairs:					
Assistance to Territories.....	48,024	45,215	47,215	-809	+2,000
Northern Marianas.....	27,720	27,720	27,720	---	---
Subtotal.....	75,744	72,935	74,935	-809	+2,000
Compact of Free Association.....	4,379	3,941	3,499	-880	-442
Mandatory payments.....	2,000	2,000	2,000	---	---
Subtotal.....	6,379	5,941	5,499	-880	-442
Total, Insular Affairs.....	82,123	78,876	80,434	-1,689	+1,558

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2004
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2005
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
Departmental management.....	81,599	99,103	93,051	+11,452	-6,052
By transfer from Central Hazardous Material Fund..	---	---	-13,500	-13,500	-13,500
Subtotal, Departmental management.....	81,599	99,103	79,551	-2,048	-19,552
Working capital fund (cancellation).....	-20,000	---	---	+20,000	---
Payments in lieu of taxes.....	224,696	226,000	226,000	+1,304	---
Financial management system migration project.....	11,555	---	---	-11,555	---
Office of the Solicitor.....	49,753	53,453	51,356	+1,603	-2,097
Office of Inspector General.....	38,271	39,400	37,655	-616	-1,745
Office of Special Trustee for American Indians					
Federal trust programs.....	187,305	247,666	196,267	+8,962	-51,399
Indian land consolidation.....	21,709	70,000	42,000	+20,291	-28,000
Total, Office of Special Trustee for American Indians.....	209,014	317,666	238,267	+29,253	-79,399
Natural resource damage assessment fund.....	5,564	5,818	5,818	+254	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2004
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2005
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
Northeast home heating oil reserve.....	4,939	5,000	5,000	+61	---
Energy Information Administration.....	81,100	85,000	85,000	+3,900	---

Total, Department of Energy:					
New budget (obligational) authority (net)....	1,713,772	1,335,632	1,373,046	-340,726	+37,414
Appropriations.....	(1,826,772)	(1,536,632)	(1,538,046)	(-288,726)	(+1,414)
Advance appropriations.....	(72,000)	(36,000)	(72,000)	---	(+36,000)
Rescissions.....	(-88,000)	(-237,000)	---	(+88,000)	(+237,000)
Deferral.....	(-97,000)	---	(-237,000)	(-140,000)	(-237,000)
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DEPARTMENT OF HEALTH AND HUMAN SERVICES					
Indian Health Service					
Indian health services:					
Non-contract services.....	2,051,294	2,115,739	2,131,237	+79,943	+15,498
Contract care.....	479,070	479,085	479,085	+15	---
Catastrophic health emergency fund.....	---	18,000	18,000	+18,000	---

Total, Indian health services.....	2,530,364	2,612,824	2,628,322	+97,958	+15,498

Indian health facilities.....	391,351	354,448	405,048	+13,697	+50,600

Total, Indian Health Service.....	2,921,715	2,967,272	3,033,370	+111,655	+66,098
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COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2004
 AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2005
 (Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
OTHER RELATED AGENCIES					
Office of Navajo and Hopi Indian Relocation					
Salaries and expenses.....	13,366	11,000	11,000	-2,366	---
Institute of American Indian and Alaska Native Culture and Arts Development					
Payment to the Institute.....	6,173	6,000	6,000	-173	---
Smithsonian Institution					
Salaries and expenses.....	488,653	499,125	496,925	+8,272	-2,200
Facilities capital.....	107,626	128,900	122,900	+15,274	-6,000
Total, Smithsonian Institution.....	596,279	628,025	619,825	+23,546	-8,200
National Gallery of Art					
Salaries and expenses.....	86,768	93,000	93,000	+6,232	---
Repair, restoration and renovation of buildings.....	11,457	11,100	11,100	-357	---
Total, National Gallery of Art.....	98,225	104,100	104,100	+5,875	---
John F. Kennedy Center for the Performing Arts					
Operations and maintenance.....	16,356	17,152	17,152	+796	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2004
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2005
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF THE INTERIOR					
Bureau of Land Management.....	1,793,233	1,759,355	1,746,817	-46,416	-12,538
United States Fish and Wildlife Service.....	1,308,405	1,326,053	1,263,204	-45,201	-62,849
National Park Service.....	2,258,581	2,360,544	2,267,809	+9,228	-92,735
United States Geological Survey.....	937,985	919,788	944,498	+6,513	+24,710
Minerals Management Service.....	170,287	178,680	178,680	+8,383	---
Office of Surface Mining Reclamation and Enforcement..	295,975	352,768	303,011	+7,036	-49,757
Bureau of Indian Affairs.....	2,300,814	2,253,795	2,334,851	+34,037	+81,056
Departmental Offices.....	682,674	820,316	719,081	+36,407	-101,235
Total, Title I - Department of the Interior.....	9,747,964	9,971,299	9,757,951	+9,987	-213,348
TITLE II - RELATED AGENCIES					
Forest Service.....	4,539,899	4,238,103	4,246,398	-293,501	+8,295
Department of Energy.....	1,713,772	1,335,632	1,373,046	-340,726	+37,414
Indian Health Service.....	2,921,715	2,967,272	3,033,370	+111,655	+66,098
Office of Navajo and Hopi Indian Relocation.....	13,366	11,000	11,000	-2,366	---
Institute of American Indian and Alaska Native Culture and Arts Development.....	6,173	6,000	6,000	-173	---
Smithsonian Institution.....	596,279	628,025	619,825	+23,546	-8,200
National Gallery of Art.....	98,225	104,100	104,100	+5,875	---
John F. Kennedy Center for Performing Arts.....	32,159	33,486	27,152	-5,007	-6,334
Woodrow Wilson International Center for Scholars.....	8,498	8,987	8,987	+489	---
National Endowment for the Arts.....	120,972	139,400	120,972	---	-18,428
National Endowment for the Humanities.....	135,310	162,000	138,499	+3,189	-23,501
Commission of Fine Arts.....	1,405	1,793	1,793	+388	---
National Capital Arts and Cultural Affairs.....	6,914	5,000	7,000	+86	+2,000