

HOUSE JOINT RESOLUTION 465, FURTHER CONTINUING
APPROPRIATIONS FOR FISCAL YEAR 1986

DECEMBER 19, 1985.—Ordered to be printed

Mr. WHITTEN, from the committee of conference,
submitted the following

CONFERENCE REPORT

[To accompany H.J. Res. 465]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.J. Res. 465) making further continuing appropriations for the fiscal year 1986, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 5, 11, 15, 16, 27, 28, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 48, 52, 53, 54, 55, 59, 63, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 106, 116, 121, 122, and 134.

That the House recede from its disagreement to the amendments of the Senate numbered 9, 12, 17, 18, 19, 20, 21, 25, 61, 118, 119, and 120, and agree to the same.

Amendment numbered 1:

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment insert the following:

(a) Such amounts as may be necessary for programs, projects, or activities provided for in the Agriculture, Rural Development, and Related Agencies Appropriations Act, 1986 (H.R. 3037), to the extent and in the manner provided for in the conference report and joint explanatory statement of the Committee on Conference (House Report Numbered 99-439), as filed in the House of Representatives on December 12, 1985, as if such Act had been enacted into law.

The Secretary is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, private, or foreign: Provided, That revenues and other moneys received by or for the account of the Department of Energy or otherwise generated by sale of products in connection with projects of the Department appropriated under this Act may be retained by the Secretary of Energy, to be available until expended, and used only for plant construction, operation, costs, and payments to cost-sharing entities as provided in appropriate cost-sharing contracts or agreements: Provided further, That the remainder of revenues after the making of such payments shall be covered into the Treasury as miscellaneous receipts: Provided further, That any contract, agreement or provision thereof entered into by the Secretary pursuant to this authority shall not be executed prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than three calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full and comprehensive report on such project, including the facts and circumstances relied upon in support of the proposed project.

The Secretary of Energy may transfer to the Emergency Preparedness appropriation such funds as are necessary to meet any unforeseen emergency needs from any funds available to the Department of Energy from this Act.

The reporting requirement established by the last paragraph under the heading "Department of Energy Alternative Fuels Production" in an Act making appropriations for the Department of the Interior and Related Agencies for the fiscal year ending September 30, 1980 (42 U.S.C. 5915 note; Public Law 96-126), is hereby repealed.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

INDIAN HEALTH SERVICES

For expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination Act, the Indian Health Care Improvement Act, and titles III and V and section 338G of the Public Health Service Act with respect to the Indian Health Service, including hire of passenger motor vehicles and aircraft; purchase of reprints; purchase and erection of portable buildings; payments for telephone service in private residences in the field, when authorized under regulations approved by the Secretary, \$823,133,000: Provided, That funds made available to tribes and tribal organizations through grants and contracts authorized by the Indian Self-Determination and Education Assistance Act of 1975 (88 Stat. 2203; 25 U.S.C. 450), shall remain available until September 30, 1987. Funds provided in this Act may be used for one-year contracts and grants which are to be performed in two fiscal years, so long as the total obligation is recorded in the year for which the funds are appropriated: Provided further, That the amounts collected by the Secretary of Health and Human Services under the authority of title IV of the

Indian Health Care Improvement Act shall be available until September 30, 1987, for the purpose of achieving compliance with the applicable conditions and requirements of titles XVIII and XIX of the Social Security Act (exclusive of planning, design, construction of new facilities, or major renovation of existing Indian Health Service facilities): Provided further, That funding contained herein, and in any earlier appropriations Acts, for scholarship programs under section 103 of the Indian Health Care Improvement Act and section 338G of the Public Health Service Act with respect to the Indian Health Service shall remain available for expenditure until September 30, 1987.

INDIAN HEALTH FACILITIES

For construction, major repair, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites, purchase and erection of portable buildings, purchases of trailers and for provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-Determination Act and the Indian Health Care Improvement Act, \$46,947,000, to remain available until expended: Provided, That the Rosebud, South Dakota, hospital shall be designed and constructed with a capacity of 35 beds.

ADMINISTRATIVE PROVISIONS

INDIAN HEALTH SERVICE

Appropriations in this Act to the Indian Health Service, available for salaries and expenses, shall be available for services as authorized by 5 U.S.C. 3109 but at rates not to exceed the per diem equivalent to the rate for GS-18, and for uniforms or allowances therefor as authorized by law (5 U.S.C. 5901-5902), and for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities: Provided, That none of the funds appropriated under this Act to the Indian Health Service shall be available for the initial lease of permanent structures without advance provision therefor in appropriations Acts: Provided further, That non-Indian patients may be extended health care at all Indian Health Service facilities, if such care can be extended without impairing the ability of the Indian Health Service to fulfill its responsibility to provide health care to Indians served by such facilities and subject to such reasonable charges as the Secretary of Health and Human Services shall prescribe, the proceeds of which shall be deposited in the fund established by sections 401 and 402 of the Indian Health Care Improvement Act: Provided further, That funds appropriated to the Indian Health Service in this Act, except those used for administrative and program direction purposes, shall not be subject to limitations directed at curtailing Federal travel and transportation: Provided further, That with the exception of service units which currently have a billing policy, the Indian Health Service shall not ini-

tiate any further action to bill Indians in order to collect from third-party payers nor to charge those Indians who may have the economic means to pay unless and until such time as Congress has agreed upon a specific policy to do so and has directed the Indian Health Service to implement such a policy: Provided further, That notwithstanding any other provision of law, to satisfy the outstanding judgment against the Seattle Indian Health Board resulting from termination of its occupancy of the Kobe Park building in Seattle, Washington, \$180,000 shall be provided from the unobligated balance available to the Indian Health Service from prior years' appropriations. Such payment shall be made only if the owners of the Kobe Park Building Company accept the sum named as full satisfaction for current or future claims against the Seattle Indian Health Board and the individual members of the Board.

DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

INDIAN EDUCATION

For necessary expenses to carry out, to the extent not otherwise provided, the Indian Education Act, \$67,476,000 of which \$50,323,000 shall be for part A and \$14,820,000 shall be for parts B and C: Provided, That the amounts available pursuant to section 423 of the Act shall remain available for obligation until September 30, 1987.

OTHER RELATED AGENCIES

NAVAJO AND HOPI INDIAN RELOCATION COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Navajo and Hopi Indian Relocation Commission as authorized by Public Law 93-531, \$22,491,000 to remain available until expended, for operating expenses of the Commission: Provided, That notwithstanding any regulation to the contrary, the Commission shall notify the Secretary of the Interior by January 1, 1986, of those eligible relocatees who, as of November 30, 1985, were physically domiciled on the lands partitioned to the Hopi Tribe, who had applied by November 30, 1985, for relocation to the lands which are subject to section 11(h) of the Act of December 22, 1974, as amended (25 U.S.C. 640d-10(h)): Provided further, That none of the funds contained in this or any other Act may be used to evict any Navajo household who, as of November 30, 1985, is physically domiciled on the lands partitioned to the Hopi Tribe until such time as a new or replacement home is available for such household.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

For necessary expenses of the Smithsonian Institution, including research in the fields of art, science, and history; development, preservation, and documentation of the National Collections; presenta-

PUBLIC DEVELOPMENT

For public development activities and projects in accordance with the development plan as authorized by section 17(b) of Public Law 92-578, as amended, \$3,250,000, to remain available for obligation until expended.

UNITED STATES HOLOCAUST MEMORIAL COUNCIL

HOLOCAUST MEMORIAL COUNCIL

For expenses of the Holocaust Memorial Council, as authorized by Public Law 96-388, \$2,125,000; Provided, That persons other than members of the United States Holocaust Memorial Council may be designated as members of committees associated with the United States Holocaust Memorial Council subject to appointment by the Chairman of the Council: Provided further, That any persons so designated shall serve without cost to the Federal Government.

TITLE III—GENERAL PROVISIONS

SEC. 301. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive Order issued pursuant to existing law.

SEC. 302. No part of any appropriation under this Act shall be available to the Secretaries of the Interior and Agriculture for use for any sale hereafter made of unprocessed timber from Federal lands west of the 100th meridian in the contiguous 48 States which will be exported from the United States, or which will be used as a substitute for timber from private lands which is exported by the purchaser: Provided, That this limitation shall not apply to specific quantities of grades and species of timber which said Secretaries determine are surplus to domestic lumber and plywood manufacturing needs.

SEC. 303. No part of any appropriation under this Act shall be available to the Secretary of the Interior or the Secretary of Agriculture for the leasing of oil and natural gas by noncompetitive bidding on publicly owned lands within the boundaries of the Shawnee National Forest, Illinois: Provided, That nothing herein is intended to inhibit or otherwise affect the sale, lease, or right to access to minerals owned by private individuals.

SEC. 304. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which congressional action is not complete.

SEC. 305. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 306. None of the funds provided in this Act to any department or agency shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of such department or agency.

SEC. 307. Except for lands described by sections 10, 106 of Public Law 96-560, section 103 of Public Law 96-550, section 5(d)(1) of Public Law 96-312, and except for land in the State of Alaska, and lands in the national forest system released to management for any use the Secretary of Agriculture deems appropriate through the land management planning process by any statement or other Act of Congress designating components of the National Wilderness Preservation System now in effect or hereinafter enacted, and except to carry out the obligations and responsibilities of the Secretary of the Interior under section 17(k)(1) (A) and (B) of the Mineral Leasing Act of 1920 (30 U.S.C. 226), none of the funds provided in this Act shall be obligated for any aspect of the processing or issuance of permits or leases pertaining to exploration for or development of coal, oil, gas, oil shale, phosphate, potassium, sulphur, gilsonite, or geothermal resources on Federal lands within any component of the National Wilderness Preservation System or within any Forest Service RARE II areas recommended for wilderness designation or allocated to further planning in Executive Communication 1504, Ninety-sixth Congress (House Document numbered 96-119); or within any lands designated by Congress as wilderness study areas or within Bureau of Land Management wilderness study areas: Provided, That nothing in this section shall prohibit the expenditure of funds for any aspect of the processing or issuance of permits pertaining to exploration for or development of the mineral resources described in this section, within any component of the National Wilderness Preservation System now in effect or hereinafter enacted, any Forest Service RARE II areas recommended for wilderness designation or allocated to further planning, within any lands designated by Congress as wilderness study areas, or Bureau of Land Management wilderness study areas, under valid existing rights, or leases validly issued in accordance with all applicable Federal, State, and local laws or valid mineral rights in existence prior to October 1, 1982: Provided further, That funds provided in this Act may be used by the Secretary of Agriculture in any area of National Forest lands or the Secretary of the Interior to issue under their existing authority in any area of National Forest or public lands withdrawn pursuant to this Act such permits as may be necessary to conduct prospecting, seismic surveys, and core sampling conducted by helicopter or other means not requiring construction of roads or improvement of existing roads or ways, for the purpose of gathering information about and inventorying energy, mineral, and other resource values of such area, if such activity is carried out in a manner compatible with the preservation of the wilderness environment: Provided further, That seismic activities involving the use of explosives shall not be permitted in designated wilderness areas: Provided further, That funds provided in this Act may be used by the Secretary of the Interior to augment recurring surveys of the mineral values of wilderness areas pursuant to section 4(d)(2) of the Wilderness Act and acquire information on other national forest and public land areas withdrawn pursuant to this Act, by conducting in conjunction with the Secretary of Energy, the National Laboratories, or other Federal agencies, as appropriate, such mineral inventories of areas withdrawn pursuant to this Act as he deems appropriate. These inventories shall be conducted in a manner compat-

of methods of the wilderness environment through physical techniques including core sampling conducted by helicopter, radar, magnetic and gravity surveys, synthetic aperture radar, stream sediment reconnaissance and x-ray diffraction analysis, land satellites, or any other methods he deems appropriate. The Secretary of the Interior is hereby authorized to conduct inventories or segments of inventories, such as data analysis activities, by contract with private entities deemed by him to be qualified to engage in such activities whenever he has determined that such contracts would decrease Federal expenditures and would produce comparable or superior results: Provided further, That in carrying out any such inventory or surveys, where National Forest System lands are involved, the Secretary of the Interior shall consult with the Secretary of Agriculture concerning any activities affecting surface resources: Provided further, That funds provided in this Act may be used by the Secretary of the Interior to issue oil and gas leases for study areas, that are immediately adjacent to producing oil and gas fields or areas that are prospectively valuable. Such leases shall allow no surface occupancy and may be entered only by directional drilling from outside the wilderness study area or other nonsurface disturbing methods.

SEC. 308. None of the funds provided in this Act shall be used to evaluate, consider, process, or award oil, gas, or geothermal leases on Federal lands in the Mount Baker-Snoqualmie National Forest, State of Washington, within the hydrographic boundaries of the Cedar River municipal watershed upstream of river mile 21.6, the Green River municipal watershed upstream of river mile 61.0, the North Fork of the Tolt River proposed municipal watershed upstream of river mile 11.7, and the South Fork Tolt River municipal watershed upstream of river mile 8.4.

SEC. 309. No assessments may be levied against any program, budget activity, subactivity, or project funded by this Act unless such assessments and the basis therefor are presented to the Committees on Appropriations and are approved by such committees.

SEC. 310. Employment funded by this Act shall not be subject to any personnel ceiling or other personnel restriction for permanent or other than permanent employment except as provided by law.

SEC. 311. Notwithstanding any other provisions of law, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Energy, and the Secretary of the Smithsonian Institution, are authorized to enter into contracts with State and local governmental entities, including local fire districts, for procurement of services in the suppression, detection, and suppression of fires on any units within their jurisdiction.

SEC. 312. None of the funds provided by this Act to the United States Fish and Wildlife Service may be obligated or expended to plan for, conduct, or supervise deer hunting on the Loxahatchee National Wildlife Refuge.

SEC. 313. No funds appropriated by this Act shall be available for the implementation or enforcement of any rule or regulation of the United States Fish and Wildlife Service, Department of the Interior, requiring the use of steel shot in connection with the hunting of wa-

terfowl in any State of the United States unless the appropriate State regulatory authority approves such implementation.

SEC. 314. None of the funds provided in this Act may be used to establish new grizzly bear populations in any unit of the National Park System or the National Forest System where no verified grizzly bear population currently exists. None of the funds provided in this Act may be used for augmentation in occupied areas of grizzly bear habitat unless an augmentation plan has been developed and made available for public review and comment in full compliance with the National Environmental Policy Act by all participating federal agencies: Provided, That it is not intended to prohibit the preparation of proposals to augment existing grizzly bear populations in occupied grizzly bear habitat: Provided further, That such augmentation may be conducted only with funds specifically identified for such purpose in an agency budget justification and subsequently approved in a report accompanying an appropriation bill making appropriations for that agency, or with funds provided for through reprogramming procedures: Provided further, That notwithstanding any other provision of law, agencies included in this Act are authorized to reimburse permittees for such reasonable expenses as may be incurred as a result of moving permitted animals from one location to another, as may be required by the permitting agency, in order to prevent harassment and attacks by grizzly bears. Such expenses are to be determined by the agency responsible for the permitted action.

SEC. 315. Notwithstanding any other provision of law, section 8336(N)(3)(A) of title 5, United States Code is amended by striking "5 years" and inserting in lieu thereof "10 years".

SEC. 316. Section 317 of title III of the Act of December 30, 1982 (96 Stat. 1966), is amended by deleting the words "but before December 31, 1985".

SEC. 317. Funds available to the Department of the Interior and the Forest Service in fiscal year 1986 for the purpose of contracting for services that require the utilization of privately owned aircraft for the carriage of cargo or freight shall be used only to contract for aircraft that are certified as air-worthy by the Administrator of the Federal Aviation Administration as standard category aircraft under 14 CFR 21.183 unless the Secretary of the contracting department determines that such aircraft are not reasonably available to conduct such services.

SEC. 318. None of the funds made available to the Department of the Interior or the Forest Service during fiscal year 1986 by this or any other Act may be used to implement the proposed jurisdictional interchange program until enactment of legislation which authorizes the jurisdictional interchange.

SEC. 319. Notwithstanding any other provision of law, any lease for those Federal lands within the Gallatin and Flathead National Forests which were affected by case CV-82-42-BU of the United States District Court for the District of Montana, Butte Division, for which the Secretary has directed or assented to the suspension of operations and production pursuant to section 39 of the Act of February 25, 1920 (30 U.S.C. 184) shall be excepted from the limits on aggregate acreage set out in that Act: Provided, That any person, association or corporation receiving relief under this section shall bring its aggregate acreage into compliance with the provisions of the Act

of any 25, 1920 (30 U.S.C. 184) within six months from the date the suspension of operation and production ends.

Sec. 320. The provisions of section 2(a)(2)(A) of the Mineral Lands Leasing Act of 1920 (41 Stat. 437), as amended by section 3 of the Federal Coal Leasing Amendments Act of 1976 (90 Stat. 1083) shall not take effect until December 31, 1986.

Sec. 321. (a) None of the funds available to the Bureau of Indian Affairs for the construction of housing on lands acquired pursuant to section 11 of Public Law 93-531, as amended, shall be expended until a report is submitted to the House and Senate Committees on Appropriations detailing the proposed uses of such funds on the lands acquired pursuant to section 11 of Public Law 93-531.

(b) In addition to plans for housing, the report shall include a description of other services intended to be provided including, but not limited to, water, sewers, roads, schools, and health facilities. If such services are not to be provided, the report shall describe alternative services available. The report shall further identify the proposed sites to which households will be relocated, including the distance from the Joint Use Area to such sites. This report shall be submitted no later than February 15, 1986, by the Navajo and Hopi Indian Relocation Commission and shall include the views of the Secretary of the Interior on the provision of housing and roads on the new lands.

Sec. 322. Notwithstanding any other provision of law, the limitation placed on the Secretary of the Interior by the last sentence of section 319 of "An Act making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1985, and for other purposes", as enacted into law by Public Law 98-473 (98 Stat. 1837), shall remain in effect until Congress determines otherwise.

Sec. 323. The Secretary of the Interior, acting through the Bureau of Indian Affairs and in consultation and cooperation with the Secretary of Health and Human Services and the Secretary of Education, shall develop and begin implementation of a program which provides instruction in health promotion and disease prevention to juvenile Indians enrolled in schools operated by, or on behalf of, the Bureau of Indian Affairs.

And the Senate Agree to the same.

Sec. 324. Public Law 96-388, as amended (36 U.S.C. 1401 et seq.), is further amended as follows:

(1) The first sentence of section 36 U.S.C. 1401 is amended to read: "There is hereby established as an independent Federal establishment the United States Holocaust Memorial Council (hereinafter in this chapter referred to as the 'Council').";

(2) 36 U.S.C. 1407 is amended by adding the word "invest," after the word "administer," in the first sentence, and by adding the following new sentence as the penultimate sentence: "Funds donated to and accepted by the Council pursuant to this section are not to be regarded as appropriated funds and are not subject to any requirements or restrictions applicable to appropriated funds."; and

(3) By adding the following new sections at the end of 36 U.S.C. 1408:

"REPORT TO THE CONGRESS

The Executive Director shall make a full report annually to the Congress of his stewardship of the authority to construct, operate, and maintain the Holocaust Museum, including an accounting of all financial transactions involving donated funds.

AUDIT BY THE COMPTROLLER GENERAL; ACCESS TO RECORDS

Financial transactions of the Council, including those involving donated funds, shall be audited by the Comptroller General as requested by the Congress, in accordance with generally accepted auditing standards. In conducting any audit pursuant to this section, appropriate representatives of the Comptroller General shall have access to all books, accounts, financial records, reports, files and other papers, items or property in use by the Council, as necessary to facilitate such audit, and such representatives shall be afforded full facilities for verifying transactions with the balances."

SEC. 325. Each amount of budget authority provided in this Act, or made available in the Energy Security Reserve for the Clean Coal Technology Program, for payments not required by law, is hereby reduced by 0.6 per centum: Provided, That such reductions shall be applied ratably to each account, program, activity, and project provided for in this Act; and the Senate agree to the same.

Amendment numbered 8:

That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following:

(e) Such amounts as may be necessary for projects or activities provided for in the Department of Transportation and Related Agencies Appropriations Act, 1986, at a rate for operations and to the extent and in the manner provided for in the following Act; this subsection shall be effective as if it had been enacted into law as the regular appropriations Act:

AN ACT Making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1986, and for other purposes.

TITLE I—DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary of Transportation, including not to exceed \$30,000 for allocation within the Department of official reception and representation expenses as the Secretary may determine, \$51,300,000, together with \$500,000 of the unobligated balances available under this head at the beginning of fiscal year 1986, and of which \$3,500,000 shall remain available until expended and shall be available for the purposes of the Minority Business Resource Center as authorized by 49 U.S.C. 332: Provided, That, notwithstanding any other provision of law, funds avail-

ADMINISTRATIVE PROVISIONS

Language is included which deletes the reporting requirements for the completed Alternative Fuels Production program, as proposed by the Senate.

DEPARTMENT OF HEALTH AND HUMAN SERVICES HEALTH RESOURCES
ADMINISTRATION

INDIAN HEALTH SERVICES

Appropriates \$823,133,000 for Indian health services instead of \$836,483,000 as proposed by the House and \$802,684,000 as proposed by the Senate.

The decrease below the amount proposed by the House consists of: \$3,000,000 for mandatory cost increases, \$500,000 for emergency medical services, \$2,000,000 for indirect costs, \$1,000,000 for alcoholism, \$4,800,000 for contract care, \$412,000 for sanitation, \$372,000 for public health nursing, \$116,000 for health education, \$200,000 for urban health programs, \$450,000 for tribal management, and \$500,000 for program management.

The managers agree that \$1,900,000 is provided for the model diabetes program and \$100,000 is provided for fetal alcohol syndrome research at the University of Washington.

The increase of \$3,000,000 included for tribal contract indirect costs is for all tribal contracts, existing as well as new.

INDIAN HEALTH FACILITIES

Appropriates \$46,947,000 for Indian health facilities instead of \$61,483,000 as proposed by the House and \$35,888,000 as proposed by the Senate.

The net decrease below the amount proposed by the House consists of an increase of \$650,000 for repairs at Ft. Defiance, AZ and decreases of \$1,000,000 for sitework for the Pine Ridge, SD hospital, \$1,740,000 for planning and design of the Shiprock, NM hospital, and \$12,446,000 for construction of the Sacaton, AZ hospital.

Bill language has been included directing that the Rosebud, SD hospital be designed and built with a capacity of 35 beds. The managers believe that there is a need for a surgical suite at either Rosebud or Pine Ridge to provide improved health care in that area. The Indian Health Service shall submit a report to the House and Senate Committees on Appropriations with recommendations as to the better location for a surgical unit within 90 days of enactment of this Act.

The managers must again express their dissatisfaction with the slow progress made by HHS, PHS, HRSA and IHS in moving ahead with construction projects for which funds have been provided. Initial planning funds were provided for the Sacaton, AZ hospital in fiscal year 1982 and the design for this project has yet to be completed despite continued funding and support from the Congress. IHS is directed to expedite this project and to notify the Committees on Appropriations as soon as the design is complete and the project is read for bid.

The managers have not provided funds for sitework at Pine Ridge, SD, and design of the major modernization of the Shiprock, NM hospital only because of delays in schedules and the need to complete other projects already under construction before proceeding with additional projects. However, the managers are committed to proceeding with these projects at the earliest possible opportunity.

At the request of the subcommittees, the Office of Technology Assessment conducted a limited survey of the methodology employed by the Indian Health Service to determine if surgical capacity should be provided in new and replacement facilities. The survey identified several shortcomings in the current IHS application of the planning procedure. The Indian Health Service shall submit a report to the Interior appropriations subcommittees detailing the present system and any proposed changes to the system by March 31, 1986. Further, IHS is directed to employ the methodology uniformly with respect to all hospital construction projects.

The managers agree that within the amount provided for sanitation, \$5,000,000 is available for construction of water and sewer facilities on the new lands acquired pursuant to the Navajo and Hopi Indian Relocation Act.

The managers agree that the IHS shall report to the Committees any unobligated balances remaining available at the completion of a construction project before using such balances for other projects.

ADMINISTRATIVE PROVISIONS

Earmarks \$180,000 of prior year funds to settle a claim against the Seattle Indian Health Board as proposed by the Senate instead of \$270,000 plus interest as proposed by the House.

The managers agree that the bill language limitation on the initial leasing of facilities does not apply to newly recognized tribes who contract with IHS and who require facilities in which to begin a health delivery program. Such lease costs shall be paid from funds otherwise available for such contract.

DEPARTMENT OF EDUCATION

OFFICE OF SECONDARY AND ELEMENTARY EDUCATION

INDIAN EDUCATION

Appropriates \$67,476,000 for Indian Education instead of \$67,656,000 as proposed by the House and \$67,356,000 as proposed by the Senate.

Within this amount \$14,820,000 is for parts B and C instead of \$15,000,000 as proposed by the House and \$14,700,000 as proposed by the Senate. The change from the amount proposed by the Senate is for an increase of \$120,000 for part B for educational personnel development to provide additional training for student teachers and educational personnel.

The managers agree that administrative actions to remedy problems in the part C program must be taken.

United States to audit the Council's financial transactions using donated funds by granting access to all Council records required to facilitate such audit.

TITLE III—GENERAL PROVISIONS

SEC. 307. Continues unchanged the existing prohibition on the use of funds to process or issue leases for coal, oil, gas, oil shale, phosphate, potassium, sulfur, gilsonite, or geothermal resources on wilderness lands and Forest Service RARE II further planning and Bureau of Land Management study areas rather than providing new language as proposed by the House.

SEC. 312. Provides no deer hunting on Loxahatchee NWR as proposed by the House.

The managers agree that the refuge will support the current deer population and that at this time there is no biological or ecological basis to support a deer hunt.

SEC. 314. Provides certain restrictions on the use of funds for the management or enhancement of grizzly bear habitat on National Park System or National Forest System lands.

~~SEC. 315. Provides a five year extension of the deadline for benefits to certain non-preference employees of the Indian Health Service and the Bureau of Indian Affairs.~~

SEC. 316. Provides an indefinite waiver of the requirement for Alaskan utilities to provide environmental information when requesting exemptions under the Fuel Use Act.

SEC. 317. Provides that the Department of the Interior and the Forest Service, when contracting for private air services, must use FAA certified aircraft unless the Secretary determines such aircraft are not available.

SEC. 318. Provides that no funds available to the Department of the Interior or to the Forest Service may be used to implement a jurisdictional interchange program until enactment of authorizing legislation.

SEC. 319. Provides temporary exceptions for certain acreage limitations for leaseholders on Federal lands within the Gallatin and Flathead National Forests.

SEC. 320. Provides an extension of the date on which certain provisions of the Mineral Lands Leasing Act of 1920, as amended by the Federal Coal Leasing Amendments, become effective. The managers agree that this is a one-time extension.

~~SEC. 321. Provides a requirement that the Navajo and Hopi Indian Relocation Commission submit a report to Congress by February 15, 1986, on plans for development of the new lands and requires review and comment on the plan by the Secretary of the Interior.~~

SEC. 322. Provides clarification that the current prohibition on geothermal leasing in the area of Yellowstone National Park is effective until action by Congress to the contrary.

~~SEC. 323. Provides for a coordinated program of health promotion and disease prevention in schools operated by the Bureau of Indian Affairs.~~

SEC. 324. Provides clarification in respect to donations utilized for the Holocaust Museum. This language requires an annual report to

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES

MISCELLANEOUS PROVISIONS

Amendment No. 67: Provides \$80,000 for a study of the Florida panther. This matter is addressed in Amendment No. 7.

Amendment No. 68: Deletes provision in H.R. 3011 relating to costs of the National Fish and Wildlife Foundation. This matter is addressed in Amendment No. 7.

Amendment No. 69: Provides \$80,700,000 for the Burr Trail National Rural Scenic Road. This matter is addressed in Amendment No. 7.

Amendment No. 70: Designates the educational center at Lowell National Historical Park the "Paul E. Tsongas Industrial History Center". This matter is addressed in Amendment No. 7.

Amendment No. 71: Increases the loan ceiling for Wolf Trap Farm Park for the Performing Arts in National Park Service, Administrative Provisions, and provides \$150,000 for the restoration and renovation of the Lonoke Depot in Lonoke, Arkansas. These matters are addressed in Amendment No. 7.

Amendment No. 72: Provides that \$2,000,000 be available to protect Mammoth Cave National Park. This matter is addressed in Amendment No. 7.

Amendment No. 73: Prohibits use of funds for establishing grizzly bear populations in the National Park System and the National Forest System where none currently exist. This matter is addressed in Amendment No. 7.

Amendment No. 74: Prohibits the Secretary of the Interior from promulgating final regulations concerning paleontological research on Federal lands pending a National Academy of Science report. This matter is addressed in Amendment No. 7.

Amendment No. 75: Provides \$850,000 for restoration of the William H. Taft home. This matter is addressed in Amendment No. 7.

Amendment No. 76: Establishes a special fund in the Treasury for deposit of telecommunications fees received by the U.S. Geological Survey. This matter is addressed in Amendment No. 7.

Amendment No. 77: Deletes language in H.R. 3011 relating to the Abandoned Mine Reclamation Fund. This matter is addressed in Amendment No. 7.

Amendment No. 78: Revises language in H.R. 3011 to limit application of Johnson-O'Malley funds. This matter is addressed in Amendment No. 7.

Amendment No. 79: Provides for the no-cost transfer of supplies and equipment to the Saint Labre Indian School, Montana. This matter is addressed in Amendment No. 7.

Amendment No. 80: Requires the Secretary of the Interior to begin a program in BIA schools. This matter is addressed in Amendment No. 7.

Amendment No. 81: Strikes language in H.R. 3011 relating to terms of a loan for an airport in the Virgin Islands. This matter is addressed in Amendment No. 7.

Amendment No. 82: Provides \$6,000,000 in emergency hay relief. This matter is addressed in Amendment No. 7.

Amendment No. 83: Provides for payment of up to \$300,000 from the Office of the Secretary of the Interior, to certain water users for development of water supplies in Willow Creek, Idaho. This matter is addressed in Amendment No. 7.

Amendment No. 84: Allows the Secretary of the Interior to expend funds for emergency activities related to floods. This matter is addressed in Amendment No. 7.

Amendment No. 85: Provides language merging the Reforestation Trust Fund with the National Forest System account. This matter is addressed in Amendment No. 7.

Amendment No. 86: Provides \$24,000,000 from the Timber Salvage Sale Fund instead of the National Forest System account. This matter is addressed in Amendment No. 7.

Amendment No. 87: Earmarks funds for emergency flood repairs in the Monongahela National Forest and Parsons, WV, Forest Research Laboratory. This matter is addressed in Amendment No. 7.

Amendment No. 88: Increases to \$186,433,000 the amount for Forest Service reforestation, timber stand improvement, cooperative law enforcement and maintenance of forest development roads and trails. This matter is addressed in Amendment No. 7.

Amendment No. 89: Permits resale of timber in the Medford, Oregon district of the Bureau of Land Management under certain conditions. This matter is addressed in Amendment No. 7.

Amendment No. 90: Provides that road construction and related facilities of the Mt. St. Helens National Volcanic Monument, Washington, be derived from the Federal Highway Trust Fund. This matter is addressed in Amendment No. 7.

Amendment No. 91: Provides for certain exceptions related to mineral leasing on the Flathead and Gallatin National Forests. This matter is addressed in Amendment No. 7.

Amendment No. 92: Rescinds \$3,000,000,000 of Synthetic Fuels Corporation funds and terminates the Corporation by 1992. This matter is addressed in Amendment No. 7.

Amendment No. 93: Provides a loan of up to \$3,000,000 from an existing reserve to be used for odor abatement at an operating ethanol plant. This matter is addressed in Amendment No. 7.

Amendment No. 94: Rescinds \$160,000,000 of Strategic Petroleum Reserve oil acquisition funds and provides for the exchange of agricultural products for crude oil. This matter is addressed in Amendment No. 7.

~~Amendment No. 95:~~ Provides \$180,000 from unobligated balances available to Indian Health Service to satisfy an outstanding judgment against the Seattle Indian Health Board. This matter is addressed in Amendment No. 7.

Amendment No. 96: Provides for funds under the Smithsonian Institution for American overseas research centers. This matter is addressed in Amendment No. 7.

Amendment No. 97: Provides that certain provisions of the Mineral Leasing Act shall not take effect until December 31, 1986. This matter is addressed in Amendment No. 7.

Amendment No. 98: Deletes language proposed by the Senate extending the termination date for conditional loan guarantees under the Biomass Energy and Alcohol Fuels Act of 1980. A similar provision is contained in Amendment No. 1.

~~Amendment No. 99~~ Requires the Navajo and Hopi Indian Relocation Commission to submit a report to Congress no later than January 15, 1986, on how relocation housing funds are to be used. This matter is addressed in Amendment No. 7.

Amendment No. 100: Prohibits geothermal leasing in the area of Yellowstone National Park. This matter is addressed in Amendment No. 7.

DISADVANTAGED ASSISTANCE

Amendment No. 101: Deletes language proposed by the Senate which would have appropriated \$500,000 for activities under section 787 of the Public Health Service Act. The House resolution contained no similar provision.

HEALTH PLANNING

Amendment No. 102: The conference agreement changes section number and includes language proposed by the Senate to prohibit penalties under sections 1512, 1515, or 1521 of the Public Health Service Act and to allow awards to State agencies authorized to receive grants under section 935(b) of the Omnibus Budget Reconciliation Act of 1981. Similar language has been included in prior continuing resolutions for fiscal years 1983, 1984 and 1985. The conference agreement modifies language inserted by the Senate which prohibits actions in anticipation of the closure of health planning agencies due to a failure to reauthorize the program. The conference agreement prohibits such actions prior to August 15, 1986 instead of July 1, 1986 as proposed by the Senate. The House resolution included no similar provisions.

HEALTH EDUCATION ASSISTANCE LOANS (HEAL)

Amendment No. 103: Changes section number and inserts language proposed by the Senate making loan guarantees under the Health Education Assistance Loan program (HEAL) available without regard to any apportionments or other administrative limitations not specifically authorized under title VII. The House resolution included no similar provision of the Public Health Service Act.

MEDICARE DEMONSTRATIONS

Amendment No. 104: The conference agreement changes section number and modifies language proposed by the Senate to direct the Secretary of the Department of Health and Human Services to extend *for one year only* four municipal health service demonstration projects under Medicare. The Senate language directed that these grants be extended for three years. The House resolution included no similar provision. This agreement provides additional time for the authorizing committees to complete action on legislation currently in conference regarding the future of these projects.

CHILD CARE AND CHILD ABUSE PREVENTION

Amendment No. 105: Changes section number, deletes appropriations of \$25,000,000 and modifies language proposed by the Senate relating to allocations to States for child care and child abuse pre-