

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES
APPROPRIATION BILL, 1986

JULY 16, 1985.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

Mr. YATES of Illinois, from the Committee on Appropriations,
submitted the following

REPORT

together with

ADDITIONAL AND DISSENTING VIEWS

[To accompany H.R. 3011]

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, 1986. 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 Smithsonian Institution, and the National Foundation on the Arts and the Humanities.

LAND AND WATER CONSERVATION FUND

[In thousands of dollars]

	Enacted fiscal year 1985	Estimates fiscal year 1986	Recommended	Changes from estimate
Assistance to States:				
Matching grants.....	\$71,853		\$48,350	+\$48,350
Administrative expenses.....	1,647	\$1,275	1,650	+375
Subtotal, assistance to States.....	73,500	1,275	50,000	+48,725
Federal programs:				
Bureau of Land Management.....	2,695		2,800	+2,800
Forest Service.....	43,603	2,278	29,500	+27,222
Fish and Wildlife Service.....	63,218	1,500	45,970	+44,470
National Park Service.....	73,716	10,000	65,762	+55,762
Subtotal, Federal programs.....	183,232	13,778	144,032	+130,254
Total, L&WCF.....	256,732	15,053	194,032	+178,979

INDIAN PROGRAMS

The Committee recommends appropriations of new budget authority aggregating \$1,982,547,000 for Indian programs in fiscal year 1986. This is a net increase of \$205,125,000 above the budget request for fiscal year 1986, and a decrease of \$18,278,000 under the amount appropriated for fiscal year 1985. Major increases over the budget recommended by the Committee include the following:

Education.....	+ \$23,224,000
Forestry.....	+1,685,000
Water resources.....	+2,264,000
Wildlife and parks.....	+2,765,000
Minerals and mining.....	+2,200,000
Rights protection.....	+3,745,000
Irrigation construction.....	+7,700,000
Housing.....	+5,740,000
Hospitals and clinics.....	+14,500,000
Contract health care.....	+10,000,000
Community health representatives.....	+26,000,000
Urban health projects.....	+10,000,000
Hospital construction.....	+30,097,000
Sanitation facilities.....	+25,000,000
Health personnel quarters.....	+5,660,000

Spending for Indian services by the Federal Government in total is included in the following table:

FEDERAL FUNDING OF INDIAN PROGRAMS

[In thousands of dollars]

	Budget authority		
	Fiscal year 1984 actual	Fiscal year 1985 estimate	Fiscal year 1986 estimate
Department of Agriculture.....	\$85,300	\$60,100	\$96,700
Department of Commerce.....	7,800		
Department of Education.....	328,100	349,400	341,700
Department of Energy.....	500	500	300
Department of HHS.....	916,700	949,500	991,123
Department of HUD.....	484,300	441,900	137,300

	(in thousands of dollars)			Change from Estimates
	F.Y. 85 Enacted	Budget Estimates	Committee Bill	
Collection, production and analysis.....	40,813	36,891	37,491	+600
Program services.....	10,793	13,982	13,982	---
Policy and management.....	8,818	8,027	8,027	---
Pay restoration.....	---	---	1,282	+1,282
Total, Energy information administration.....	60,424	58,900	60,782	+1,882

The Committee recommends an appropriation of \$60,782,000, an increase of \$1,882,000 over the budget request of \$58,900,000.

The Committee recommends an increase of \$600,000 in collection, production, and analysis to continue the Financial Reporting System [FRS] as required by law (\$500,000) and the State energy data system/energy price and expenditure data system (\$100,000). Within available funds, \$200,000 is recommended for State heating oil price and inventory grants. This continues the level provided in the fiscal year 1985 appropriation. The money is to be used by the States to assist in monitoring heating oil prices and supplies. These data provide important information used in many government policy decisions.

The Committee expects the Energy Information Administration to prepare and conduct the manufacturing energy consumption survey funded in fiscal year 1985 in an expeditious manner, taking into account the comments of industry, particularly with regard to confidentiality, but retaining the essential features of the survey, including information on energy expenditures, fuel switching capabilities, and the use of non-purchased sources of energy such as co-generation and waste or by-product utilization.

The Committee also recommends \$1,282,000 to restore the proposed 5% pay reduction.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

INDIAN HEALTH SERVICES

Appropriation, 1985.....	\$793,728,000
Budget estimate, 1986.....	758,543,000
Recommended, 1986.....	836,483,000
Comparison:	
Appropriation, 1985.....	+42,755,000
Budget estimate, 1986.....	+77,940,000

The amount recommended by the Committee for fiscal year 1986 compared with the budget estimate by activity is shown in the following table:

	(in thousands of dollars)			Change from Estimates
	F.Y. 85 Enacted	Budget Estimates	Committee Bill	
Hospital and health clinic programs.....	417,016	418,221	432,721	+14,500
Dental health program.....	24,923	25,215	25,215	---
Mental health program.....	11,179	11,304	11,304	---
Alcoholism program.....	24,482	24,776	25,776	+1,000
Maintenance and repair.....	8,570	8,673	8,673	---
Contract care.....	163,956	165,866	175,866	+10,000
Sanitation.....	20,275	20,272	20,684	+412
Public health nursing.....	12,212	12,195	12,567	+372
Health education.....	3,576	3,573	3,689	+116
Community health representative program.....	25,480	---	26,000	+26,000
Immunization.....	3,626	2,721	2,721	---
Urban health projects.....	9,800	---	10,000	+10,000
Indian health manpower.....	6,499	6,499	6,499	---
Tribal management.....	2,450	---	2,450	+2,450
Direct operations.....	59,684	56,778	59,278	+2,500
Indian health facilities.....	---	2,450	---	-2,450
Medicare/Medicaid reimbursements.....	(44,100)	(54,100)	(44,100)	(-10,000)
Paw restoration.....	---	---	13,040	+13,040
Total, Indian Health Services.....	793,728	758,543	836,483	+77,940

The Committee recommends an appropriation of \$836,483,000, an increase of \$77,940,000 over the budget estimate for Indian health services. The recommended amount is an increase of \$42,755,000 over fiscal year 1985, or 5%, far below the estimated 10% or larger increase in health care costs expected in fiscal year 1986. The Committee's recommendation essentially maintains the Indian Health Service programs at the 1985 level, and does not address the need for additional funding required to begin to bring the health care provided to the Indian people closer to "parity" with that of the American population as a whole. The amount estimated by the Indian Health Service that would be required to address the unmet health care needs of the Indian people is over \$300,000,000 in fiscal year 1986.

Hospitals and clinics.—The Committee recommends an increase of \$14,500,000, which includes \$10,000,000 required to fund mandatory increases of providing health care in IHS hospitals and clinics. The budget had proposed funding these increases from unobligated Medicare and Medicaid collections. In addition to the opinion of the authorizing committee that using the funds in this manner would be contrary to the law providing for the use of such funds, the Committee notes that the IHS estimates of such collections have been consistently overstated. In fiscal year 1985, IHS now expects to collect approximately \$30,000,000–\$32,000,000 compared to an original estimate of \$55,400,000. It is very unlikely that the estimate for fiscal year 1986 of \$55,100,000 will be realized. In addition, the estimated balance of unobligated funds from Medicare and Medicaid collections expected to be on hand at the end of fiscal year 1985 is only \$3,000,000–\$9,000,000 and will be needed for the continuing expenses of correcting deficiencies that could otherwise lead to loss of accreditation, lowering of the quality of health care provided, and the potential loss of the Medicare and Medicaid collections themselves.

An increase of \$4,500,000 is provided to allow continuation of the community health representatives emergency services program at the 1985 level. The Committee understands that the model diabetes program will continue at the 1985 level, \$1,900,000, within the

amount provided. The recommendation includes the budgeted increase of \$5,000,000 for indirect costs required for tribal health programs contracted under P.L. 93-638. The Committee understands that this amount may not be adequate to meet the shortfall in indirect costs, and directs IHS to inform the Committee by March 1, 1986 of additional cost requirements for this purpose. It is expected the Department will seek supplemental funding to meet these requirements, in accordance with the terms of P.L. 93-638.

Alcoholism.—The Committee recommends an increase of \$1,000,000 for a substance abuse prevention program. Of this amount, \$200,000 would be used to train and develop the skills of selected IHS and tribal program staff in substance abuse prevention so that they may become influential in the promotion and development of community-based substance abuse programs. The balance of \$800,000 would be used to fund at least 15 community substance abuse prevention demonstration programs. These programs would assure total community involvement and networking, and place special emphasis on promoting lifestyles among Indian youth that are incompatible with drug and alcohol abuse. According to the IHS, alcoholism and alcohol abuse continue to be leading causes of health problems among Native Americans, and 95% of Native Americans are affected either directly or indirectly by a family member's abuse of alcohol. This modest effort to demonstrate prevention of such abuse could lead to substantial decreases in health care costs in the future, as well as to vastly improved health and lifestyles for those who suffer from these problems.

Within the total provided for the alcoholism program, the Committee expects the Warm Springs demonstration program to continue in fiscal year 1986 at the 1985 level. Also within the total provided is \$75,000 to continue the fetal alcohol syndrome research at the University of Washington.

Contract care.—The Committee recommends an increase of \$10,000,000 for contract health care. The IHS areas have identified a current unmet need for contract care funds of \$66,240,000, and this increase will allow them to meet the most critical needs represented by this shortfall in fiscal year 1986.

Preventive health.—An increase of \$26,900,000 is recommended. This will restore the program decreases in sanitation (\$412,000), public health nursing (\$372,000), and health education (\$116,000). The recommendation will also restore the community health representatives program to the 1985 level, \$26,000,000.

Urban health projects.—The Committee recommends \$10,000,000 for the urban Indian health projects, which will allow the program to continue at the 1985 level.

Indian health manpower.—The Committee recommends \$6,499,000 for Indian health manpower, the same as the budget estimate. However, within this amount, the Committee intends for IHS to continue to award new scholarships, and directs that \$800,000 be reallocated from the Section 102, preparatory program, to the Section 104, scholarships program. This will allow approximately 70 additional scholarships to be awarded in fiscal year 1986.

Tribal management.—The Committee recommends \$2,450,000 for the tribal management program, which will allow the program to continue at the fiscal year 1985 level.

Direct operations.—An increase of \$2,500,000 is recommended, to restore partially the proposed administrative decrease of \$5,535,000. The administrative and management improvements being implemented by IHS in response to numerous studies and reports documenting shortcomings in these areas will be curtailed or stopped before full implementation of the full decrease is allowed.

Indian health facilities.—The Committee does not agree with the proposal to fund construction or renovation of facilities from the Services appropriation. Therefore, the \$2,450,000 requested for repair and improvement projects will be funded under the Facilities appropriation.

Restoration of 5 percent pay cut.—An increase of \$13,040,000 is recommended, to restore the funds proposed to be cut in connection with the proposed 5 percent pay cut for Federal employees.

Administrative provisions.—Bill language is included directing the Indian Health Service to provide funds to satisfy an outstanding judgment against the Seattle Indian Health Board, resulting from the termination of a lease which was approved by the Indian Health Service. The termination of this lease resulted from the dramatic reduction in Federal funding sustained by SIHB during fiscal year 1982. Requiring the Seattle Indian Health Board to absorb a judgment of this size would seriously affect the delivery of health services to the Indian population of Seattle.

INDIAN HEALTH FACILITIES

Appropriation, 1985.....	\$61,634,000
Budget estimate, 1986.....	61,483,000
Recommended, 1986.....	61,483,000
Comparison:	
Appropriation, 1985.....	-151,000
Budget estimate, 1986.....	+61,483,000

The amounts recommended by the Committee for fiscal year 1986 compared with the budget estimates by activity are shown in the following table:

	F.Y. 85 Enacted	(in thousands of dollars) Budget Estimates	Committee Bill	Change from Estimates
Hospitals				
New and replacement.....	19,843	---	25,907	+25,907
Modernization and repair.....	2,086	---	4,190	+4,190
Subtotal, Hospitals.....	21,929	---	30,097	+30,097
Outpatient care facilities	9,712	---	726	+726
Sanitation facilities.....	24,500	---	25,000	+25,000
Personnel quarters.....	5,493	---	5,660	+5,660
Total, Indian health facilities.....	61,634	---	61,483	+61,483

Hospitals.—The Committee recommends \$30,097,000 for construction of new or replacement hospitals, and modernization and repair projects, as follows:

New and replacement:	
Pine Ridge, SD—sitework and long lead items.....	\$1,000,000
Rosebud, SD—Phase I construction and long lead equipment.....	10,471,000
Sacaton, AZ—Complete construction and equipment.....	12,446,000

Kotzebue, AK—Planning and design	1,990,000
Subtotal	25,907,000
Modernization and repair:	
Repair and improvement projects.....	2,450,000
Shiprock, NM—Planning and design	1,740,000
Subtotal	4,190,000
Total, hospitals	30,097,000

With regard to the Rosebud Hospital, the Committee intends the hospital to be built as a 35 bed facility, with surgical capacity.

Outpatient care facilities.—The Committee recommends an appropriation of \$726,000 for outpatient care facilities, as follows:

Wagner, SD—Complete planning	\$100,000
Toppenish, WA—Design	626,000
Total, outpatient care facilities	726,000

Sanitation facilities.—The Committee recommends an appropriation of \$25,000,000 for sanitation facilities, the same as the fiscal year 1985 level. The recommended level of funding will provide service to approximately 3,000-3,500 homes to be constructed or repaired by the Bureau of Indian Affairs, tribes, or other groups, or to existing homes without service. This level will only address a small portion of the existing homes requiring service, for which the backlog now is estimated at almost \$500,000,000.

Within the amount recommended, the Indian Health Service, in consultation with the Navajo and Hopi Indian Relocation Commission, is requested to provide up to \$4,000,000 for sanitation facilities construction on the Wallace Ranch property acquired by the Bureau of Land Management for the Navajo Tribe, under P.L. 96-305.

Personnel quarters.—The Committee recommends an appropriation of \$5,660,000 for personnel quarters needed for hospitals or clinics under construction, as follows:

Sacaton, AZ—renovate 8 units.....	\$160,000
Fort Thompson, SD—13 units	1,300,000
Kanakanak, AK—26 units	4,200,000
Total, personnel quarters.....	\$5,660,000

DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

INDIAN EDUCATION

Appropriation, 1985.....	\$67,404,000
Budget estimate, 1986	67,292,000
Recommended, 1986	67,656,000
Comparison:	
Appropriation, 1985.....	+252,000
Budget estimate, 1986	+364,000

The Indian Education Act of 1972 (P.L. 93-318, Title IV, as amended) provides support for the special educational needs of American Indians and Alaskan Natives, and authorizes the Secretary of Education to operate a variety of programs, including sup-

On page 74, in connection with "Title III—General Provisions":

SEC. 314. None of the funds appropriated by this Act may be used:

(1) to remove wild free-roaming horses and burros from public lands until all wild free-roaming horses and burros so removed previously have been adopted by qualified individuals under section 3(b)(2)(B) of the Act popularly known as the Wild Free-Roaming Horses and Burros Act, enacted December 15, 1971 (16 U.S.C. 1333(b)(2)(B));

(2) to effectuate the sale of wild free-roaming horses and burros, whether at public auction or otherwise; or

(3) to destroy healthy wild free-roaming horses and burros.

On page 74, in connection with "Title III—General Provisions":

SEC. 315. No funds provided by this Act shall be expended to allow an increase in animal unit months above licensed active preference as of October 21, 1976, in wilderness study areas administered by the Bureau of Land Management.

CHANGES IN APPLICATION OF EXISTING LAW

Pursuant to clause 3, rule XXI 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 appropriation acts.

1. The bill provides that certain appropriation items remain available until expended or extends the availability of funds beyond the fiscal year where programs or projects are continuing in nature under the provisions of authorizing legislation but for which that legislation does not specifically authorize such extended availability. Most of these items have been carried in previous appropriation acts. This authority tends to result in savings by preventing the practice of committing funds at the end of the fiscal year.

2. The bill includes, in certain instances, limitations on the obligations of funds for particular functions or programs. These limitations include restrictions on the obligation of funds or administrative expenses, travel expenses, the use of consultants, and programmatic areas within the overall jurisdiction of a particular agency.

3. The committee has included limitations for official entertainment or reception and representation expenses for selected agencies in the bill.

4. 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.

5. Language is included in various parts of the bill to transfer appropriations.

6. Language is included in Bureau of Land Management, Management of lands and resources prohibiting the use of funds by the

Appropriations; and to prohibit transfers of funds to the working capital fund of the Department of Agriculture without approval of the Chief of the Forest Service.

46. Language is included under Department of Energy, Clean Coal Technology Reserve, providing cost-sharing criteria for projects and requiring the Secretary of Energy to issue a request for proposals for projects.

47. Language is included in the bill under the Department of Energy, Fossil energy research and development, which places a limitation on the field testing of nuclear explosives for the recovery of oil and gas. Language is also included allowing unobligated funds for a Western Hemisphere Alternative Fuels Facility feasibility study to be available for any fossil energy research and development activities.

48. Language is included under Energy Conservation, Department of Energy, providing that a performance fund for low income weatherization not be effective unless appropriations exceed the fiscal year 1985 level by five percent.

49. Language is included under Strategic Petroleum Reserve, Department of Energy, prohibiting the use of funds for test sales of oil, and requiring certain fill rates for the Reserve.

50. Language is included under Administrative provisions, Department of Energy, limiting programs of price supports or loan guarantees to what is provided in appropriation acts; providing for the transfer of funds to other agencies of the Government; providing for retention of revenues by the Secretary of Energy on certain projects; requiring certain contracts be submitted to Congress prior to implementation; and providing for emergency transfer of funds to the Emergency Preparedness appropriation.

51. Language is included under Health Resources and Services Administration, Indian health services for payments for telephone service in private residences in the field and purchase of reprints; for purchase and erection of portable buildings; to provide that contracts and grants may be performed in two fiscal years; and to provide for use of collections under Title IV of the Indian Health Care Improvement Act, with limitations on types of projects.

52. Language is included under Health Resources and Services Administration, Indian health facilities for the purchase of trailers.

53. Language is included under Health Resources and Services Administration, Administrative provisions, providing that no funds shall be available for initial lease of permanent structures, to prevent the Indian Health Service from billing Indians in order to collect from third-party payers until Congress has agreed upon a specific policy to implement such a policy. Language is also included to satisfy an outstanding judgment against the Seattle Indian Health Board from unobligated balances from prior years' appropriations.

54. Language is included under Smithsonian Institution, Salaries and expenses, to allow for advance payments to independent contractors performing research services or participating in official Smithsonian presentations, and earmarks \$793,000 to carry out the provisions of the National Museum Act.

55. Language is included in the bill under the Smithsonian Institution, Restoration and renovation of buildings, to permit the

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 1985 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 1986—Continued

Agency and item	New budget (obligational) authority, fiscal year 1985	Budget estimates of new (obligational) authority, fiscal year 1986	New budget (obligational) authority, recommended in bill	Bill compared with—	
				New budget (obligational) authority, fiscal year 1985	Budget estimates of new (obligational) authority, fiscal year 1986
Acquisition of lands to complete land exchanges.....	20,000	20,000	20,000	---	---
Range betterment fund.....	3,966,000	3,908,000	3,908,000	-58,000	---
Miscellaneous trust funds.....	88,000	90,000	90,000	+2,000	---
Total, Forest Service.....	1,310,374,000	1,453,949,000	1,444,698,000	+134,324,000	-9,251,000
DEPARTMENT OF THE TREASURY					
Energy Security Reserve (rescission) 1/.....	(-5,375,000,000)	---	---	(+5,375,000,000)	---
DEPARTMENT OF ENERGY					
Clean Coal Technology Reserve:					
FY 1986 (by transfer) 2/.....	---	---	(100,000,000)	(+100,000,000)	(+100,000,000)
FY 1987 (by transfer) 2/.....	---	---	(300,000,000)	(+300,000,000)	(+300,000,000)
FY 1988 (by transfer) 2/.....	---	---	(350,000,000)	(+350,000,000)	(+350,000,000)
Fossil energy research and development.....	274,947,000	160,491,000	298,534,000	+24,587,000	+139,043,000
(By transfer).....	(50,496,000)	(8,940,000)	(178,672,000)	(-32,824,000)	(+8,732,000)
Naval petroleum and oil shale reserves.....	156,874,000	13,649,000	13,668,000	-143,206,000	+19,000
Energy conservation.....	458,610,000	366,654,000	468,326,000	+9,716,000	+101,672,000
Economic regulation.....	24,742,000	23,092,000	24,623,000	-119,000	+1,531,000
Emergency preparedness.....	6,096,000	5,873,000	3,989,000	-2,107,000	-1,084,000
Strategic Petroleum Reserve.....	(459,190,000)	---	199,017,000	+199,017,000	+199,017,000
SPR petroleum account.....	(2,049,550,000)	---	---	(-2,049,550,000)	---
Energy Information Administration.....	60,424,000	58,900,000	60,782,000	+358,000	+1,882,000
Total, Department of Energy.....	981,693,000	628,659,000	1,069,939,000	+88,246,000	+441,280,000
1/ Rescission not included for comparison purposes.					
2/ Proposed transfer from Energy Security Reserve (Synthetic Fuels Corporation).					
DEPARTMENT OF HEALTH AND HUMAN SERVICES					
Health Resources and Services Administration					
Indian health services.....	793,728,000	758,543,000	836,483,000	+42,755,000	+77,940,000
Indian health facilities.....	61,634,000	---	61,483,000	-151,000	+61,483,000
Total, Department of Health and Human Services..	855,362,000	758,543,000	897,966,000	+42,604,000	+139,423,000
DEPARTMENT OF EDUCATION					
Office of Elementary and Secondary Education					
Indian education.....	67,404,000	67,292,000	67,656,000	+252,000	+364,000
DEPARTMENT OF STATE					
Compact of Free Association.....	---	178,750,000	---	---	-178,750,000
OTHER RELATED AGENCIES					
Navajo and Hopi Indian Relocation Commission					
Salaries and expenses.....	20,321,000	20,170,000	20,442,000	+121,000	+272,000
Smithsonian Institution					
Salaries and expenses.....	162,415,000	179,790,000	182,599,000	+20,184,000	+2,809,000
Programs and related research (special foreign policy program).....	8,820,000	2,500,000	2,500,000	-6,320,000	---
Production and improvements, National Zoological Park.....	4,851,000	4,851,000	4,851,000	---	---
Restoration and renovation of buildings.....	13,475,000	14,875,000	13,575,000	+100,000	-1,300,000
Construction.....	---	4,000,000	4,000,000	+4,000,000	---
Subtotal.....	189,561,000	206,016,000	207,525,000	+17,964,000	+1,509,000