

Calendar No. 495

104TH CONGRESS }
2d Session }

SENATE

{ REPORT
104-319

DEPARTMENT OF THE INTERIOR AND RELATED
AGENCIES APPROPRIATIONS BILL, 1997

JULY 16, 1996.—Ordered to be printed

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

REPORT

[To accompany H.R. 3662]

The Committee on Appropriations to which was referred the bill (H.R. 3662) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1997, and for other purposes, reports the same to the Senate with amendments and recommends that the bill as amended do pass.

Amounts in new budget (obligational) authority, fiscal year 1997

Amount of bill passed by House	\$12,282,111,000
Amount of increase by Senate	372,243,000
<hr/>	
Total of bill as reported to Senate	12,654,354,000
Estimates considered by House	12,924,643,000
Estimates considered by Senate	12,924,643,000
Below the budget estimate, 1997	270,289,000
Above appropriations, 1996	114,462,000

25-871 cc

★(Star Print)

	Budget estimate	Committee recommendation	Change
Subtotal, Federal reclamation programs	28,707,000	28,707,000	.....
Small operator assistance	1,500,000	1,500,000	.....
General administration	4,878,000	4,878,000	.....
Total, abandoned mine land fund	179,385,000	179,085,000	- 300,000

The Committee has increased funding for State reclamation program grants by \$4,000,000 above the fiscal year 1996 level to fund the Appalachian clean streams initiative. The Committee notes that these additional funds could be used for high-priority reclamation projects not related to acid mine drainage if added to the regular AML grant program rather than the clean streams initiative. The Office of Surface Mining should work with stakeholders to ensure that projects selected under the initiative are at least as high a priority as those projects that would otherwise receive funding.

The Committee has also provided the \$1,500,000 requested for the Small Operator Assistance Program [SOAP]. This program was funded in fiscal year 1996 with carryover balances, but such balances are not available to fund the program in fiscal year 1997.

A March 1996 Office of Inspector General audit report found that the Office of Surface Mining did not charge debtors an administrative fee sufficient to recover the cost of processing delinquent debt as required by Federal and departmental regulations. The Committee urges the Office to adjust its fees accordingly, and to maintain debt collection staffing at a level consistent with workload.

Bill language.—The Committee has included language contained in the House bill that maintains the Federal emergency reclamation program and limits emergency expenditures in any one State to 25 percent of the total appropriated for emergency programs. States would be allowed to use prior-year carryover funds without being subject to the 25-percent limitation. This language has been carried in the bill for several years. Language is also included allowing AML funds made available to States to be used as non-Federal match for programs related to the treatment or abatement of acid mine drainage. Language is also included authorizing \$4,000,000 for the Appalachian clean streams initiative and maintaining the minimum State grant at \$1,500,000.

INDIAN AFFAIRS

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

Appropriations, 1996	\$1,384,434,000
Emergency appropriation, 1996	500,000
Budget estimate, 1997	1,579,423,000
House allowance	1,381,623,000
Committee recommendation	1,418,606,000

The Committee recommends an appropriation of \$1,418,606,000, a decrease of \$160,817,000 below the budget estimate, an increase of \$36,983,000 above the House allowance, and \$34,172,000 above the fiscal year 1996 level.

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

	Budget estimate	Committee recommendation	Change
TRIBAL BUDGET SYSTEM			
Tribal priority allocations:			
Tribal government	\$304,979,000	\$249,160,000	-\$55,819,000
Human services	152,679,000	125,840,000	- 26,839,000
Education	59,464,000	48,694,000	- 10,770,000
Public safety and justice	100,100,000	81,325,000	- 18,775,000
Community development	66,427,000	54,298,000	- 12,129,000
Resources management	63,828,000	52,246,000	- 11,582,000
Other trust services	31,256,000	25,245,000	- 6,011,000
General administration	27,962,000	21,112,000	- 6,850,000
Small tribes distribution	5,000,000	4,000,000	- 1,000,000
General increase		14,700,000	+ 14,700,000
Subtotal, tribal priority allocations	811,695,000	676,620,000	- 135,075,000
Other recurring programs:			
Tribal government	5,000,000	5,000,000	
Education:			
School operations:			
Forward funding	367,243,000	344,711,000	- 22,532,000
Other school operations	85,094,000	82,607,000	- 2,487,000
Subtotal, school operations	452,337,000	427,318,000	- 25,019,000
Continuing education	27,411,000	27,411,000	
Subtotal, education	479,748,000	454,729,000	- 25,019,000
Community development	16,372,000	16,235,000	- 137,000
Resources management	35,891,000	35,302,000	- 589,000
Subtotal, other recurring programs	537,011,000	511,266,000	- 25,745,000
Nonrecurring programs:			
Tribal government	2,931,000	2,931,000	
Public safety and justice	584,000	584,000	
Resources management	31,065,000	30,968,000	- 97,000
Other trust services	31,418,000	28,959,000	- 2,459,000
Subtotal, nonrecurring programs	65,998,000	63,442,000	- 2,556,000
Total, tribal budget system	1,414,704,000	1,251,328,000	- 163,376,000
BIA OPERATIONS			
Central office operations:			
Tribal government	2,666,000	2,653,000	- 13,000
Human services	722,000	720,000	- 2,000
Public safety and justice	3,163,000	3,154,000	- 9,000
Community development	1,010,000	1,005,000	- 5,000
Resources management	3,160,000	3,142,000	- 18,000
Other trust services	5,912,000	1,573,000	- 4,339,000
General administration:			
Assistant Secretary for Indian Affairs	3,793,000	3,263,000	- 530,000
Education program management	2,128,000	2,112,000	- 16,000

	Budget estimate	Committee recommendation	Change
Other general administration	29,541,000	30,729,000	+ 1,188,000
Subtotal, general administration	37,878,000	36,104,000	- 1,774,000
Subtotal, central office operations ..	54,511,000	48,351,000	- 6,160,000
Area office operations:			
Tribal government	1,101,000	1,158,000	+ 57,000
Human services	682,000	874,000	+ 192,000
Public safety and justice	499,000	581,000	+ 82,000
Community development	3,014,000	3,025,000	+ 11,000
Resources management	2,680,000	3,099,000	+ 419,000
Other trust services	6,913,000	7,207,000	+ 294,000
General administration	21,672,000	23,588,000	+ 1,916,000
Subtotal, area office operation	36,561,000	39,532,000	+ 2,971,000
Special programs and pooled overhead:			
Education	13,720,000	13,720,000	.....
Public safety and justice	2,656,000	2,644,000	- 12,000
Community development	3,399,000	3,391,000	- 8,000
Resources management	1,320,000	1,320,000	.....
Trust services .....	.....	2,319,000	+ 2,319,000
General administration	52,552,000	51,001,000	- 1,551,000
Subtotal, special programs	73,647,000	74,395,000	+ 748,000
Total, BIA operations	164,719,000	162,278,000	- 2,441,000
Total, operation of Indian programs	1,579,423,000	1,413,606,000	- 165,817,000

Tribal priority allocations.—The Committee recommends \$676,620,000 for tribal priority allocations, an increase of \$22,468,000 above the fiscal year 1996 level of funding and \$12,468,000 above the House allowance. The Committee's recommendations allow the transfers included in the budget request. The Committee recommends an increase of \$4,000,000 for small and needy tribes and a general increase of \$14,700,000.

Within the \$249,160,000 for tribal government activities, \$5,033,000 is provided for new tribes funding. No funding has been provided for tribes whose Federal recognition is pending, consistent with Committee practices for other programs. The Committee expects that in the future the Bureau will request funding only for those tribes where formal recognition has occurred. The Committee recommends \$91,379,000 for contract support, an increase of \$550,000 above the fiscal year 1996 funding level. Within the funds provided for water resources, \$399,000 is for the Seminole and Miccosukee Tribes' water studies in support of the Everglades initiative.

Other recurring programs.—The Committee recommends \$521,966,000 for other recurring programs, an increase of \$28,469,000 above the fiscal year 1996 funding level and \$18,908,000 above the House allowance.

For school operations, the Committee recommends \$427,318,000, an increase of \$18,432,000 above the fiscal year 1996 funding level and \$8,871,000 above the House allowance. The increase above the

fiscal year 1996 funding level includes \$10,000,000 for the Indian school equalization formula funds [ISEP], \$1,500,000 for student transportation, \$2,500,000 for administrative cost grants, \$300,000 for institutionalized handicapped, \$3,363,000 for facilities operations and maintenance, \$69,000 for area and agency technical support, and \$700,000 for the school statistics ADP package.

The Committee commends the efforts being made by some Bureau-funded schools to work cooperatively with adjacent public school systems to make the operations of each school system more efficient and cost effective. The Committee expects the Bureau to encourage all BIA-funded schools to engage in these efforts, particularly in the areas of textbooks, library materials, and student transportation. The Committee continues to be concerned about the process used for determining enrollment levels and the process for allocating funding to individual schools, particularly at a time when the overall funding allocations for the Committee continue to decline. The Committee notes that only approximately 75 of the more than 550 federally recognized tribes operate Bureau-funded schools, while the funding for operating these schools accounts for approximately 30 percent of the funding for the entire "Operations of Indian programs" account.

As requested, the Committee recommends \$700,000 for a school statistics ADP package. The Committee remains concerned about the inability of the Bureau to estimate and report accurately on the enrollment at Bureau-funded schools. The Committee is also concerned by the Bureau's inability to track accurately students who transfer between Bureau-funded schools. The Committee believes that the school statistics package is a necessary tool for the BIA to implement reforms in the process for determining enrollment levels.

The Committee recommends \$35,302,000 for resources management, a decrease of \$427,000 below the fiscal year 1996 funding level. The Committee has assumed transfers that were included in the budget request and assumed absorption of pay costs. The Committee recommends \$639,000 for the InterTribal Bison Cooperative. For irrigation operations and maintenance, the Committee recommends a general increase of \$500,000.

The Committee is concerned about the longstanding problems associated with the Wapato irrigation project. The Committee is aware of that past inspector general reports have identified significant problems associated with the operation and maintenance of the project. The Committee is aware that the Bureau has established a power and irrigation reconciliation team [PIRT] to reconcile the debts and inventory facilities at irrigation projects nationwide and has such a team examining operations at Wapato. The Committee further understands that an interim report is expected to be issued by the end of 1996. The Committee expects the Bureau to make this report available to the Committees on Appropriations and the authorizing committees. Until the reconciliation effort is complete and the report has been issued, the Committee expects that no further enforcement actions regarding delinquent accounts be carried out.

The Committee directs GAO to conduct an audit and provide recommendations on the Bureau of Indian Affairs' operation and man-

agement of the Wapato irrigation project by March 31, 1997, on the following issues: (1) the primary and underlying causes of the operation and maintenance deficits; (2) problems associated with the collection of operation and management assessments from all the project's assessable acreage; (3) the net effect of the growing operation and management deficits on the assessment rates imposed on land owners; (4) the net effect of the operation and maintenance deficits on the ability of the Bureau of Indian Affairs to provide adequate operation and maintenance services to customers of the Wapato Irrigation District; (5) the amount of idle trust lands within the Wapato irrigation project, including the identification of the primary reasons why those lands remain idle. Recommendations on this issue shall include long-term strategies for returning the idle trust lands to a productive status including reasonable and efficient land leasing practices. To the extent that the problems of the project can be identified and overcome, the Committee would expect that rates assessed users of the project would be likely to remain stable or decrease in the future.

Nonrecurring programs.—The Committee recommends \$63,442,000, a decrease of \$2,556,000 below the budget request and \$2,779,000 below the fiscal year 1996 funding level. For water rights negotiation and litigation, the Committee recommends \$12,000,000, an increase of \$28,000 above the fiscal year 1996 level of funding and a decrease of \$2,383,000 below the budget request. Other changes to the requested level reflect absorption of pay costs. Within the funds recommended for water management within resources management, \$150,000 is to be provided to the U.S. Geological Survey to operate and maintain water measurement gauges on the Walker River Paiute Reservation.

Central office operations.—For central office operations, the Committee recommends \$48,351,000, a decrease of \$6,160,000 below the requested level. The Committee has transferred funding for land records improvement to special programs and pooled overhead. The Committee recommends \$1,147,000 for the Office of Self-Governance, an increase of \$300,000 above the fiscal year 1996 funding level.

The Committee has agreed with the Bureau's request that funds associated with personnel services be provided for the central and area office operations. The Committee believes that savings can be achieved in personnel and recommends \$1,207,000 for personnel services, a reduction of \$302,000 below the budget request. The Committee recommends \$1,933,000 for education personnel services, a reduction of \$499,000 below the budget request. Transfers to the Office of Special Trustee include \$218,000 from central office financial management and \$75,000 from ADP central program management.

Area office operations.—The Committee recommends \$39,532,000, an increase of \$2,971,000 above the budget request and \$2,839,000 above the House allowance. For personnel services, the Committee recommends \$3,650,000, a decrease of \$1,120,000 below the budget request. The Committee does not concur with the transfer of funding for the Navajo area office operations to tribal priority allocations. The Committee expects the Bureau to submit such a proposal once agreement has been reached to close the area office and provi-

sion has been made to provide funding necessary for inherently Federal functions associated with the Navajo Nation.

Special programs and pooled overhead.—The Committee recommends \$74,395,000 for special programs and pooled overhead, an increase of \$748,000 above the budget request. The Committee recommends \$2,319,000 for land records improvement, an increase of \$500,000 above the fiscal year 1996 funding level. The Committee expects the Bureau to work closely with the special trustee in developing a strategy for improving the lands record system. Prior to use of the additional funding, the Committee expects the Bureau to submit such a strategy to the Committee for approval.

The Committee recommends \$12,383,000 for postsecondary schools. The Committee recommends \$7,907,000 for Haskell Indian Junior College, an increase of \$401,000 above the fiscal year 1996 funding level, and \$4,476,000 for Southwestern Indian Polytechnic Institute, an increase of \$250,000 above the fiscal year 1996 funding level. The Committee recommends \$950,000 to continue operations of the Indian Arts and Crafts Board.

For general administration, the Committee recommends \$51,001,000, a decrease of \$1,551,000 below the budget request. The Committee recommends transfer of funding to the Office of Special Trustee, including FFS (\$78,000), PAY/PERS (\$62,000), postage (\$347,000), GSA rentals (\$500,000), and unemployment compensation (\$209,000).

Bill language.—The Committee has continued the fiscal year 1996 bill language that limits the number of schools to be funded to those in the Bureau of Indian Affairs school system as of September 1, 1995. Bill language is also continued to prohibit the use of Bureau funds for any additional grades beyond the grade structure in place or approved by the Secretary at each school or dormitory as of October 1, 1995. Bill language is also included to allow BIA-operated schools to adjust the salaries of all education positions, including teachers and counselors, as well as nonteaching staff. This authority applies only to staff appointed after June 30, 1997. This grandfather provision will protect current BIA employees who remain at the same position at the same school from salary adjustments below their current base level.

CONSTRUCTION

Appropriations, 1996	\$100,833,000
Emergency appropriation, 1996	16,500,000
Budget estimate, 1997	122,824,000
House allowance	85,831,000
Committee recommendation	93,933,000

The Committee recommends an appropriation of \$93,933,000, a decrease of \$28,891,000 below the budget estimate, an increase of \$8,102,000 above the House allowance, and a decrease of \$6,900,000 below the fiscal year 1996 level.

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

	Budget estimate	Committee recommendation	Change
Education	\$44,016,000	\$30,016,000	—\$14,000,000

	Budget estimate	Committee recommendation	Change
Public safety and justice	14,500,000	4,400,000	- 10,100,000
Resources management	53,968,000	51,246,000	- 2,722,000
General administration	10,340,000	8,271,000	- 2,069,000
Total, construction	122,824,000	93,933,000	- 28,891,000

Education.—The Committee recommends \$30,016,000 for construction of education facilities, which is a decrease of \$14,000,000 below the budget request and \$12,523,000 below the fiscal year 1996 funding level. For new school construction, the Committee recommends \$4,000,000 to complete construction of the Chief Leschi School. The Committee recommendation includes \$1,800,000 for demolition and reduction of excess space. The Committee expects the January 15, 1997, semi-annual report on the facilities program to include the specific buildings that the Bureau expects to demolish or reduce. The Committee does not intend for these funds to be transferred for use for other education facilities needs.

Within the \$23,016,000 provided for education facilities improvement and repair, the Committee has included the \$1,280,000 requested for asbestos abatement and roof replacement at the Navajo Community College Building No. 1228 in Shiprock, NM. This funding is provided contingent upon an agreement with the Navajo Nation to transfer ownership and responsibility for the building to the tribe.

The Committee has included the \$2,000,000 requested for the fourth phase of portable classroom acquisition as requested by the Bureau. The Committee notes that the provision of portable classrooms is a temporary solution to the facilities needs for Bureau-funded schools. The Committee expects the Bureau to ensure that the portable classrooms procured with the funds provided, either directly by the Bureau or by the tribes through Public Law 93-638 contracts or Public Law 100-297 grants, meet appropriate standards and that appropriate maintenance activities occur. With the limited funds available for facilities repair and replacement, it is critical that funding for temporary facilities be used in the most cost-effective manner possible and not lead to greater facilities costs in the long term.

The Committee has included the \$2,000,000 requested for the backlog validation project, as requested by the Bureau. Prior to the obligation of any funding, the Committee expects the Bureau to submit to the Committee a detailed plan for the use of the funding and the total projects cost. Again, the Committee is concerned that these funds could be used to provide repair or replacement for existing facilities at a time of limited resources. In addition, the Committee is concerned about whether this system and other improvements the Bureau is implementing will actually improve facilities management within the Bureau.

The Committee urges the BIA to continue its efforts to settle the dispute over funding for facilities improvement and repair at the Santa Clara Day School.

Public safety and justice.—The Committee recommends \$4,400,000 for construction of public safety and justice facilities, a

decrease of \$10,100,000 below the budget request and \$1,600,000 below the fiscal year 1996 funding level.

For fiscal year 1996, specific funding was provided in the central office operations, public safety, and justice program to establish a BIA fire safety coordinator with responsibilities for structural fire protection and prevention programs. In addition, funding was provided in the "Construction" account for the installation of fire protection and prevention equipment in dormitories and other BIA facilities. An inventory of all facilities fire protection requirements is to be completed in fiscal year 1996. The Committee expects a status report on this program, including accomplishments on installation of fire protection and prevention equipment, estimates of future equipment requirements and other pertinent information on this program should also be included in the semi-annual report.

Resources management.—For resources management, the Committee recommends \$51,246,000, which is a decrease of \$2,722,000 below the budget request and \$4,001,000 above the fiscal year 1996 funding level. For the Navajo Indian irrigation project, \$25,500,000 is recommended. In addition to funds identified in Public Law 104-134, the Committee recommends \$5,000,000 to repair the Wapato irrigation project in areas where flood damage occurred. These funds are provided on a nonreimbursable basis. The Committee recommends \$1,751,000 for engineering and supervision, a decrease of \$216,000 below the budget request and the same as the fiscal year 1996 funding level. For survey and design, the Committee recommends \$1,000,000, which is \$3,999,000 below the budget request and \$501,000 above the fiscal year 1996 funding level. For safety of dams, the Committee recommends the fiscal year 1996 funding level of \$17,995,000.

General administration.—The Committee recommends \$8,271,000 for general administration, a decrease of \$2,069,000 below the budget request and an increase of \$3,222,000 above the fiscal year 1996 funding level. The Committee recommends the transfer of construction management from the central office operations and recommends a funding level of \$6,192,000, which includes an increase of \$1,100,000 to begin replacement of the current FACCOM system. The Committee expects the Bureau to provide a detailed system replacement and implementation plan including total cost requirements on how these funds will be spent. The Bureau must receive approval of the plan from the Committee prior to the obligation of any of these funds. The Committee's recommendation includes \$200,000 for the demolition and reduction of excess space. The Committee expects information for these projects to be included in the demolition report for facilities. The Committee does not intend for these funds to be transferred for use for other facilities needs.

Other.—The Committee supports the continued utilization of the current BIA new school and detention center construction priority ranking lists to determine which replacement schools and detention centers should receive funds. While these priority lists will be used as a basis for determining the order in which facilities are to receive funding, the BIA is reminded that based on its own testimony, schedules for design of these facilities must not outdistance the ability of the Congress to appropriate funds in this period of

diminishing resources. With limited resources available, the Committee cannot afford to provide funding for the redesign of these facilities.

The Committee expects BIA estimates of construction costs to be based on the provision of only the necessary space and related fixed equipment to provide for the education or law enforcement program as contained in current BIA space guidelines. All Federal facility construction programs must use the most efficient energy conservation initiatives available in order to construct a facility that meets program requirements and is cost effective to maintain. The Committee expects any space, equipment, or other requirements that do not meet these BIA guidelines and energy efficient measures to be provided and maintained by non-Federal funding sources.

There continue to be multiphased facility repair projects, or single projects that require additional funds over 2 or 3 fiscal years. This often results from inaccurate project requirements and descriptions from the inception of the project. The Committee expects the Bureau to continue to use the existing health and safety criteria-based priority ranking system to determine project ranking. At the same time, the Committee expects the Bureau to revise the process used to determine the scope of an FI&R project, so that all required code and safety repairs on a particular building are accomplished as a single, economical repair project, rather than through multiple projects over a period of years. Consideration should be given to establishing the total repair requirements at each school or law enforcement location. The Committee expects project requirements to be established and reviewed by facilities engineers and architects to ensure that these projects address code and safety requirements and have accurate cost estimates.

The Bureau should distinguish clearly in project descriptions the differences between repairing a facility and replacing a facility. Expansions of existing facilities to meet existing enrollment should be addressed through the new school replacement program, unless the additional space needed is within the current Bureau guidelines for facility repair.

The semi-annual report on the facilities program provided by the BIA to the Committee shall be due on January 15 and July 15 and include the status and plans for the following issues:

- A status report on new school and detention center construction. The report should include all the current information contained in the current status report on new school construction and detention facilities.
- A specific plan for accomplishment of excess space reduction. The plan should identify the specific buildings and funding necessary for buildings to be excessed/demolished as part of the Excess Space/Demolition Program. With numerous buildings in the Bureau's inventory which have been determined to be unneeded, are unoccupied, and are not maintained, these buildings need to be removed to avoid becoming a further health and safety hazard.
- A status report on employee housing repairs. The plan should identify the specific employee housing units to be repaired, the status of these repairs, and the status of the implementation of the recommendations of the employee housing study that

was approved by the Bureau. Recommendations included in the study included the repair and transfer of housing units to tribes, which is not being accomplished.

—A status report on the fire protection program as outlined in the public safety and justice activity.

INDIAN LAND AND WATER CLAIMS SETTLEMENTS AND MISCELLANEOUS
PAYMENTS TO INDIANS

Appropriations, 1996	\$80,645,000
Budget estimate, 1997	69,241,000
House allowance	65,241,000
Committee recommendation	69,241,000

The Committee recommends \$69,241,000 for Indian land and water claims settlements and miscellaneous payments to Indians, the same level as the budget request and a decrease of \$11,404,000 below the fiscal year 1996 funding level. Funding is provided for the following settlements:

	<i>Committee recommendation</i>
Catawba	\$8,000,000
Fallon water rights settlements	8,000,000
Northern Cheyenne	15,400,000
Pyramid Lake water rights settlements	12,000,000
Ute Indian rights settlements	25,000,000
Total	68,400,000

The Committee allowance also includes \$841,000, as proposed in the budget, for miscellaneous payments to Indians pursuant to various legislative settlements.

TECHNICAL ASSISTANCE OF INDIAN ENTERPRISES

Appropriations, 1996	\$500,000
Budget estimate, 1997	
House allowance	
Committee recommendation	

The Committee recommends no appropriation for technical assistance of Indian enterprises, the same as the budget request and the House allowance.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

Appropriations, 1996	\$5,000,000
Budget estimate, 1997	5,002,000
House allowance	5,000,000
Committee recommendation	5,000,000

The Committee recommends an appropriation of \$5,000,000, a decrease of \$2,000 below the budget request and the same level as the House allowance for the "Indian Guaranteed Loan Program" account.

The Committee is aware of the crisis facing Aleut fishermen participating in the red salmon fisheries of the Alaska Peninsula/Aleutian Island region. Extreme weather has resulted in a harvest of salmon 70 percent below average. These fishermen are facing the loss of their vessels and fishing permits as a result of the fishery failure, which in turn would eliminate Aleut participation in their

traditional fisheries and make these indigenous people wards of the State.

The Committee desires to avoid this scenario and, therefore, encourages the Bureau to work cooperatively with Native leaders and local tribal councils to provide emergency loan guarantees to refinance existing vessel mortgages and to provide additional credit for operating debt as part of any refinancing.

DEPARTMENTAL OFFICES

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

Appropriations, 1996	\$65,188,000
Emergency appropriation, 1996	13,000,000
Budget estimate, 1997	65,188,000
House allowance	65,088,000
Committee recommendation	65,388,000

The Committee recommends an appropriation of \$65,388,000, an increase of \$200,000 over the budget estimate and \$300,000 over the House allowance.

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

	Budget estimate	Committee recommendation	Change
<i>Territorial assistance:</i>			
Office of Insular Affairs	\$3,849,000	\$3,849,000	.....
Technical assistance	6,200,000	6,200,000	.....
Maintenance assistance fund	2,320,000	2,320,000	.....
Brown tree snake	595,000	795,000	+\$200,000
Insular management controls	1,458,000	1,458,000	.....
Subtotal, territorial assistance	14,422,000	14,622,000	+ 200,000
American Samoa: Operations grants	23,046,000	23,046,000	.....
Northern Mariana Islands: Covenant grants	27,720,000	27,720,000	.....
Total, assistance to territories	65,188,000	65,388,000	+ 200,000

Territorial assistance.—The Committee recommends \$14,622,000 for territorial assistance, which is \$200,000 above the request and \$300,000 above the House level. The increase above the request is to help implement the brown tree snake control plan that has been drafted pursuant to the Nonindigenous Aquatic Nuisance Control Act of 1990.

American Samoa.—The Committee recommends \$23,046,000 for operations grants to American Samoa, the same as the House and the budget request.

The Committee remains concerned about poor fiscal management in American Samoa and the relatively slow pace of reform. The Committee feels that the recommendations developed by the joint working group and included in the financial recovery plan are reasonable and prudent. The Committee also feels strongly that the recommendations included in the immediate term financial recovery plan should be implemented immediately. As such, \$2,000,000

ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY

Language is included in the bill to enable departmental programs to accept fees and contributions from other sources for use in cooperative projects. This language was also included in the House bill. Enabling programs to accept contributed funds will help facilitate cooperative research by the Federal Energy Technology Center, the materials partnerships transferred from the Bureau of Mines, and other departmental programs.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

Appropriations, 1996	\$1,747,842,000
Budget estimate, 1997	1,898,941,000
House allowance	1,779,561,000
Committee recommendation	1,800,836,000

The Committee recommends \$1,800,836,000 for Indian health services, an increase of \$21,275,000 over the House level and \$52,924,000 over the fiscal year 1996 level. The amount provided includes the requested increases for phased staffing of new facilities in Kotzebue, AK; Anchorage, AK; Shiprock, NM; Hays, MT; Harlem, MT; and White Earth, MN. The Committee was able to provide funding to cover 50 percent of increased pay costs, but has not provided increases to cover other uncontrollable cost increases, new tribes, or population growth. The Committee concurs with the House that any reductions from the budget request should be applied equitably to tribes regardless of their self-governance status.

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

	Budget estimate	Committee recommendation	Change
Clinical services:			
IHS and tribal health delivery:			
Hospital and health clinic programs ...	\$930,534,000	\$886,385,000	-\$44,149,000
Dental health program	64,238,000	62,889,000	-1,349,000
Mental health program	39,782,000	38,882,000	-900,000
Alcohol and substance abuse program	93,019,000	91,914,000	-1,105,000
Contract care	369,533,000	365,128,000	-4,405,000
Subtotal, clinical services	1,497,106,000	1,445,198,000	-51,908,000
Preventive health:			
Public health nursing	26,508,000	25,911,000	-597,000
Health education	8,933,000	8,754,000	-179,000
Community health representatives program	44,984,000	44,477,000	-507,000
Immunization (Alaska)	1,352,000	1,328,000	-24,000
Subtotal, preventive health	81,777,000	80,470,000	-1,308,000
Urban health projects	26,933,000	24,372,000	-2,561,000
Indian health professions	28,955,000	28,300,000	-656,000
Tribal management	2,350,000	2,348,000	-2,000

	Budget estimate	Committee recommendation	Change
Direct operations	51,539,000	50,374,000	- 1,166,000
Self-governance	9,326,000	9,114,000	- 212,000
Contract support costs	200,955,000	160,660,000	- 40,295,000
Medicare/Medicaid reimbursements: Hospital and clinic accreditation (est. collecting)	(185,716,000)	(185,716,000)	.....
Total, Indian Health Services	1,898,941,000	1,800,836,000	- 98,105,000

Hospitals and health clinics.—The Committee recommends \$886,385,000 for hospitals and health clinics. This amount includes increases above the fiscal year 1996 enacted level of \$22,284,000 for the staffing of new facilities and \$11,666,000 for pay costs.

The Committee remains concerned about the adequacy of health care service being provided to the Utah Navajo population. The Committee urges the IHS to work with the Navajo Nation, State and local governments, and the local health care community to ensure that the health care needs of the Utah Navajo population are met in an equitable and fiscally responsible fashion.

Dental health.—The Committee recommends \$62,889,000 for dental health. This amount includes increases above the fiscal year 1996 enacted level of \$2,103,000 for the staffing of new facilities and \$1,106,000 for pay costs.

Mental health.—The Committee recommends \$38,882,000 for mental health. This amount includes increases over the fiscal year 1996 enacted level of \$751,000 for the staffing of new facilities and \$570,000 for pay costs.

Alcohol and substance abuse.—The Committee recommends \$91,914,000 for alcohol and substance abuse. This amount includes an increase above the fiscal year 1996 enacted level of \$248,000 for pay costs.

Contract health services.—The Committee recommends \$365,128,000 for contract health services. This amount includes an increase above the fiscal year 1996 enacted level of \$29,000,000 for pay costs.

Public health nursing.—The Committee recommends \$25,911,000 for public health nursing. This amount includes increases above the fiscal year 1996 enacted level of \$1,136,000 for the staffing of new facilities and \$464,000 for pay costs.

Health education.—The Committee recommends \$8,754,000 for health education. This amount includes increases above the fiscal year 1996 enacted level of \$254,000 for the staffing of new facilities and \$79,000 for pay costs.

Community health representatives.—The Committee recommends \$44,477,000 for community health representatives. This amount includes increases above the fiscal year 1996 enacted level of \$18,000 for the staffing of new facilities, \$1,000 for pay costs, and \$500,000 to alleviate the backlog in training services for the Community Health Aide Program in Alaska. In formulating its fiscal year 1998 budget request, the Indian Health Service should consider the need to update the community health aides/practitioners manual.

Alaska immunization.—The Committee recommends \$1,328,000 for the Alaska immunization program, the same as the House and the fiscal year 1996 enacted level.

Urban health.—The Committee recommends \$24,372,000 for urban health. This amount includes increases above the fiscal year 1996 enacted level of \$12,000 for pay costs and \$1,000,000 to partially fund the urban health initiative proposed in the budget request. The Service is encouraged to use a portion of the increase to improve administrative efficiency, as proposed in the budget request.

Indian health professions.—The Committee recommends \$28,300,000 for Indian health professions. This amount includes increases over the fiscal year 1996 enacted level of \$29,000 for pay costs and \$2,000,000 to restore a one-time reduction included in the fiscal year 1996 appropriations act for lapsed positions; \$500,000 of the increase provided is for the Indians into Psychology Program.

Tribal management.—The Committee recommends \$2,348,000 for tribal management, the same as the House and the fiscal year 1996 enacted level.

Direct operations.—The Committee recommends \$50,374,000 for direct operations. This amount includes increases over the fiscal year 1996 enacted level of \$1,114,000 pay costs.

Self-governance.—The Committee recommends \$9,114,000 for self-governance. This amount includes an increase over the fiscal year 1996 enacted level of \$10,000 for pay costs.

Contract support costs.—The Committee recommends \$160,660,000 for contract support. This amount includes increases over the fiscal year 1996 enacted level of \$120,000 for the staffing of new facilities and \$7,500,000 for the Indian self-determination fund. The Committee agrees with the House regarding the need for IHS to continue to work with tribes to contain growth of contract support costs. The Committee hopes that the revised contract support guidelines recently issued by the IHS are helpful in this regard.

INDIAN HEALTH FACILITIES

Appropriations, 1996	\$238,958,000
Budget estimate, 1997	275,251,000
House allowance	227,701,000
Committee recommendation	251,957,000

The Committee has provided \$251,957,000 for Indian health facilities, an increase of \$24,256,000 over the House and \$12,999,000 over the fiscal year 1996 enacted level. The amounts recommended by the Committee as compared to the budget estimate are shown in the following table:

	Budget estimate	Committee recommendation	Change
Maintenance and improvement	\$38,334,000	\$38,334,000	.....
Construction facilities	2,900,000	17,400,000	+ \$14,500,000
Equipment	12,975,000	14,505,000	+ 1,530,000
Sanitation facilities	127,889,000	89,889,000	- 38,000,000
Facilities and environmental health support	92,671,000	91,347,000	- 1,324,000

	Budget estimate	Committee recommendation	Change
Contract support	482,000	482,000	.....
Total, Indian health facilities	275,251,000	251,957,000	- 23,294,000

Maintenance and improvement.—The Committee recommends \$38,334,000 for maintenance and improvement, the same as the House and the fiscal year 1996 enacted level.

Construction of facilities.—The Committee recommends \$17,400,000 for construction of facilities. Included in the amount provided are \$2,900,000 to complete priority list designs as proposed in the budget request, \$1,000,000 for modular dental units, and \$13,500,000 for construction of a replacement facility at Lame Deer, MT.

While fiscal constraints generally are such that the Committee has been unable to initiate facility construction in recent years, an exception has been made due to the recent, tragic burning of the Northern Cheyenne Health Center at Lame Deer. The Committee understands that the IHS has made every effort to minimize the cost of the replacement facility, and that the program justification document is consistent with the health facilities planning manual. The Committee remains strongly committed to the health care facility construction priority system.

The Talahina, OK, hospital is ranked sixth on the IHS health facilities priority list for inpatient facilities. The Choctaw Nation of Oklahoma has developed a financing plan for a replacement facility for the Talahina hospital, and proposes to use various funding sources to construct a community-based medical services hospital. The Committee directs the Indian Health Service to work with the Choctaw Nation to identify resources necessary to staff, equip, and operate the newly constructed facility. The Committee will consider these operational needs in the context of current budget constraints.

Equipment.—The Committee recommends \$14,505,000 for equipment, an increase of \$1,530,000 over the House and fiscal year 1996 level. The increase provided will fund partially equipment costs for the Anchorage Native Primary Care Center. This facility is being constructed with non-Federal funds to meet a growing demand for health care services among the Alaska Native population, a demand which already exceeds the capacity of the nearly completed Anchorage Native Medical Center.

Sanitation facilities.—The Committee recommends \$89,889,000 for sanitation facilities, an increase of \$5,000,000 over the House and fiscal year 1996 level. The Committee notes that there is a \$630,000,000 backlog of projects that would address sanitation deficiencies, and recognizes the positive impact reducing this backlog would have on Indian health.

Funds for sanitation facilities for new and renovated housing shall 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 in their home.

IHS project funds shall not be used to provide sanitation facilities for new homes funded by the housing programs of the Department of Housing and Urban Development.

Up to \$3,000,000 of the amounts appropriated for sanitation facilities construction may be used for projects to assess open dumps pursuant to the Indian Lands Open Dump Cleanup Act of 1994.

Facilities and environmental health support.—The Committee recommends \$91,347,000 for facilities and environmental health support. This amount includes increases over the fiscal year 1996 enacted level of \$42,000 for the staffing of new facilities and \$1,324,000 for pay costs.

Contract support.—The Committee recommends \$482,000 for contract support, the same as the House and the fiscal year 1996 level.

Administrative provisions.—The Committee has deleted language from the bill that prohibits the Indian Health Service, without explicit direction from Congress, from billing or charging Indians who may have the economic means to pay. This language has been carried in the bill for a number of years. In the interest of reducing the amount of recurring legislative provisions in the bill, and since the Committee is not aware of any proposal that necessitates retention of this language, the provision has been removed.

DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

INDIAN EDUCATION

Appropriations, 1996	\$52,500,000
Budget estimate, 1997	81,500,000
House allowance	52,500,000
Committee recommendation	52,500,000

The Committee recommends an appropriation of \$52,500,000, which is the same as the fiscal year 1996 enacted level and the House allowance. The entire \$52,500,000 is provided for grants to local education agencies. The Committee expects the Office of Indian Education to keep costs associated with administering the program to a minimum.

OTHER RELATED AGENCIES

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

Appropriations, 1996	\$20,345,000
Budget estimate, 1997	25,000,000
House allowance	20,345,000
Committee recommendation	19,345,000

The Committee recommends an appropriation of \$19,345,000, a decrease of \$5,655,000 from the budget estimate and \$1,000,000 below the House allowance.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

Appropriations, 1996	\$34,427,000
Budget estimate, 1997	35,208,000
House allowance	35,208,000
Committee recommendation	35,443,000

The Committee recommends an appropriation of \$35,443,000 for fiscal year 1997. This is an increase of \$235,000 above the budget request and the House allowance.

The workload of the Office of the Solicitor continues to increase, and, in fact, several functions have been absorbed by the Office without added resources. The Committee is encouraged by the various efforts undertaken by the Solicitor's Office to reduce costs, streamline operations, and to take an active role in reducing regulations. The Committee has provided an increase of \$235,000 above the budget request level, specifically to provide for the Solicitor's Honors Program. It is the Committee's understanding that this increase is sufficient to provide for a class of five new attorneys. While the Committee would like to have provided more for this worthwhile program, due to the needs of other programs in the bill that is not possible. The Committee anticipates that the Department will provide adequate resources for the Solicitor's Honors Program in future budget requests.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

Appropriations, 1996	\$23,939,000
Budget estimate, 1997	24,439,000
House allowance	24,439,000
Committee recommendation	24,439,000

The Committee recommends an appropriation of \$24,439,000 for fiscal year 1997. This is the same level as the budget request and the House allowance.

NATIONAL INDIAN GAMING COMMISSION

SALARIES AND EXPENSES

Appropriations, 1996	\$1,000,000
Budget estimate, 1997	1,000,000
House allowance	1,000,000
Committee recommendation	1,000,000

The Committee recommends an appropriation of \$1,000,000, the same as the House allowance and the budget estimate.

OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS

FEDERAL PROGRAMS

Appropriations, 1996	\$16,338,000
Budget estimate, 1997	36,338,000
House allowance	19,126,000
Committee recommendation	36,338,000

The Committee recommends an appropriation of \$36,338,000 for the Office of Special Trustee for American Indians, the same level as the budget request and \$17,212,000 more the House allowance.

General.—The Committee continues to support the creation of the Office of Special Trustee for American Indians as a means of resolving the longstanding material weaknesses that have plagued the financial trust activities of the Bureau of Indian Affairs. The Committee expects the special trustee to develop and present his strategic plan to Congress as quickly as possible to ensure that the purposes for which funds are made available are consistent with a long-range, comprehensive strategy for resolving weaknesses in trust fund management. In future years it is unlikely that the Committee will provide the current level of funding, much less the significant increases that are envisioned by the special trustee, unless a strategic plan is in place that has been approved by Congress.

The Committee expects the strategic plan to include details on the level of compacting and contracting by the tribes for activities within the Office of Special Trustee and the funding required for these activities. Future budget requests should clearly articulate the amount of funding required to support these activities.

Program operations, support, and improvements.—The Committee recommends \$34,660,000, a decrease of \$128,000 from the budget request, an increase of \$19,098,000 above the fiscal year 1996 funding level, and \$16,310,000 above the House allowance. The Committee recommends \$8,830,000 for the Office of Trust Funds Management, the same as the request and the House allowance and an increase of \$1,412,000 above the fiscal year 1996 funding level. For area and field operations, the Committee recommends \$5,471,000, the same as the budget request and the House allowance and an increase of \$57,000 above the fiscal year 1996 funding level. For administrative support, the Committee recommends \$3,000,000, the same as the budget request. The Committee continues to encourage the Office of the Special Trustee to use reimbursable agreements to obtain administrative services from other bureaus rather than building a separate infrastructure for administrative activities.

The Committee recommends \$426,000 for past reconciliation activities, as requested. For improvement initiatives, the Committee recommends \$16,933,000, a decrease of \$128,000 below the budget request and an increase of \$16,900,000 above the fiscal year 1996 funding level. The Committee expects the Office of Special Trustee to ensure that these funds are allocated to activities which will be consistent with the strategic plan being developed by the special trustee.

Executive direction.—The Committee recommends \$1,678,000 for executive direction, an increase of \$128,000 above the budget request and an increase of \$902,000 above the fiscal year 1996 funding level. For the Immediate Office of the Special Trustee, the Committee recommends \$1,228,000, the same as the budget request and an increase of \$702,000 above the fiscal year 1996 funding level. The additional funds should allow the special trustee to hire qualified individuals with the expertise needed to assist in resolving the trust fund problems.

The Committee recommends \$200,000 for the Special Trustee's Advisory Board, an increase of \$39,000 above the budget request. For the InterTribal Monitoring Association [ITMA], the Committee recommends \$250,000, an increase of \$89,000 above the budget request and the same as the fiscal year 1996 level of funding. The Committee expects the special trustee to include a detailed report on the activities and funding for the advisory board and ITMA in the fiscal year 1998 budget justifications.

GENERAL PROVISIONS

DEPARTMENT OF THE INTERIOR

The Committee has included in "General Provisions, Department of the Interior" a number of provisions carried in previous years in the appropriations act for the Department of the Interior and Related Agencies. Included among these are the following:

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

SEC. 102. Provides for expenditure or transfer of funds by the Secretary to help suppress or prevent forest or range fires, take emergency action in case of earthquake and volcano eruption, action related to oilspills, and provide assistance in case of a surface mine reclamation emergency.

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

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

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

SEC. 106. Provides that contracts issued by the General Services Administration for services and rentals are in effect for a period not to exceed 12 months.

SEC. 107. Deletes House language regarding the transfer of funds between the Department of the Interior land acquisition accounts. Specific projects are delineated for each account, thus obviating the need for transfers.

SEC. 108. Restricts the Secretary of the Interior from obligating any more than one-twelfth of the fiscal year's appropriation in any month for the Presidio operations and allows the Secretary to transfer funds to the trust to initiate leasing and other authorized activities. The provision expires December 31, 1996.

SEC. 109. Deletes House language precluding the Secretary of the Interior from developing, promulgating, and implementing a rule concerning rights-of-way under section 2477 of the revised statutes. Inserts Senate language that no final rule or regulation pertaining to the recognition, management, or validity of a right-of-way pursuant to revised statute 2477 shall take effect unless expressly authorized by an act of Congress. This language is identical to the bipartisan proposal reported by the Senate Energy and Natural Resources Committee (Senate bill 1475).

SECS. 110–113. Restricts use of funds provided in the act for off-shore leasing and certain preleasing and leasing activities as proposed by the administration in the budget.

SEC. 114. Establishes a franchise pilot program within the Department of the Interior. The Committee expects the fund to be used principally to provide administrative support services on a competitive basis to agencies other than the Department and that it will result in an overall savings in administrative support costs for the Government.

SEC. 115. Inserts language amending Public Law 102–495. This provision is discussed in more detail under the National Park Service “Land acquisition” account.

SEC. 116. Extends the Blackstone River Valley National Heritage Commission for 1 year.

SEC. 117. The Committee has included bill language to facilitate the transfer of the former Bureau of Mines facility in Salt Lake City, UT, to the University of Utah. Such language is necessary because BLM still holds the land on which the facility, which will now be operated by the State, is located. Such direction is consistent with other research locations that have been defederalized.

SEC. 118. Bill language has been included to require the Secretary of the Interior to submit to Congress by February 28, 1997, a formula to distribute funding for certain activities to Indian tribes, with the exception of funding provided for education, reimbursable programs and funding received from allocations from other Departments, and programs benefiting Alaska Natives. Funding and the structure for programs for Alaska Natives shall continue in their present form. The Indian Self-Determination and Education Assistance Act is amended to increase the number of new tribes who may participate in self-governance each year to 50.

SEC. 119. The Committee has included bill language to permit the Indian Arts and Crafts Board to collect fees and raise revenues in order to transition from Federal funding.

SEC. 120. Language is included to facilitate a transfer of buildings in Battle Mountain, NV, to Lander County, NV, from the Bureau of Land Management. Language is also included to facilitate a transfer to the State of Nevada a surplus BLM building in Winnemucca, NV.

SEC. 121. The purpose of the amendment is to clarify that Cook Inlet Region, Inc., is to remain a federally recognized Indian tribal entity for the purposes of administering Federal programs and to reinstate Cook Inlet Region, Inc., to the Secretary of the Interior’s list of federally recognized tribes and tribal entities. This legislation also recognizes that some services may be appropriately provided for on a village basis, and it does not preclude other tribal entities within the region from providing village-based services.

Alaska Natives are eligible for benefits under various Federal assistance and social service programs because of their status as Indians. Program funding and administration are often delegated by the Federal agency which oversees the particular program to a tribal authority within the area in which services are to be provided. Recently some confusion has arisen as to the proper tribal organization to which authority for a particular program should be delegated.

Cook Inlet Region, Inc., an Alaska Native regional corporation established under the Alaska Native Claims Settlement Act, has for many years been recognized as a tribal entity eligible to administer Federal programs.

In carrying out its programs, Cook Inlet Region, Inc., has provided services, through the use of special nonprofit organizations, on a regional basis to its Alaska Native shareholders as well as to those Alaska Native shareholders from other regions and American Indians who reside in and around the Anchorage area.

Clarifying the role of Cook Inlet Regions, Inc., as a provider of health and social services and other Federal assistance programs in the region is essential to maintaining cost-efficient, nonduplicative, and regionally based services for south-central Alaska. This would include services in the municipality of Anchorage, which has been called the largest of Alaska's Native villages. In addition, this amendment would recognize the uniqueness of Cook Inlet region's shareholder base, where four-fifths of the region's shareholders are not enrolled to a village corporation and, therefore, must rely on the region's status for services.

SEC. 122. Provides language directing the transfer of aircraft No. N789 to the Alaska Aviation Heritage Museum in Anchorage, AK.

SEC. 123. Language is included which amends the Mesquite Lands Act of 1988, Public Law 99-548, to permit the city of Mesquite, NV, to purchase from the Bureau of Land Management certain tracts of land surrounding the city.

SEC. 124. Language is included to transfer from the BLM certain buildings and land near Silver City, NM, to the St. Vincent DePaul Parish in Silver City, NM.

TITLE III—GENERAL PROVISIONS

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

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

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

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

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

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

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

SEC. 307. Continues Buy American provisions and requirements included in previous years.

SEC. 308. Limits the sale of giant sequoia trees by the Forest Service and Bureau of Land Management. Any sales are to be conducted in the same manner as used in fiscal year 1995.

SEC. 309. Prohibits the National Park Service from implementing a concession contract which permits or requires the removal of the underground lunchroom at Carlsbad Caverns National Park.

SEC. 310. Provides that when construction projects which are managed pursuant to specified laws are completed at a lower cost than estimated, the difference shall be expended in a manner determined by the appropriate Secretary after consultation with the tribes.

SEC. 311. Provides that quarterly payments to tribes under annual funding agreements pursuant to Public Law 93-638, as amended, may be made on the first business day following the first day of a fiscal quarter.

SEC. 312. Restricts the use of any funds in the bill for the AmeriCorps program unless reprogramming guidelines are followed and the program is funded in the VA-HUD appropriations bill.

SEC. 313. Prohibits the use of funds to demolish the bridge between Jersey City, NJ, and Ellis Island or prevent the pedestrian use of such bridge when it is made known that such use is consistent with generally accepted safety standards.

SEC. 314. Retains mining patent moratorium carried in the fiscal year 1996 appropriations act.

SEC. 315. Prohibits the use of funds for the acquisition of lands in the counties of Lawrence, Monroe, or Washington, OH, for the Wayne National Forest.

SEC. 316. Includes language restricting the types of grant awards that can be made by the National Endowment for the Arts.

SEC. 317. Deems approval of a telescope site on Mount Graham consistent with the Arizona-Idaho Conservation Act.

SEC. 318. Limits the use of funds for issuing a final rulemaking on jurisdiction over subsistence fishing in Alaska.

SEC. 319. The Committee has included bill language, essentially the same as language included in the fiscal year 1996 Interior bill, relating to Public Law 101-382. The language keeps in place regulations and interim rules implementing the law that were in effect prior to September 8, 1995, (36 CFR 223.48, 36 CFR 223.87, 36 CFR 223 subpart D, 36 CFR 223 subpart F, and 36 CFR 261.6) governing the export of State and Federal timber in the Western United States. The language prohibits the Secretary of Agriculture or the Secretary of the Interior from reviewing or making modifications to existing sourcing areas. The language prohibits either Secretary from enforcing or implementing regulations promulgated on September 8, 1995, at 36 CFR part 223. The bill language also directs the Secretary of Commerce to continue the 100-percent ban on the export of logs that originate from Washington State-owned public lands.

SEC. 320. Extends the pilot recreation fee demonstration program for 1 year and increases the numbers of sites from 50 to 100 sites for the land management agencies in this bill.

SEC. 321. Prohibits the use of funds for activities in connection with a scenic drive in Pictured Rocks National Lakeshore.

SEC. 322. Transfers the Bend Silviculture Lab to the Central Oregon Community College.

SEC. 323. Includes language, once again, terminating the Office of Forestry and Economic Assistance, or any successor office. The Committee is greatly concerned by the fact that the administration flagrantly violated language put in the fiscal year 1996 Interior bill directing that the Office of Forestry and Economic Development in Portland, OR, be terminated on December 31, 1995—the termination date advocated by the administration. In order to circumvent this law, the administration elected to change the name of the Office in order to keep it operational.

SEC. 324. Includes language to facilitate a land exchange between the Corrections Corporation of America and the National Park Service for land located in Oxon Cove Park in Prince Georges County, MD.

SEC. 325. Inserts language limiting funds for employee relocation or transfer of duty costs for selected agencies.

SEC. 326. The Committee has included language to facilitate a land exchange between the Forest Service and the Chelan County Public Utility District [PUD] in Washington State. The land exchange will consolidate land for a wastewater treatment facility onto Chelan County PUD land. The Chelan County PUD would, in turn, own and operate the wastewater treatment facility, which serves both the Forest Service and some of the local community.

SEC. 327. The Committee has included language to modify the boundary of the Snoqualmie National Forest to facilitate a land exchange between the Weyerhaeuser Co., and the Forest Service.

SEC. 328. The Committee has included bill language to facilitate a land transfer between Sugarbush Resort Holdings, Inc., and the Forest Service.

BUDGETARY IMPACT OF BILL

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

[In millions of dollars]

	Budget authority		Outlays	
	Committee allocation	Amount of bill	Committee allocation	Amount of bill
Comparison of amounts in the bill with Committee allocations to its subcommittees of amounts in the First Concurrent Resolution for 1997: Subcommittee on Interior and Related Agencies:				
Defense discretionary				
Nondefense discretionary	12,618	12,618	13,320	¹ 13,306
Violent crime reduction fund				
Mandatory	59	58	62	62
Projections of outlays associated with the recommendation:				
1997				² 8,477
1998				3,195
1999				756
2000				209
2001 and future year				71
Financial assistance to State and local governments for 1997 in bill	NA	846	NA	406

¹Includes outlays from prior-year budget authority.

²Excludes outlays from prior-year budget authority.

NA: Not applicable.