

Calendar No. 440

105TH CONGRESS }
2d Session }

SENATE

{ REPORT
105-227

DEPARTMENT OF THE INTERIOR AND RELATED
AGENCIES APPROPRIATIONS BILL, 1999

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JUNE 26, 1998.—Ordered to be printed
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Mr. GORTON, from the Committee on Appropriations,
submitted the following

REPORT

[To accompany S. 2237]

The Committee on Appropriations reports the bill (S. 2237) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1999, and for other purposes, reports favorably thereon and recommends that the bill do pass.

Amounts in new budget (obligational) authority, fiscal year 1999

Estimates considered by Senate	\$14,268,257,000
Below the budget estimate, 1999	610,551,000
Below appropriations, 1998 (including emergencies)	451,787,000

The Committee accepts the budget estimate for civil penalties, which is a decrease of \$225,000 below the fiscal year 1998 level.

ABANDONED MINE RECLAMATION FUND

(Definite, Trust Fund)

Appropriations, 1998	\$177,624,000
Budget estimate, 1999	183,416,000
Committee recommendation	183,057,000

The Committee recommends \$183,057,000 for the abandoned mine reclamation fund, which is a decrease of \$359,000 below the budget request and an increase of \$5,433,000 above the fiscal year 1998 level. A comparison of the Committee recommendation and the budget estimate is as follows:

	Budget estimate	Committee recommendation	Change
Environmental restoration	\$168,140,000	\$168,002,000	-\$138,000
Technology development and transfer	3,473,000	3,446,000	-27,000
Financial management	5,860,000	5,788,000	-72,000
Executive direction	5,943,000	5,821,000	-122,000
Total	183,416,000	183,057,000	-359,000

The Committee has included \$6,900,000 for the clean streams initiative to address acid mine drainage problems.

Bill language.—As in prior years, the bill includes language related to the conduct of the abandoned mine land program. The Committee has included language that maintains the Federal emergency reclamation program and limits expenditures in any one State to 25 percent of the total appropriated for Federal and State-run emergency programs. Bill language also is included to permit States to use prior-year carryover funds from the emergency program without being subject to the 25-percent statutory limitation per State. The Committee also has recommended bill language which would fund minimum program State grants at \$1,500,000 per State, bill language which provides \$6,900,000 to be used for projects in the clean streams initiative, and \$100,000 for Western mine land restoration partnership.

The Committee also has included language specific to the State of Maryland authorizing the State to set aside the greater of \$1,000,000 or 10 percent of the total of the grants made available to the State under title IV of the Surface Mining Control and Reclamation Act of 1977, subject to specific provisions identified in the bill language.

INDIAN AFFAIRS

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

Appropriations, 1998	\$1,529,638,000
Budget estimate, 1999	1,638,681,000
Committee recommendation	1,544,695,000

The Committee recommends an appropriation of \$1,544,695,000, a decrease of \$93,986,000 below the budget estimate and an increase of \$15,057,000 above the fiscal year 1998 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	\$353,885,000	\$340,734,000	-\$13,151,000
Human services	160,012,000	150,494,000	-9,518,000
Education	52,268,000	52,119,000	-149,000
Public safety and justice	75,637,000	4,118,000	-71,519,000
Community development	39,170,000	38,845,000	-325,000
Resources management	53,905,000	53,275,000	-630,000
Other trust services	27,811,000	27,477,000	-334,000
General administration	22,422,000	22,181,000	-241,000
Small and needy tribes distribution			
Distributions for Albuquerque, Muskogee, and Phoenix Tribes	5,850,000	5,850,000	
Standard assessment methodology work group	250,000		-250,000
Subtotal, tribal priority allocations	791,210,000	695,093,000	-96,117,000
Other recurring programs:			
Tribal government			
Human services	500,000		-500,000
Education:			
School operations:			
Forward funding	394,893,000	386,420,000	-8,473,000
Other school operations	91,992,000	86,396,000	-5,596,000
Subtotal, school operations	486,885,000	472,816,000	-14,069,000
Continuing education	35,411,000	32,911,000	-2,500,000
Subtotal, education	522,296,000	505,727,000	-16,569,000
Community development			
Resources management	35,966,000	34,509,000	-1,457,000
Subtotal, other recurring programs	558,762,000	540,236,000	-18,526,000
Nonrecurring programs:			
Tribal government	250,000	250,000	
Resources management	32,011,000	30,840,000	-1,171,000
Other trust services	43,436,000	28,253,000	-15,183,000
Subtotal, nonrecurring programs	75,697,000	59,343,000	-16,354,000
Total, tribal budget system	1,425,669,000	1,294,672,000	-130,997,000
BIA OPERATIONS			
Central office operations:			
Tribal government	2,635,000	2,616,000	-19,000
Human services	869,000	861,000	-8,000
Community development	838,000	834,000	-4,000

	Budget estimate	Committee recommendation	Change
Resources management	3,115,000	3,094,000	- 21,000
Other trust services	2,075,000	2,061,000	- 14,000
General administration:			
Education program management	2,303,000	2,285,000	- 18,000
Other general administration	35,507,000	33,789,000	- 1,718,000
Subtotal, general administration	37,810,000	36,074,000	- 1,736,000
Subtotal, central office operations ..	47,342,000	45,540,000	- 1,802,000
Area office operations:			
Tribal government	1,359,000	1,350,000	- 9,000
Human services	3,279,000	3,251,000	- 28,000
Community development	810,000	802,000	- 8,000
Resources management	3,192,000	3,165,000	- 27,000
Other trust services	10,763,000	8,469,000	- 2,294,000
General administration	23,774,000	23,526,000	- 248,000
Subtotal, area office operation	43,177,000	40,563,000	- 2,614,000
Special programs and pooled overhead:			
Education	14,258,000	14,107,000	- 151,000
Public safety and justice	31,806,000	73,999,000	+ 42,193,000
Community development	3,266,000	3,283,000	+ 17,000
Resources management	1,320,000	1,320,000
General administration	71,843,000	71,211,000	- 632,000
Subtotal, special programs	122,493,000	163,920,000	+ 41,427,000
Total, BIA operations	213,012,000	250,023,000	+ 37,011,000
Total, operation of Indian programs	1,638,681,000	1,544,695,000	- 93,986,000

Tribal priority allocations.—The Committee recommends \$695,093,000 for the tribal priority allocations [TPA] activity, a decrease of \$62,255,000 below the fiscal year 1998 level of funding. The decrease below the fiscal year 1998 level of funding reflects the transfer of \$70,288,000 in law enforcement funds to the special programs and pooled overhead activity, where the administration proposed its law enforcement initiative; decreases of \$250,000 for the standard assessment methodology workgroup and \$670,000 in other internal transfers; and increases of \$1,500,000 for small and needy tribes in Alaska, within the amount provided for tribal government; \$5,000,000 for budget structure changes; and \$2,453,000 for uncontrollable costs.

For the TPA tribal government subactivity, the Committee has provided \$340,734,000, level funding with fiscal year 1998, plus \$15,110,000 for internal transfers, \$37,215,000 for budget structure changes, and prorated fixed costs of \$1,159,000. In addition, the Committee has provided \$1,500,000 to raise the base funding of small and needy tribes in Alaska. In fiscal year 1998, Congress directed the Bureau to allocate a total of \$20,400,000 of the TPA general increase to bring all small and needy tribes to a minimum base funding level of \$160,000, the minimum funding recommended by the 1994 BIA/DOI/tribal joint task force for small and needy

tribes in the continental United States. However, the minimum level recommended by the task force for Alaska tribes is \$200,000 because of the high cost of living and remoteness of many villages. With the fiscal year 1998 funding provided for small and needy tribes, there are still 209 small and needy tribes remaining in Alaska.

Due to budget constraints, the Committee cannot include funding sufficient to raise the TPA of all small and needy tribes in Alaska to the recommended level of \$200,000. The Committee directs the Bureau to inform the Committee of the status of Alaska's small and needy tribes and the continuing shortfall in minimum TPA funding by January 1, 1999.

The Committee has provided funding for the human services, education, community development, resources management, trust services, and general administration subactivities level with fiscal year 1998, adjusted for internal transfers, budget structure changes and prorated fixed costs.

In public safety and justice, the Committee has provided \$1,388,000 for fire protection and \$2,730,000 for other programs, the level of funding provided in fiscal year 1998 for those programs, adjusted for internal transfers, budget structure changes and the addition of prorated fixed costs. The Committee has transferred law enforcement funding to the special programs and pooled overhead activity.

It is the Committee's reading of the January 20, 1998, memorandum of the Attorney General and the Secretary of the Interior to the President that law enforcement funds would be removed from TPA and be placed under the control of central-line authority. The Committee also is concerned that several program elements that include law enforcement funding still remain in the TPA activity. The Committee directs the Bureau to identify all funds for law enforcement in TPA, whether in the subactivities for public safety and justice, tribal government, or elsewhere, and consolidate that funding in the public safety and justice subactivity of the special programs and pooled overhead activity under the control of central-line authority beginning in fiscal year 1999. The Committee further directs that, consistent with the recommendations of the Attorney General and the Secretary, law enforcement funds are not available for reprogramming to other purposes and law enforcement funds are not available for tribal shares.

The Committee has provided \$5,850,000 for Albuquerque, Muskogee, and Phoenix Tribes, the same as the budget request.

The Committee has not provided funds for the continuation in fiscal year 1999 of the workgroup established by the Assistant Secretary for Indian Affairs to discuss TPA issues, such as unmet needs and distribution of possible future increases to TPA. The Committee understands that the workgroup has met in fiscal year 1998, and encourages the workgroup to provide its recommendations to the Assistant Secretary.

The Committee is extremely concerned about the inequitable distribution of TPA among the tribes. With the commitment of the Bureau to work on the issue, the Committee requested that the General Accounting Office [GAO] review the TPA system and provide its final report to the Committee by June 1, 1998. In addition, the

Committee and the Senate Indian Affairs Committee held hearings this spring to discuss TPA. Based on comments from these hearings, findings of the GAO, and concerns from the tribes, the Committee included bill language in the general provisions of title I regarding the distribution of fiscal year 1999 and future year TPA funding.

Other recurring programs.—The Committee recommends \$540,236,000 for other recurring programs, a decrease of \$9,060,000 below the fiscal year 1998 level. This amount includes decreases of \$21,371,000 to reflect budget structure changes and \$3,284,000 for internal transfers; and increases for programs over the fiscal year 1998 level of \$7,684,000 for Indian School Equalization Program formula funds and program adjustments, \$1,831,000 for student transportation, \$3,000,000 for operating grants for tribally controlled community colleges, and \$3,080,000 for prorated fixed costs.

Within the amount provided for tribal management programs in resources management, funding is included at the level provided in fiscal year 1998 for the Bering Sea Fishermen's Association, the Inter-Tribal Bison Cooperative, and the Alaska Sea Otter Commission.

Nonrecurring programs.—The Committee recommends \$59,343,000 for nonrecurring programs, a decrease of \$1,836,000 below the fiscal year 1998 level. The amount provided includes increases of \$704,000 for budget structure changes, \$1,500,000 for water quality management planning, and \$146,000 for prorated fixed costs; and decreases of \$582,000 for internal transfers, \$2,125,000 for tribal government, \$1,000,000 for community development, and \$479,000 for the minerals and mining program, as proposed by the Bureau.

The Committee has not provided funds in resources management for implementation of the secretarial order issued by the Department of the Interior and the Department of Commerce regarding the administration of the Endangered Species Act in relation to Indian tribal lands. That order is inconsistent with the endangered species statute as currently enacted. Further, until ESA legislation is enacted which accomplishes the goals purportedly sought through the secretarial order, the Committee expects the Department to adhere to the ESA as written.

It has come to the attention of the Committee that the Environmental Protection Agency has recently begun assessing heavy penalties against BIA for noncompliance with environmental requirements, including fines for violations of the underground storage tank regulations and for RCRA reporting violations. The Committee understands that BIA is planning to initiate an environmental audit program over the next 4 years, which is expected to bring further remediation projects to light. Due to budget constraints, the Committee was unable to provide the funding requested to address the problem fully. However, the Committee is supportive of the Bureau's efforts and encourages the Bureau to provide as much support as possible within existing funds.

Central office operations.—The Committee recommends \$45,540,000 for central office operations. The amount provided includes increases above the funding provided in fiscal year 1998 of

\$354,000 for budget structure changes and \$184,000 for prorated fixed costs and a decrease of \$2,337,000 for internal transfers.

Area office operations.—The Committee recommends \$40,563,000 for area office operations. This amount includes a decrease below the fiscal year 1998 level of \$564,000 for internal transfers and an increase of \$241,000 for prorated fixed costs.

Special programs and pooled overhead.—The Committee recommends \$163,920,000 for special programs and pooled overhead. The amount provided includes increases over the fiscal year 1998 level of \$70,288,000 in support of the President's law enforcement initiative, \$15,867,000 to reflect budget structure changes, \$1,514,000 in internal transfers, and \$4,885,000 for fixed costs; and decreases of \$42,000 for the United Tribes Technical College, \$108,000 for the United Sioux Tribes Development Corp., \$524,000 for the National Ironworkers Training Program, and \$500,000 as a general decrease for general administration.

Law enforcement in Indian country is identified as a priority of the administration and the Committee has committed to assisting the joint efforts of the Department of the Interior and the Department of Justice to address the issue. The Committee has provided a total of \$70,725,000 for a law enforcement initiative through the transfer of law enforcement funds from TPA to special programs and pooled overhead. The additional amount requested for this initiative is not provided due to budget constraints. The Committee understands the January 20, 1998, memorandum of the Attorney General and the Secretary of the Interior to recommend that law enforcement funds be removed from TPA and placed under the control of central-line authority. The Committee directs that law enforcement funds are not available for reprogramming to other purposes and are not available for tribal shares.

The Committee provides \$2,310,000 for the United Tribes Technical College [UTTC], an increase of \$500,000 above the budget request, to restore essentially the fiscal year 1998 level. The Committee notes that UTTC serves students from nearly 40 different tribes and 16 States. The Department is encouraged in its fiscal year 2000 budget to provide sufficient funding for UTTC, and to make suggestions for the appropriate programmatic placement of UTTC in the budget.

Contract support costs.—The Committee is concerned about continuing and growing funding shortfalls in contract support costs [CSC] for programs administered by Indian tribal governments pursuant to the Indian Self Determination and Education Assistance Act. Projected contract support shortfalls for fiscal year 1999 for the BIA are projected to be \$13,348,000, and for the Indian Health Service [IHS] the shortfall is projected to be \$131,298,000.

Since the enactment of the Indian Self Determination and Education Assistance Act, it has been the policy of the Congress to encourage the transfer of responsibility for Indian programs from the Federal Government to the tribes by virtue of 638 contracts and self-governance compacts. Indian tribes are now managing nearly one-half the contractable operations of both the BIA and the IHS.

The number of tribes that are choosing to step into the shoes of the Federal agencies to undertake the provision of BIA and IHS services in their own communities is growing. The availability of

full CSC funding—costs incurred in providing health and governmental services—is a major incentive that serves to attract tribal governments to the 638 and self-governance programs.

Since fiscal year 1993, there have been deficiencies in CSC funding resulting in a queue of unmet needs among 638 and self-governance tribes. This queue is not a result of increasing support cost rates. The tribal indirect cost rate for IHS programs for the years 1993 through 1996 has remained steady at 23 percent. The demand for increased CSC funding is a result of an increase in the number of tribes entering the programs.

Against this backdrop, in several cases the Federal courts have held the United States liable for insufficient CSC funding. The Committee believes the situation needs to be addressed and directs the General Accounting Office [GAO] to conduct a comprehensive examination of existing contracts and compacts for BIA and IHS programs entered pursuant to the ISDEA, as they may be impacted by available appropriations for associated contract support and other indirect costs. The study should examine existing methodologies for calculating tribal contract support costs; report on the causes for the increase in contract support cost needs in recent years; and provide estimates and scenarios for future contract support cost needs under existing methodologies. The study should also include an analysis of the impact of available appropriations on future contracts and compacts and associated contract support costs, an analysis and review of impacts on the quantity and quality of services provided to Indian people through such contracts and compacts, and an analysis of what impacts, if any, have been felt by the worsening CSC situation. The Committee requests that the findings of the GAO, together with any recommendations it may make, be included in a report to the Committee to be delivered no later than June 1, 1999.

Other.—The Committee recognizes the concerns of several tribes located within the jurisdictional service area of the Cherokee Nation of Oklahoma regarding federally funded services tribal members currently receive from the Cherokee Nation. However, the Committee is concerned that there is no additional funding to make available to provide separate service funding for each tribe wishing to provide services to its members. The Committee is also concerned about the potential for duplication of services to individuals and the loss of economies of scale where facilities and programs exist that cannot readily be split between tribes.

In order to begin to address these concerns, the Committee hereby requests that all tribal entities located within the service area of the Cherokee Nation of Oklahoma work with the Department to develop a plan for their continued operations including expenditures of Federal grant moneys, geographical areas eligible for application for trust land status, and independent recognition as tribes. The Department shall report the results of this process to the Senate Committee on Appropriations and the Senate Committee on Indian Affairs on or before April 1, 1999.

CONSTRUCTION

Appropriations, 1998	\$125,279,000
Budget estimate, 1999	152,054,000
Committee recommendation	123,421,000

The Committee recommends an appropriation of \$123,421,000, a decrease of \$28,633,000 below the budget estimate and a decrease of \$1,858,000 below the fiscal year 1998 level.

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

	Budget estimate	Committee recommendation	Change
Education	\$86,612,000	\$60,400,000	-\$26,212,000
Public safety and justice	5,553,000	5,553,000
Resources management	51,677,000	49,617,000	- 2,060,000
General administration	2,146,000	2,146,000
Construction management	6,066,000	5,705,000	- 361,000
Total, construction	152,054,000	123,421,000	- 28,633,000

Education.—The Committee recommends \$60,400,000 for construction of education facilities, which is \$6,021,000 above the fiscal year 1998 level. The amount provided includes \$40,000,000 for facilities improvement and repair, \$3,000,000 for employee housing, and \$17,400,000 for new school construction. Within the amount provided for new schools, there is \$8,700,000 for the construction of Pyramid Lake High School, Nevada, and \$8,700,000 for the construction of Sac & Fox Settlement School, Iowa. These are the next schools on the priority list ready for construction. The Committee has not provided specific construction funding for Seba Dalkai School, Arizona, which is the next school on the priority list after Many Farms High School, Arizona, which was completed with fiscal year 1998 funding. The Committee notes that progress has not occurred on this project at the same rate as on the other school projects underway and believes that ongoing projects should be completed as quickly as possible before starting others.

The Bureau uses a priority ranking process to identify major projects for replacement construction and a separate ranking process to identify projects for improvement and repair, giving the greatest weight in ranking and funding projects to those that alleviate unsafe or unhealthy conditions in Bureau facilities. The Committee recognizes that the burden of unmet need far outweighs the Bureau's resources and supports the prioritization of construction and repair projects. Consistent with the existing process, the Committee encourages the Bureau to provide assistance to additional schools with a demonstrated need, including the Brockton public schools in Montana and the Ojibwa and Standing Rock schools in North Dakota. To the extent that there are high-priority requirements identified for these facilities, the Bureau should give consideration to these needs through the emergency or minor repair programs within the educational facility improvement and repair program.

The Committee directs the Secretary to develop a 5-year plan for the repair, renovation, and reconstruction of all necessary BIA

school facilities that are the responsibility of the United States. The U.S. General Accounting Office's report of December 1997, entitled "School Facilities—Reported Condition and Costs to Repair Schools Funded by Bureau of Indian Affairs," estimates a total cost for elementary and secondary schools of \$754,000,000.

The Committee expects the Secretary to work closely with the GAO and this Committee to verify or expand the initial estimates of the GAO. After determining the best estimates for a 5-year plan to complete the repair, renovation, and reconstruction (including new construction), the Committee directs the Secretary to develop an alternative administrative plan for the completion of this large task in 5 years, on a year-by-year basis. The current priority system of the BIA is not to be applied to this plan, rather, the Committee expects the Secretary to recommend a streamlined approach for the completion of this plan within 5 years. The Committee is also very interested in receiving accurate estimates of year-by-year costs, with fifth year costs being the final year to complete the updating of all BIA elementary and secondary school facilities and their support facilities, such as faculty housing.

With regard to Indian postsecondary education facilities, the Secretary is directed to review the current needs of all major postsecondary schools serving primarily American Indian students and recommend plans for improving their facilities, including cost estimates and a reasonable Federal share for meeting these costs for tribally controlled community colleges and other vocational and art education institutions.

Public safety and justice.—The Committee recommends \$5,553,000 for construction of public safety and justice facilities, the same as the budget request.

As part of the administration's initiative on law enforcement in Indian country, new detention centers on reservations are proposed for funding within the Department of Justice's appropriations. Therefore, the Committee has provided no funding for construction of new detention centers.

Resources management.—The Committee recommends \$49,617,000 for construction of resources management projects. The amount provided includes an increase over the fiscal year 1998 level of \$2,000,000 for safety of dams and a decrease of \$704,000 in survey and design as a result of a budget structure change.

General administration.—The Committee recommends \$7,851,000 for general administration, the same amount as provided for fiscal year 1998.

INDIAN LAND AND WATER CLAIMS SETTLEMENTS AND MISCELLANEOUS
PAYMENTS TO INDIANS

Appropriations, 1998	\$43,352,000
Budget estimate, 1999	38,396,000
Committee recommendation	28,882,000

The Committee recommends \$28,882,000 for Indian land and water claims settlements and miscellaneous payments to Indians, a decrease of \$9,514,000 below the budget request and a decrease of \$14,470,000 below the fiscal year 1998 level. Funding is provided for the following settlements:

	<i>Committee recommendation</i>
Pyramid Lake water rights settlement	\$2,530,000
Ute Indian rights settlement	25,000,000
	<hr/>
Total	27,530,000

The Committee has not provided funds to settle the claims of the Chippewa Cree Tribe of the Rocky Boy's Indian Reservation, as Federal authorizing legislation has not yet been enacted.

The Committee allowance also includes \$1,352,000 for miscellaneous payments to Indians pursuant to various legislative settlements, the same as the funding provided for fiscal year 1998 and an increase of \$486,000 over the budget estimate. The Committee does not concur with the proposed base adjustments and has added \$500,000 to restore funding for restoration of churches on the Aleutian and Pribilof Islands destroyed or raided during World War II. Appropriate bill language has been included which authorizes payments pursuant to Public Laws 99-264, 100-383, 100-580, and 103-402.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

Appropriations, 1998	\$5,000,000
Budget estimate, 1999	5,005,000
Committee recommendation	5,001,000

The Committee recommends an appropriation of \$5,001,000, a decrease of \$4,000 below the budget request and \$1,000 over the funding level for fiscal year 1998 for fixed costs.

INDIAN LAND CONSOLIDATION PILOT PROJECT

Appropriations, 1998
Budget estimate, 1999	\$10,000,000
Committee recommendation

Due to budget constraints, the Committee is unable to provide specific funding for the Bureau's pilot initiative to acquire fractional interests in land on one or more reservations. However, the Committee agrees strongly with the Department that fractionated ownership of allotted Indian lands is a pervasive problem and encourages the Department to support this initiative within existing funds during fiscal year 1999.

DEPARTMENTAL OFFICES

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

Appropriations, 1998	\$67,514,000
Budget estimate, 1999	66,275,000
Committee recommendation	66,045,000

The Committee recommends an appropriation of \$66,045,000, a decrease of \$230,000 below the budget estimate and a decrease of \$1,469,000 below the fiscal year 1998 level.

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

The Committee recommends \$68,000,000 for the Energy Information Administration, a reduction of \$2,500,000 below the budget estimate and an increase of \$1,200,000 above the fiscal year 1998 level. The amount provided is to maintain core EIA programs.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

Appropriations, 1998	\$1,841,174,000
Budget estimate, 1999	1,843,873,000
Committee recommendation	1,888,602,000

The Committee recommends \$1,888,602,000 for Indian health services, an increase of \$44,729,000 above the budget request and an increase of \$47,428,000 over the fiscal year 1998 level.

The Committee recommended increase includes an additional \$14,221,000 for anticipated staffing increases for new facilities that the budget estimate did not include, an additional \$27,445,000 to address partially other fixed-cost increases that the budget estimate did not include, an additional \$250,000 to address suicide problems among young Indian and Alaska Native people, and \$5,612,000 for a telemedicine project in Alaska. The Committee notes a decrease of \$100,000 reflecting fiscal year 1998 supplemental funding that is not continued. Of the additional \$27,445,000 provided to address fixed costs (other than staffing), \$18,445,000 are distributed to the program lines. The Committee has provided an unallocated \$9,000,000, which the Service is directed to allocate proportionally to the health services and health facilities programs.

The Committee expects that, of the funding made available to the Alaska Native Medical Center [ANMC] for phased-in staffing increases, the IHS will distribute funds between the ANMC and Southcentral Foundation based on their respective responsibilities as defined in section 325 of Public Law 105-83.

The Committee is concerned that, for the last several years, the IHS budget estimate has not included accurate figures for its uncontrollable increases for pay costs, population growth, and inflation, or for third-party collections. As a result, important health services are threatened as program dollars are needed to pay the uncontrollable costs. The Committee insists the IHS and HHS and OMB forward more accurate figures for IHS' fixed costs to the Committee in its budget estimates.

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 clinics programs	\$900,305,000	\$931,752,000	+ \$31,447,000
Dental health program	65,517,000	68,458,000	+ 2,941,000
Mental health program	39,279,000	40,412,000	+ 1,133,000
Alcohol and substance abuse program	100,782,000	92,757,000	- 8,025,000

	Budget estimate	Committee recommendation	Change
Contract care	373,375,000	376,792,000	+ 3,417,000
Subtotal, clinical services	1,479,258,000	1,510,171,000	+ 30,913,000
Preventive health:			
Public health nursing	28,198,000	29,715,000	+ 1,517,000
Health education	8,932,000	9,280,000	+ 348,000
Community health representatives program	44,312,000	45,039,000	+ 727,000
Immunization (Alaska)	1,328,000	1,340,000	+ 12,000
Subtotal, preventive health	82,770,000	85,374,000	+ 2,604,000
Urban health projects	25,583,000	25,526,000	- 57,000
Indian health professions	28,720,000	28,981,000	+ 261,000
Tribal management	2,348,000	2,362,000	+ 14,000
Direct operations	47,386,000	47,808,000	+ 422,000
Self-governance	9,106,000	9,190,000	+ 84,000
Contract support costs	168,702,000	170,190,000	+ 1,488,000
Unallocated fixed costs		9,000,000	+ 9,000,000
Medicare/Medicaid reimbursements: Hospital and clinic accreditation (est. collecting)	(327,643,000)	(327,643,000)	
Total, Indian Health Services	1,843,873,000	1,888,602,000	+ 44,729,000

Hospitals and health clinics.—The Committee recommends \$931,752,000 for hospitals and health clinics. This amount includes increases above the fiscal year 1998 enacted level of \$9,015,000 for fixed costs, \$10,324,000 for staffing new facilities, and \$5,612,000 for the first-year costs for the Service to participate in the Alaska Federal Health Care Partnership's 4-year project to develop an Alaskawide telemedicine network to provide access to health services and health education information in remote areas of Alaska. The Partnership is a joint effort of the IHS, Department of Defense, Department of Veterans Affairs, and the Coast Guard to create 235 telemedicine health care access sites over a 4-year period at VA, IHS, DOD, and Coast Guard clinical facilities throughout Alaska, linking remote installations and villages with tertiary health facilities located in Anchorage and Fairbanks. It should serve as a model for the use of telemedicine technology for the delivery of health care services and health care education in remote and inaccessible settings. The Committee anticipates that, once operational, the Alaska telemedicine network will generate substantial savings by avoiding the high cost of transporting Alaska Natives from remote villages to Anchorage or other hub medical facilities for routine health problems and will result in a significantly higher level of available health care for Alaska Natives living in remote and inaccessible locations.

The Committee directs the Service not to use any funds provided in this bill to close the IHS facility providing emergency services in Wagner, SD.

Dental health.—The Committee recommends \$68,458,000 for dental health. This amount includes increases above the fiscal year

1998 enacted level of \$1,270,000 for fixed costs and \$1,671,000 for staffing new facilities.

Mental health.—The Committee recommends \$40,412,000 for mental health. This amount includes \$250,000 to address the problem of teen suicide in Indian and Alaska Native communities and increases over the fiscal year 1998 enacted level of \$381,000 for fixed costs and \$502,000 for staffing new facilities.

Alcohol and substance abuse.—The Committee recommends \$92,757,000 for alcohol and substance abuse prevention and treatment. This amount includes an increase above the fiscal year 1998 enacted level of \$975,000 for fixed costs.

Contract health services.—The Committee recommends \$376,792,000 for contract health services. This amount includes an increase above the fiscal year 1998 enacted level of \$3,417,000 for fixed costs.

Public health nursing.—The Committee recommends \$29,715,000 for public health nursing. This amount includes increases above the fiscal year 1998 enacted level of \$276,000 for fixed costs and \$1,241,000 for staffing new facilities.

Health education.—The Committee recommends \$9,280,000 for health education. This amount includes increases above the fiscal year 1998 enacted level of \$93,000 for fixed costs and \$255,000 for staffing new facilities.

Community health representatives.—The Committee recommends \$45,039,000 for community health representatives. This amount includes increases over the fiscal year 1998 enacted level of \$499,000 for fixed costs and \$228,000 for staffing new facilities.

Alaska immunization.—The Committee recommends \$1,340,000 for the Alaska immunization program, including \$12,000 over the fiscal year 1998 enacted level for fixed costs.

Urban health.—The Committee recommends \$25,526,000 for urban health. This amount includes an increase over the fiscal year 1998 enacted level of \$238,000 for fixed costs.

Indian health professions.—The Committee recommends \$28,981,000 for Indian health professions. This amount includes an increase over the fiscal year 1998 enacted level of \$261,000 for fixed costs.

Tribal management.—The Committee recommends \$2,362,000 for tribal management, including an increase of \$14,000 over the fiscal year 1998 enacted level for fixed costs.

Direct operations.—The Committee recommends \$47,808,000 for direct operations. This amount includes an increase over the fiscal year 1998 enacted level of \$422,000 for fixed costs.

Self-governance.—The Committee recommends \$9,190,000 for self-governance. This amount includes an increase over the fiscal year 1998 enacted level of \$84,000 for fixed costs.

Contract support costs.—The Committee recommends \$170,190,000 for contract support costs. This amount includes an increase over the fiscal year 1998 enacted level of \$1,488,000 for fixed costs. The Committee has not included bill language protecting specific funding for new contracts. Given budget constraints, to have included such language would have provided funding for new contracts at the expense of existing contracts. However, the Committee has not prohibited new contracts.

Unallocated fixed costs.—In addition to \$18,445,000 above the budget request provided to address partially fixed costs in program accounts, the Committee has provided \$9,000,000 more without allocating the funding to specific line items. The Service is expected to distribute the additional unallocated funding proportionally among the health services and health facilities programs.

Other.—The Committee has included language in the administrative provisions for the Indian Health Service clarifying that, hereafter, funds appropriated to the Service under this act or any other act for self-determination or self-governance contract or grant support costs are only to be used for contract support costs associated with agreements between tribes and the Indian Health Service.

The Committee has included language in the administrative provisions for the Indian Health Service providing that, hereafter, funds appropriated to the Service under this act or any other act for self-determination or self-governance contract, compact, grant, or annual funding agreement support costs shall be allocated to cover such support costs on a pro rata proportionate basis.

INDIAN HEALTH FACILITIES

Appropriations, 1998	\$257,538,000
Budget estimate, 1999	274,476,000
Committee recommendation	263,516,000

The Committee has provided \$263,516,000 for Indian health facilities, a decrease of \$10,960,000 below the budget request and an increase of \$5,978,000 above the fiscal year 1998 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	\$35,634,000	\$39,557,000	+ \$3,923,000
Sanitation facilities	84,082,000	89,112,000	+ 5,030,000
Construction of facilities	38,900,000	14,400,000	– 24,500,000
Facilities and environmental health support	102,855,000	107,395,000	+ 4,540,000
Equipment	13,005,000	13,052,000	+ 47,000
Total, Indian health facilities	274,476,000	263,516,000	– 10,960,000

Maintenance and improvement.—The Committee recommends \$39,557,000 for maintenance and improvement, \$123,000 over the fiscal year 1998 enacted level for fixed costs.

Sanitation facilities.—The Committee recommends \$89,112,000 for sanitation facilities. This amount includes an increase over the fiscal year 1998 enacted level of \$30,000 for fixed costs.

Construction of facilities.—The Committee recommends \$14,400,000 for construction of facilities. Included in the amount provided is \$13,900,000 to continue construction of the Hopi Health Center in Polacca, AZ, and \$500,000 to restore the fiscal year 1998 level for modular dental units.

Facilities and environmental health support.—The Committee recommends \$107,395,000 for facilities and environmental health support, an increase of \$5,778,000 above the fiscal year 1998 enacted level.

Equipment.—The Committee recommends \$13,052,000 for equipment, an increase over the fiscal year 1998 enacted level of \$47,000 for fixed costs.

OTHER RELATED AGENCIES

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

Appropriations, 1998	\$15,000,000
Budget estimate, 1999	15,000,000
Committee recommendation	15,000,000

The Committee recommends an appropriation of \$15,000,000, the same as the budget estimate and the fiscal year 1998 level.

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

PAYMENTS TO THE INSTITUTE

Appropriations, 1998	\$4,250,000
Budget estimate, 1999	3,188,000
Committee recommendation	3,188,000

The Committee recommends an appropriation of \$3,188,000, the same as the budget estimate and a decrease of \$1,062,000 below the fiscal year 1998 enacted level.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

Appropriations, 1998	\$333,408,000
Budget estimate, 1999	357,300,000
Committee recommendation	352,154,000

The Committee recommends an appropriation of \$352,154,000 for salaries and expenses of the Smithsonian Institution. This amount is \$18,746,000 above the fiscal year 1998 level and \$5,146,000 below the budget estimate.

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

	Budget estimate	Committee recommendation	Change
Museums and research institutes	\$186,918,000	\$186,418,000	– \$500,000
Program support and outreach	40,121,000	36,756,000	– 3,365,000
Administration	34,052,000	33,627,000	– 425,000
Facilities services	96,209,000	95,353,000	– 856,000
Total	357,300,000	352,154,000	– 5,146,000

Increases above the fiscal year 1998 level include \$8,079,000 for costs associated with salaries and benefits, including annualization costs for the East Court; \$389,000 for rental space; \$30,000 for National Finance Center payroll processing; \$150,000 for additional costs that will result from implementation of the Panama Canal Treaty at the Smithsonian Tropical Research Institute; and pro-

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 be 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 restrictions 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 actions of the Forest Service and the Bureau of Land Management with regard to the sale of giant sequoia trees to a manner consistent with such sales as were conducted 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. Restricts the use of any funds in the bill for the AmeriCorps program unless the reprogramming guidelines are followed and the program is funded in the VA–HUD appropriations bill.

SEC. 311. Prohibits the use of funds appropriated in the bill to demolish the bridge between Jersey City, NJ, and Ellis Island or to prevent the pedestrian use of such bridge when it is made known that such use is consistent with generally accepted safety standards.

SEC. 312. Retains mining patent moratorium carried in previous years.

SEC. 313. Prohibits the use of funds for the acquisition of lands in the counties of Gallia, Lawrence, Monroe, or Washington, OH, for the Wayne National Forest.

SEC. 314. Provides that funds appropriated to the Bureau of Indian Affairs and the Indian Health Service for contract support costs for fiscal years 1994 through 1998 are the total amounts available except that, for the Bureau of Indian Affairs, tribes and

tribal organizations may use their tribal priority allocations for unmet indirect costs of ongoing contracts, grants, self-governance compacts, or annual funding agreements.

SEC. 315. Includes language allowing competition for watershed restoration projects through the “Jobs in the Woods” component of the President’s forest plan for the Pacific Northwest to be limited to individuals and entities in historically timber-dependent areas covered by the plan.

SEC. 316. Includes language requiring prior approval by the Appropriations Committees before commencing planning, design, or construction of any project funded with recreational fee demonstration moneys when the estimated total project cost is greater than \$500,000.

SEC. 317. Prohibits use of funds provided in this appropriation for nominations for the designation of biosphere reserves pending enactment of legislation specifically authorizing such a program.

SEC. 318. Reduces budget authority associated with year 2000 computing issues for specified agencies funded under this bill.

SEC. 319. Includes language defining the grantmaking capabilities and responsibilities of the National Endowment of the Arts. Grants to individuals may be made only for literature fellowships, national heritage fellowships, or American jazz masters fellowships. The Chairperson of the Endowment will establish procedures to ensure that grants made, except those to a State or local arts agency, will not be used to make a further grant to any other organization or individual to conduct activity independent of the direct grant recipient. Grants for seasonal support may not be awarded unless the application is specific to the contents of the season.

SEC. 320. Includes language allowing the National Endowment for the Arts and the National Endowment for the Humanities to raise funds and receive gifts, to deposit such in an interest-bearing account for the appropriate Endowment, and to use such to further the functions of the respective Endowments in accordance with the specified intent of the donors.

SEC. 321. Prohibits the use of appropriations for any activities associated with the revision of national forest land management plans until such time that the administration publishes new final rules in the Federal Register, except as provided in section 337.

SEC. 322. Prohibits the use of appropriations to fund any activities associated with the issuance of the 5-year program under the Resources Planning Act. Strategic planning activities carried out for that act should now be completed as part of the agency’s compliance with the Government Performance and Results Act, Public Law 103–62.

SEC. 323. Includes language authorizing the Secretary of Agriculture to enter into cooperative agreements with willing private landowners and State and local governments for the protection, restoration, and enhancement of fish and wildlife habitat, and other resources on public or private land that benefits these resources within the watershed.

SEC. 324. Provides language for awarding financial assistance to underserved populations under the National Foundation on the Arts and the Humanities Act of 1965. With funds appropriated to carry out section 5 of the act, the chairman will establish a cat-

egory of national significance grants. With the exception of this grant category, the chairman will not make grants exceeding 15 percent, in the aggregate, of such funds to any single State.

SEC. 325. Corrects printing error in Public Law 105-83 by amending the National Foundation on the Arts and Humanities Act of 1965 to authorize the appointment by the majority leader of two Senators to the National Council on the Arts.

SEC. 326. Includes a provision requiring the acceptance by the Secretary of Agriculture of specific land tracts in Skamania County.

SEC. 327. Includes a provision making boundary and administrative jurisdiction transfers of Federal lands in the State of Washington.

SEC. 328. Provides authority to the Forest Service to obtain a general ledger system independent of involvement by the Department of Agriculture.

SEC. 329. Includes language which continues national forest land management plans in effect until revised, notwithstanding provisions of the Forest and Rangeland Renewable Resources Planning Act and the National Forest Management Act.

SEC. 330. Includes language which provides for hardwood technology transfer and applied research.

SEC. 331. Includes language which requires the Forest Service to rescind a recent decision regarding the use of fixed rock climbing anchors in designated wilderness areas.

SEC. 332. Requires a national forest supervisor to certify that efforts have been made to remove all economically viable, commercial wood products from burn areas prior to initiation of the burns.

SEC. 333. Requires that increases in recreation residence fees on the Sawtooth National Forest be equal to the percentage increases implicit in the gross national product deflator.

SEC. 334. Amends the Granger-Thye Act of April 24, 1950, to provide for increased flexibility for use of permit fees.

SEC. 335. Provides for the Forest Service in national forests of Idaho and Montana, and in the Umatilla National Forest, to develop stewardship contracts which provide for the exchange of forest products for performance of services.

SEC. 336. Requires the Forest Service and Federal Highway Administration to make funds available to the State of Utah for construction of the Trappers Loop Road.

SEC. 337. Directs that funds provided for the operation or implementation of the Interior Columbia Basin Ecosystem Management Project shall be obligated or expended only as provided in this section. This provision is intended to incorporate the work of the Interior Columbia Basin Ecosystem Project (Project) into Federal land management decisionmaking in as timely a manner as possible. When the project was established, the agencies announced that it would be completed in 9 months and cost \$5,000,000. It now has consumed 4 years and \$40,000,000, and is still not finished. Reflecting this Committee's concern about the pace and cost of the project, section 323 of the Fiscal Year 1998 Interior and Related Agencies Appropriations Act (11 Stat. 1596) required the Secretary of Agriculture and the Secretary of the Interior (Secretaries) to pre-

pare and submit to the House and Senate Appropriations Committees a detailed report on the project-related decisionmaking. Among other things, the report was to describe decisions to be made, decisionmakers to be involved, and decisionmaking procedures to be followed in translating the work of the project to on-the-ground management, and the time, cost, and source of funds for all those decisions. Seven months have elapsed since this directive became law and no report has been received.

Accordingly, it is the intent of this Committee to now establish the decisionmaking that will be followed to incorporate the work of the project as expeditiously as possible in the planning documents that are required by law to govern Federal land management activities—the land and resource management plans of the Forest Service and the resource management plans of the Bureau of Land Management [BLM].

The provision sets a deadline of 4 months for three tasks to be accomplished by the project with appropriated funds. First, the project is to prepare the report required by section 323 of last year's appropriations act, modified to reflect the decisionmaking required by this provision. Second, the project is to distribute to each planning unit of the Forest Service and BLM in the project's region the scientific findings made by the project which are relevant to the planning unit. Finally, having accomplished these two remaining tasks, the project is to reorganize or to close its offices to accomplish the direction provided by this section.

These scientific findings of the project are then to be integrated into the resource management plans of all planning units in the project's region in accordance with the planning procedures of the National Forest Management Act of 1976 and the Federal Land Policy and Management Act of 1976. The provision requires that, within 7 months of enactment, the Forest Service or BLM official in charge of each planning unit must review the scientific information received from the project and any policies applicable to the unit (for example, PACFISH and INFISH), and determine whether the resource management plan for the unit needs to be amended or revised. The provision sets a deadline of 1 or 1½ years from the date of any determination to amend or revise a resource management plan to complete the amendment or revision, respectively.

To ensure that the various plan amendments and revisions are reviewed from a regional perspective, particularly when watersheds or ecosystems span more than one planning unit, the Secretaries are required to assemble and review all plans once the amendments and revisions are completed. They are then directed to prepare an interpretive document assessing the plans' implications for the affected region. Finally, the document is to be distributed to the agency officials in charge of the planning units who are expected to review their plans for possible followup action, including any further plan changes.

The provision makes clear that the plan amendments or revisions required to be accomplished within 1 or 1½ years after the amendment or revision determination must undergo consultation as required by the Endangered Species Act. Any finding of jeopardy on a plan would be considered conditional until the Fish and Wildlife Service or National Marine Fisheries Service has had an oppor-

tunity to review the Secretaries' interpretation of the assembled plans. To avoid any possible interpretation that a conditional jeopardy decision on a plan would require halting of all management of all national forest or BLM lands in the planning unit, the provision clarifies that any particular management activity can proceed if a finding is made in individual consultation on the activity (concerning the same species that was the subject of the plan level jeopardy decision) that the activity would not result in jeopardy for the species.

Furthermore, the Committee expects that, if either the Fish and Wildlife Service or the National Marine Fisheries Service intends to use any of the information generated by the project in any consultation on processing of an incidental take permit for, or enforcement action concerning activities on, non-Federal lands pursuant to the Endangered Species Act, the agency or agencies shall publish in the Federal Register detailed draft and final descriptions of what and how such information will be used. The Federal Register publication shall include an invitation for, and response to, public comment.

SEC. 338. Addresses the declining timber sale program on the Tongass National Forest. At the direction of the Clinton administration, the Forest Service revised the Tongass land management plan [TLMP] in May 1997. The allowable sale quantity [ASQ] in the final plan was reduced to 267 million board feet, from over 420 million board feet in the previous plan. Subsection (a) directs the Forest Service to offer for sale 90 percent of the timber which its revised plan would authorize for sale. This is far less timber than the ASQ recommended by the Forest Service's Tongass Forest supervisors for the revised TLMP, or by the Alaska Governor's Tongass Timber Task Force. This offer level is also significantly less than the industry's mill capacity in southeast Alaska. The Forest Service is directed to offer for sale the volume of timber it said it would offer for sale in the TLMP and in testimony before Congress. If, as a result of lower demand, any sales are offered but not sold, they shall be added to the shelf volume available to meet the requirements of subsection (a) in subsequent years. This amendment does not in any way affect ongoing appeals or any future litigation over the terms of the final TLMP. If, as anticipated, legal action is taken against the revised TLMP, and if a court requires that the revised TLMP be enjoined for any reason, then this provision would no longer be in effect, since the TLMP must be in effect to trigger the requirements of this section.

In order to assist the Forest Service in meeting the direction to offer for sale 90 percent of the ASQ described in the revised TLMP, subsection (b) authorizes the Forest Service to contract with third parties. This includes authority to hire third-party contractors to lay out timber sales and mark and designate timber for harvest.

If the Forest Service fails to offer for sale 90 percent of ASQ in the revised TLMP, injured parties would have standing to enforce subsection (a). This is similar to many citizen suit provisions which have previously been written into law to assure agency compliance. This provision is modeled after a similar provision in the Endangered Species Act. It would also even the playing field on the

Tongass between the current number of NEPA related appeals and litigation of timber sales.

The Forest Service's failure to offer for sale 90 percent of the ASQ described in the revised TLMP would adversely affect communities in southeast Alaska. On the assumption that there would be a steady supply of timber at the reduced ASQ, the socioeconomic report which accompanies the revised TLMP provides assurances that the communities would not be hurt. Like subsection (a), this provision directs the Forest Service to do what it pledged to do in the revised TLMP and assist the affected communities if the agency fails to do so. The money for the communities would come from moneys appropriated to the Forest Service.

SEC. 339. Includes language which prohibits the use of purchaser credits for timber purchaser construction of roads as part of a timber sale contract. Further includes provisions specifying that small business purchasers may request the Forest Service to contract for construction of roads contained in the timber sale contract.

SEC. 340. Addresses timber sales involving Alaska western red cedar. This provision is substantially the same as section 347 of the Fiscal Year 1998 Interior and Related Agencies Appropriations Act (Public Law 105-83) provision which deals with export of certain western red cedar timber from Alaska. Mills which process western red cedar in the Pacific Northwest have an insufficient supply of western red cedar, and the national forest in southeast Alaska sometimes has a surplus. This provision continues a program by which Alaska's surplus western red cedar is made available preferentially to U.S. domestic mills outside Alaska, prior to export abroad. The Committee believes the provision worked well last year and should be continued.

Minor changes in the amendment are provided to assist the Forest Service in the administration of the provision for this fiscal year. First, the Forest Service is allowed to use the residual value appraisal system to implement this amendment to provide time to develop a transaction evidence appraisal [TEA] system applicable to Alaska, and to provide a means of calculating an equivalent of 60 percent of normal profit and risk within the TEA system. Second, the percentage of western red cedar available for the lower 48 States is to be calculated on a rolling basis. Third, this amendment provides a mechanism for determining the amount of western red cedar surplus to Alaska needs in a fashion consistent with the purpose of the amendment.

SEC. 341. Includes language permanently precluding any funds not already included in contracts or compacts in Alaska from being disbursed to any Alaska Native village or Native village corporation within a geographic area served by an Alaska Native regional health entity. Section 326 of the Interior Appropriations Act of 1997, Public Law 105-83, contained a 1-year preclusion from such funding and required the General Accounting Office [GAO] to perform a study of the impact of village contracting and compacting under Public Law 93-638 on the cost and quality of health services provided to Alaska Natives. The GAO recently reported to the Committee that village contracts require about twice the amount of indirect costs to run programs that an Alaska Native regional health entity would need to manage the same programs. In addi-

tion, GAO found that, under current Indian Health Service [IHS] funding limitations on contract support costs, village contractors face the risk of having to divert funds from services to cover their unfunded administrative costs.

Under Public Law 93-638 Alaska Native villages or Alaska Native village corporations may remove funds previously allocated to an Alaska Native regional health entity by giving 90 days advance notice to the IHS. The removal of these funds undermines the cost-effective nature of the regional health entities, diminishing the quality of service for all Alaska Natives served by those entities. In light of the conclusions of the GAO report and the continued limitations on IHS funding, this section makes permanent the prohibition on new or expanded village compacts and contracts under Public Law 93-638 in Alaska.

SEC. 342. Prohibits the use of funds for the introduction of grizzly bears in the Selway-Bitterroot area of Idaho and adjacent Montana or for consultations under section 7(b)(2) of the Endangered Species Act within the Selway-Bitterroot area of Idaho, but allows for the completion of a new draft environmental impact statement on the proposed introduction that considers a population viability study.

SEC. 343. Provides that a Federal or State agency may not, without specific authorization from Congress, require, approve, authorize, fund or undertake any action that would remove, breach, or diminish the congressionally authorized uses of any dam on the Federal Columbia power system, or any dam on the Columbia or Snake Rivers or their tributaries licensed by the Federal Energy Regulatory Commission.