Calendar No. 160

104TH CONGRESS, *1st Session* | SENATE | REPORT 104–125

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL, 1996

JULY 28 (legislative day, JULY 10), 1995.—Ordered to be printed

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

REPORT

[To accompany H.R. 1977]

The Committee on Appropriations to which was referred the bill (H.R. 1977) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1996, 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 1996

Amount of bill passed by House	$11,984,603,000
Amount of increase by Senate	+68,484,000
Total of bill as reported to Senate	12,053,087,000
Estimates considered by House	13,817,404,000
Estimates considered by Senate	13,817,404,000
Below the budget estimate, 1996	−1,764,317,000
Below appropriations, 1995	−1,466,143,000

92–563 cc

CONTENTS

	Page
Summary of bill	4
Revenue generated by agencies in bill	4
Major changes recommended in the bill	5
Overview	6
Indian Programs	7
Recreational Fee Demonstration Program	8
Title I—Department of the Interior:	
Land and water resources: Bureau of Land Management	11
Fish and wildlife and parks:	
Fish and Wildlife Service	17
Natural Resources Science Agency	26
National Park Service	27
Energy and minerals:	
U.S. Geological Survey	35
Minerals Management Service	38
Bureau of Mines	40
Office of Surface Mining Reclamation and Enforcement	42
Abandoned Mine Reclamation Fund	43
Indian affairs: Bureau of Indian Affairs	44
Territorial affairs	52
Departmental offices:	
Departmental management	55
Office of the Solicitor	55
Office of Inspector General	56
Office of Construction Management	56
National Indian Gaming Commission	56
Office of Special Trustee for American Indians	57
Title II—Related agencies:	
Department of Agriculture: Forest Service	64
Department of Energy	78
Department of Health and Human Services: Health Resources and Services Administration	91
Department of Education: Office of Elementary and Secondary Education	96
Other related agencies:	
Office of Navajo and Hopi Indian Relocation	96
Institute of American Indian and Alaska Native Culture and Arts Development	96
Smithsonian Institution	97
National Gallery of Art	99
John F. Kennedy Center for the Performing Arts	100
Woodrow Wilson International Center for Scholars	100
National Endowment on the Arts and the Humanities:	
National Endowment for the Arts	101
National Endowment for the Humanities	102
Commission of Fine Arts	103
Advisory Council on Historic Preservation	104
National Capital Planning Commission	104
Franklin Delano Roosevelt Memorial Commission	104
Pennsylvania Avenue Development Corporation	105
Holocaust Memorial Council	106
Title III—General provisions	107
Limitations and legislative provisions	113
Compliance with paragraph 7, rule XVI of the Standing Rules of the Senate	113

Page

Compliance with paragraph 7(c), rule XXVI of the Standing Rules of the Senate 114

Compliance with paragraph 12, rule XXVI of the Standing Rules of the Senate 114

SUMMARY OF BILL

For this bill, estimates totaling $13,817,404,000 in new obligational authority were considered by the Committee for the programs and activities of the agencies and bureaus of the Department of the Interior, except the Bureau of Reclamation, and the following related agencies:

Department of Agriculture:
- Forest Service.

Department of Energy:
- Clean coal technology.
- Fossil energy.
- Naval petroleum and oil shale reserves.
- Conservation (except energy storage systems).
- Economic Regulatory Administration.
- Emergency preparedness.
- Strategic petroleum reserve.
- SPR petroleum account.
- Energy Information Administration.

Department of Health and Human Services:
- Indian Health Service.

Department of Education:
- Indian education.

Office of Navajo and Hopi Indian Relocation.

Institute of American Indian and Alaska Native Culture and Arts Development.

Smithsonian Institution.

National Gallery of Art.

John F. Kennedy Center for the Performing Arts.

Woodrow Wilson International Center for Scholars.

National Foundation on the Arts and Humanities:
- National Endowment for the Arts.
- National Endowment for the Humanities.

Institute of Museum Services.

Commission of Fine Arts.

Advisory Council on Historic Preservation.

National Capital Planning Commission.

Franklin Delano Roosevelt Memorial Commission.

Pennsylvania Avenue Development Corporation.

Holocaust Memorial Council.

REVENUE GENERATED BY AGENCIES IN BILL

Oil and gas leasing and other mineral leasing activities, the timber and range programs, and oil production from the naval petroleum reserves will generate income to the Government in excess of $8,307,000,000 in fiscal year 1996. These estimated receipts, for

agencies under the subcommittee's jurisdiction, are tabulated below:

Item	Fiscal year—		
	1994	1995	1996
Department of the Interior	$5,741,677,000	$5,482,347,000	$6,898,968,000
Forest Service	998,610,000	969,911,000	947,909,000
Naval petroleum reserves	402,000,000	461,000,000	461,000,000
Total receipts	7,142,287,000	6,913,258,000	8,307,877,000

MAJOR CHANGES RECOMMENDED IN THE BILL

In an effort to honor congressional spending limitations, the Committee has developed substantial revisions to both the budget estimate and House allowance for the 1996 fiscal year.

A comparative summary of funding in the bill by agency is shown by agency or principal program in the following table:

	Committee recommendation	Committee recommendation compared with—	
		Budget estimate	House allowance
Title I—Department of the Interior:			
Bureau of Land Management	$1,052,335,000	−$104,347,000	−$3,128,000
Fish and Wildlife Service	599,150,000	−103,667,000	+30,212,000
Natural Resources Science Agency	145,965,000	−26,731,000	+145,965,000
National Park Service	1,298,338,000	−191,784,000	+37,262,000
Geological Survey	577,503,000	−8,866,000	−109,441,000
Minerals Management Service	188,609,000	−12,631,000	−4,387,000
Bureau of Mines	132,507,000	.....	+45,507,000
Office of Surface Mining Reclamation and Enforcement	266,411,000	−26,362,000	−3,167,000
Bureau of Indian Affairs	1,065,909,000	−832,032,000	−616,897,000
Territorial Affairs	93,126,000	−1,044,000	+11,203,000
Departmental offices	528,184,000	+399,566,000	+414,718,000
Total, title I—Department of the Interior	5,948,037,000	−907,898,000	−52,153,000
Title II—Related agencies:			
Forest Service	2,180,224,000	−236,315,000	+76,553,000
Department of Energy	1,143,589,000	−273,186,000	−10,997,000
Indian Health	1,966,600,000	−92,422,000	+3,833,000
Indian Education	54,660,000	−30,125,000	+2,160,000
Office of Navajo and Hopi Indian Relocation	20,345,000	−6,000,000	−1,000,000
Institute of American Indian and Alaska Native Culture and Arts Development	5,500,000	−14,346,000	.....
Smithsonian Institution	372,892,000	−34,558,000	+22,517,000
National Gallery of Art	59,229,000	−5,222,000	+2,414,000
John F. Kennedy Center for the Performing Arts	19,306,000	−67,000	+523,000
Woodrow Wilson International Center for Scholars	6,537,000	−3,533,000	+1,397,000
National Endowment for the Arts	99,494,000	−72,906,000	.....
National Endowment for the Humanities	114,494,000	−67,506,000	+15,000,000
Institute of Museum Services	21,000,000	−8,800,000	.....
Commission of Fine Arts	834,000	−45,000	.....
National Capital Arts and Cultural Affairs	6,000,000	−941,000	.....

	Committee recommendation	Committee recommendation compared with—	
		Budget estimate	House allowance
Advisory Council on Historic Preservation	2,500,000	−563,000	−563,000
National Capital Planning Commission	5,090,000	−910,000	.....
Franklin Delano Roosevelt Memorial Commission	147,000	.....	+99,000
Pennsylvania Avenue Development Corporation	.....	−6,876,000	−2,000,000
Holocaust Memorial Council	26,609,000	−2,098,000	−2,098,000
Total, title II—Related agencies	6,105,050,000	−856,419,000	+107,838,000
Grand total	12,053,087,000	−1,764,317,000	+68,484,000

SUMMARY TABLE—LAND AND WATER CONSERVATION FUND

	Budget	House	Senate
Bureau of Land Management	$24,473,000	$8,500,000	$10,550,000
Fish and Wildlife Service	62,912,000	14,100,000	32,031,000
National Park Service:			
State grants	28,000,000	1,500,000	1,500,000
Federal acquisitions	54,696,000	12,800,000	41,730,000
Subtotal, National Park Service	82,696,000	14,300,000	43,230,000
Forest Service	65,311,000	14,600,000	41,167,000
Total	235,392,000	51,500,000	126,978,000

OVERVIEW

GENERAL STATEMENT

The Committee has provided recommendations with consideration toward meeting the highest priorities within the Interior appropriations bill. The budget constraints have impacted every agency funded through this appropriations bill. Agencies are expected to strive to meet their mission while facing many challenges as a result of the funding limitations. Fiscal year 1996 will begin many restructuring and consolidating efforts, comprehensive reviews of programs and projects, termination of activities, and many innovative approaches to meet agency missions with less available resources. As painful as this may be, we feel we are heading in the right direction. The Committee's funding allocations will contribute to achieving a balanced budget by the year 2002.

In crafting this bill, many priority programs of importance to the administration and the American people have been funded. Funding is provided for natural resources management; energy conservation; fossil energy research and development; the arts and humanities; and many others. Important programs for American Indians and Alaska Natives have been funded to meet health, education, and self-governance needs. The Committee's funding allocations strive to achieve the delicate balance between wise resource use and protection of the basic soil, water, air, and vegetation resources. Funding is also provided to acquire mineral, geologic, and

scientific data which is critical to many of the agencies in the interior bill as well as the general public.

Although reduced considerably from previous years, land management agency budgets have been funded to include the highest priority land acquisition projects. Funding for crucial construction and maintenance projects has been provided and the operational accounts for the National Park Service have been funded approximately at the 1995 levels in order to address long-standing needs.

In an attempt to spread Federal dollars as far as possible, the Committee has funded many cooperative research and resource management programs. Agencies are encouraged to further expand their efforts to enter into partnerships with private and State entities, which will assist in meeting important funding needs.

INDIAN PROGRAMS

The Committee faces a significant reduction in funding available for programs funded through the Interior appropriations bill. The Committee attempted to protect the highest priorities within the funding available to Indian programs throughout the bill. The Committee's highest priority for Indian programs is to maintain the services provided through the Indian Health Service, which represents approximately 56 percent of the total funding provided through the bill for Indian programs. The Committee also places priority on the trust responsibilities of the Secretary of Interior and has sought to provide the resources necessarily to properly manage these activities.

Also of high priority to the Committee is funding for Indian education activities. The Committee has provided a modest increase for Bureau of Indian Affairs funded elementary and secondary schools on tribal reservations, which is the Committee's top priority for education. The Committee has recommended funding for higher education scholarships, which is not funded by the House. The Committee has maintained funding for higher educational institutions funded through the Bureau of Indian Affairs. The grants to local education agencies funded through the Office of Indian Education have been maintained at a level slightly below the current level, in order to maintain the tribal schools funded through the BIA. Of lower priority within the funding constraints faced by the Committee is funding for the Institute of American and Alaska Native Culture and Arts Development. Given the significant budget constraints faced by the Committee, it recommends Federal funding be phased out for the Institute.

The Committee notes that in addition to the funding provided through the Interior bill, tribal governments and individual Indians qualify for many other Federal programs. While the Bureau of Indian Affairs originally provided nearly all of the funding for Indian programs, funding for the Bureau currently represents approximately 33 percent of the total funds provided by the Federal Government for Indian programs.

In order to protect the trust assets of the tribes, the Committee has recommended funding for the Office of Special Trustee for American Indians, and has transferred to that office trust and natural resource activities previously funded through the Bureau of Indian Affairs. The activities that remain within the Bureau of In-

dian Affairs represent those programs normally associated with local governments.

As previously discussed, the Committee has sought to protect educational activities to the extent possible. In addition, the Committee has partially restored funding for economic development activities proposed for elimination by the House. To the extent possible, the Committee has also maintained funding for contract support. As a result of protecting nearly one-half of the activities at the current level, it is necessary to significantly reduce the remaining activities. While the Committee is aware that these are large reductions, it notes that tribes are specifically eligible for other Federal programs that provide funding for road maintenance, housing, law enforcement, and other governmental services.

RECREATIONAL FEE DEMONSTRATION PROGRAM

The Committee agrees with the direction initiated by the House to establish a recreational fee demonstration program. The goal of this program is to foster innovation and creativity among the land management agencies with the hope that cost-effective methods will be developed for collecting recreation use fees. These fees will be returned to the agencies to improve the quality of visitor experience at public recreational areas, enhance the protection of natural resources, and offset fee collection costs. This program provides the mechanism to fund adequately resource protection and operation and maintenance costs by allowing those individuals who use and benefit from recreational areas to share in the costs.

The Committee has recommended a pilot fee program designed to improve Federal lands by allowing 80 percent of additional fees generated through the demonstration program to stay with the parks, forests, refuges, and public lands where the fees are collected. The balance of additional fees collected will be available on an agencywide basis to enhance public recreation areas.

The Committee has recommended language in title III—General provisions, which allows the Bureau of Land Management, Fish and Wildlife Service, National Park Service, and the Forest Service to establish recreational fee collections at 10 to 50 sites or management units. The number of sites or management units has been increased to allow for broader application of the demonstration program.

The Committee recommends a 3-year demonstration program in place of the 1-year demonstration program recommended by the House. The Committee agrees with input received from the administration that additional time is required to select pilot sites and design collection methods, construct collection facilities, initiate contracts with private and nonprofit organizations to provide services, implement accounting procedures, and adequately evaluate the success of the various pilot programs. The Committee recommends the time period for expenditure of fee revenue be extended from 1 year following completion of the fee collection period to 3 years following completion of the fee collection period.

The Committee recommends more latitude in selecting demonstration areas than provided by the House. Areas or sites selected should be feasible to administer, provide opportunities to enhance recreational experiences, and be expected to provide mean-

ingful data. The Committee envisions that demonstration sites or areas could relate to a large campground or complex, visitor center, watershed or natural area; or, could include an entire administrative unit, such as a national park or national wildlife refuge where division into smaller units would be difficult to administer or where fee collections would adversely affect visitor use patterns. The Committee encourages the Secretaries to select and design demonstration projects, including fee-collection mechanisms, in a manner which will provide optimum opportunities to evaluate the broad spectrum of resource conditions and recreational opportunities on Federal lands.

In concurrence with the House, the Committee recommends that the Secretaries exempt from fee charges persons engaged in conduct of official Federal, State, or local government business or others authorized by the Secretary to conduct administrative duties in the area, such as contractors. As incentives to enhance the distribution and availability of fee collection tools, vendors may charge a reasonable markup or commission to cover their costs and provide a profit. It is anticipated that volunteers may be used to collect user fees.

The Committee has included provisions to simplify the accounting process on demonstration sites where fees were collected prior to implementation of a demonstration project. For National Park Service, Forest Service and Bureau of Land Management areas and sites, funds that are in excess of 104 percent of those collected in fiscal year 1995, and annually adjusted upward by 4 percent, are to be deposited in a separate account for use in implementing provisions of the demonstration program. For these agencies, fees up to the base level collected on these fee sites in fiscal year 1995 and thereafter, are to be distributed as they were during fiscal year 1995. For Fish and Wildlife Service areas and sites, language has been provided which provides that all of the revenues collected from the sale of admission permits and the charge of entrance fees be made available to offset the cost of collection, for the operation and maintenance of refuges, and for implementing the demonstration program.

The Committee expects that the agencies will provide a clear accounting of funds collected at each site or area as well as subsequent expenditures of those funds for the benefit of individual sites or areas and agencywide recreation site enhancement. In order to simplify accounting procedures from those outlined by the House, it is envisioned that receipts and disbursements from more than one demonstration project could be included in a single Treasury account established by each agency to handle fees and expenditures related to this demonstration program. Agency accounting mechanisms would be utilized to provide area/site specific detail.

In response to a request by the administration, the Committee recommends that agencies be provided authority to impose a fine for violations of fee assessments. The Committee feels this provision will provide agencies an additional mechanism to ensure a successful demonstration program. The Committee expects the agencies to use this authority judiciously and consistent with the severity of the violations involved.

The National Park Service has considerable experience with fee collection procedures throughout the park system and is encouraged to share this information with the other participating agencies. The Committee also encourages the Secretaries to work together in providing a unified monitoring and public education program. Because many of the demonstration areas and sites will be establishing fees which were not previously charged, the public education program needs to address the rationale for the fee program, how revenues will be used, and the benefits anticipated. In evaluating the success of the program, the agencies should measure overall public satisfaction with the services provided at these sites by both public and private providers.

The Committee requests that each Secretary provide the Congress a brief report describing the selected sites and fee recovery methods to be used by March 31, 1996, and a report which evaluates the pilot demonstrations, including recommendations for further legislation, by March 31, 1999. The reports to Congress should include a discussion of the different sites selected and how they represent the broad spectrum of recreational sites and habitats managed by the agencies. The diversity of fee collection methods and fair market valuation methods should also be explained.

The Committee encourages the Secretaries to implement several demonstration areas per agency that include cost recovery methods that serve multiagency purposes and customers. The Committee expects that fees collected from multiagency areas or sites will be divided in a manner agreed upon beforehand by the agencies involved and returned to the accounts of the sites or projects in question.

The Committee, in concurrence with the House, recommends that agencies solicit and establish visitor services, including films, exhibits and other programs, which are sponsored by private and nonprofit organizations, providing the agreements do not extend beyond the term covered by this act. The Committee concurs that the limited use of private logos or symbols, if they do not distract from the presentation, be allowed as part of this demonstration.

Also in concurrence with the House, the Committee recommends that the fee systems respect the purpose of the golden eagle passports, golden access passports, and Federal migratory bird hunting and conservation stamps although the Secretaries may limit the use of these passports and stamps during preestablished seasonal peak times or establish fee premiums to be assessed to holders of these passports and stamps when utilizing the demonstration sites established under this provision.

TITLE I—DEPARTMENT OF THE INTERIOR

LAND AND WATER RESOURCES

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LAND AND RESOURCES

Appropriations, 1995	$597,236,000
Budget estimate, 1996	616,547,000
House allowance	570,017,000
Committee recommendation	565,936,000

The Committee recommends an appropriation of $565,936,000, a decrease of $50,611,000 below the budget estimate and $4,081,000 below the House allowance. A comparison of the Committee recommendations with the budget estimate is as follows:

	Budget estimate	Committee recommendation	Change
Land resources:			
Soil, water, and air management	$19,063,000	$17,384,000	−$1,679,000
Range management	49,983,000	49,983,000	.....
Forestry management	5,872,000	6,253,000	+381,000
Riparian management	16,705,000	15,514,000	−1,191,000
Cultural resources management	12,620,000	11,000,000	−1,620,000
Wild horse and burro management	16,345,000	14,845,000	−1,500,000
Subtotal, land resources	120,588,000	114,979,000	−5,609,000
Wildlife and fisheries:			
Wildlife management	20,073,000	19,000,000	−1,073,000
Fisheries management	10,146,000	6,100,000	−4,046,000
Subtotal, wildlife and fisheries	30,219,000	25,100,000	−5,119,000
Threatened and endangered species	18,347,000	16,500,000	−1,847,000
Recreation management:			
Wilderness management	18,001,000	13,392,000	−4,609,000
Recreation resources management	26,587,000	26,139,000	−448,000
Recreation operations (fees)	3,997,000	4,000,000	+3,000
Subtotal, recreation management	48,585,000	43,531,000	−5,054,000
Energy and minerals:			
Oil and gas	51,800,000	51,800,000	.....
Coal management	8,013,000	6,819,000	−1,194,000
Other mineral resources	6,749,000	8,542,000	+1,793,000
Subtotal, energy and minerals	66,562,000	67,161,000	+599,000
Realty and ownership management:			
Alaska conveyance	27,481,000	29,981,000	+2,500,000
Cadastral survey	12,554,000	11,831,000	−723,000
Land and realty management	28,917,000	28,386,000	−531,000

	Budget estimate	Committee recommendation	Change
Subtotal, realty and ownership management	68,952,000	70,198,000	1,246,000
Resource protection and maintenance:			
Resource management planning	9,702,000	8,500,000	−1,202,000
Facilities maintenance	33,263,000	30,100,000	−3,163,000
Resource protection and law enforcement	10,326,000	10,201,000	−125,000
Hazardous materials management	16,908,000	15,000,000	−1,908,000
Subtotal, resource protection and maintenance	70,199,000	63,801,000	−6,398,000
Automated land and minerals records system	69,503,000	48,500,000	−21,003,000
Mining law administration:			
Administration	27,650,000	27,650,000	.....
Fee collection	5,000,000	5,000,000	.....
Offsetting fees	−32,650,000	−32,650,000	.....
Subtotal, mining law administration	.....	.....	.....
Work force and organizational support:			
Information systems operations	16,254,000	14,500,000	−1,754,000
Resource data acquisition	.....	.....	.....
Administrative support	50,229,000	45,500,000	−4,729,000
Bureauwide fixed costs	57,109,000	56,166,000	−943,000
Subtotal, work force and organization	123,592,000	116,166,000	−7,426,000
Total, management of lands and resource	616,547,000	565,936,000	−50,611,000

Land resources.—The Committee recommends $114,979,000 for land resources, which is $5,609,000 below the budget request and $200,000 above the fiscal year 1995 funding level. The net decrease below the budget request includes an increase of $381,000 for forestry management, and decreases of $1,679,000 for soil, water, and air management, $1,191,000 for riparian management, and $1,620,000 for cultural resources management. Within the allocation for soil, water, and air management, the Committee recommends $300,000 to continue restoration efforts on the Rio Puerco Watershed Area in New Mexico. For wild horse and burro management, $14,845,000 is provided, which is a decrease of $1,500,000 below the budget request. Funding is not included for increased activities associated with implementing the North American Free Trade Act. Within the funds provided, the Committee recommends $75,000 to continue research and data acquisition at the Mesa archeological site in Alaska, which contains some of North America's oldest human remains.

Wildlife and fisheries.—The Committee recommends $25,100,000 for wildlife and fisheries, which is $5,119,000 below the requested level and an increase of $745,000 above the fiscal year 1995 funding level. Decreases include $1,073,000 for wildlife management and $4,046,000 for fisheries management. Due to budget constraints, the Committee was unable to fund the new recreational fisheries initiative.

Threatened and endangered species.—The Committee recommends $16,500,000 for threatened and endangered species, which is $1,847,000 below the requested level and a decrease of $1,546,000 below the fiscal year 1995 funding level.

Recreation management.—The Committee recommends $43,531,000 for recreation management, a decrease of $5,054,000 from the budget request and an increase of $2,794,000 above the fiscal year 1995 funding level. Bill language is included in Title III to establish a recreational fee demonstration program. This 3-year program will allow fees to be collected at 10 to 50 sites with revenue returned to agencies to improve the quality of recreational experience, enhance natural resources, and to offset fee collection costs.

Energy and minerals.—The Committee recommends $67,161,000 for energy and minerals, which is an increase of $599,000 above the budget request and a decrease of $1,062,000 below the fiscal year 1995 funding level. The net increase of $599,000 includes a decrease of $1,194,000 for coal management and an increase of $1,793,000 for other materials.

Realty and ownership management.—The Committee recommends $70,198,000 for realty and ownership management, which is an increase of $1,246,000 above the budget request and a decrease of $2,399,000 below the fiscal year 1995 funding level. The net increase of $1,246,000 includes an increase of $2,500,000 for Alaska conveyance (which includes Alaska cadastral surveys) and a decrease of $723,000 for cadastral surveys and $531,000 for land and realty management.

Resource protection and maintenance.—The Committee recommends $63,801,000 for resource protection and maintenance, which is a decrease of $6,398,000 below the budget request and a decrease of $5,797,000 below the fiscal year 1995 funding level. The reduction of $6,398,000 includes decreases of $1,202,000 for resource management planning, $3,163,000 for facilities maintenance, $125,000 for resource protection and law enforcement, and $1,908,000 for hazardous materials management. The Committee expects the reduction of $1,908,000 to hazardous materials management be applied to the lowest priority activities.

Automated land and minerals records system [ALMRS].—The Committee recommends $48,500,000, which is a decrease of $21,003,000 below the budget request and $20,681,000 below the fiscal year 1995 funding level. The Committee believes the funding schedule assumed in the budget request is overly optimistic and does not properly account for unexpected delays and to complete testing prior to implementation. The Committee expects the Bureau to submit a report to the Committee by March 31, 1996, which details the Bureau's testing, verification, and validation efforts, as well as certification that ALMRS performs accurately and effectively, and provides the expected capabilities.

Mining law administration.—The Committee recommends $32,650,000 for mining law administration, which is the same as the request and an increase of $6,051,000 over the fiscal year 1995 funding level.

The Committee is concerned about the backlog of unprocessed patent applications which exists within the Department of the Inte-

rior. The Committee expects the Department to provide a plan to the Committee which details how the Department of the Interior will process the currently pending patent applications. The plan should be submitted no later than March 1, 1996.

The Committee has not retained bill language included in the Fiscal Year 1995 Appropriations Act, which placed a moratorium on accepting and processing applications for patents and on the patenting of Federal land to claimants. This issue should be resolved through the authorizing process.

FIRE PROTECTION

Appropriations, 1995	$114,748,000
Budget estimate, 1996	114,763,000
House allowance	.....
Committee recommendation	.....

The Committee has eliminated this account and included funding for this activity under wildland fire management.

EMERGENCY DEPARTMENT OF THE INTERIOR

FIREFIGHTING FUND

Appropriations, 1995	$121,176,000
Budget estimate, 1996	131,482,000
House allowance	.....
Committee recommendation	.....

The Committee has eliminated this account and included funding for this activity under wildland fire management.

WILDLAND FIRE MANAGEMENT

Appropriations, 1995	.....
Budget estimate, 1996	.....
House allowance	$235,924,000
Committee recommendation	242,159,000

The Committee recommends $242,159,000 for wildland fire management, a new, consolidated account, which combines fire protection and emergency Department of the Interior firefighting fund. The recommended funding level is $6,235,000 above the fiscal year 1995 funding level for the two accounts, and $4,086,000 below the requested level. The new account includes all activities related to wildland fire management previously included in the two accounts, including management, planning, fire use, prescribed fire and hazard fuel reduction, preseason readiness and preparedness, operations, and emergency rehabilitation. The operations function includes activities related to monitoring and managing naturally occuring prescribed fires. High-priority renovation or construction of fire facilities to correct critical health and safety problems and to improve the overall effectiveness and efficiency of wildland fire management is permitted as proposed in the budget request.

The Committee recommends $137,166,000 for preparedness and fire use and $104,993,000 for suppression operations. The Committee expects the Department to inform the Committee on the scope of each activity by December 1, 1995.

The Committee supports the concept of using the most effecient level [MEL] to minimize total wildland fire costs over time. The fire

use and management activity is funded at 88 percent of the estimated 1996 MEL. Funding for the operations activity is set at 84 percent of the 10-year average actual actual costs for this activity. Should additional funding be required, the Department should first use the $50,200,000 contingency fund appropriated in 1993.

CENTRAL HAZMAT FUND

Appropriations, 1995	$13,409,000
Budget estimate, 1996	14,024,000
House allowance	10,000,000
Committee recommendation	10,000,000

The Committee recommends an appropriation of $10,000,000 for the central hazardous materials fund, which is a decrease of $4,024,000 below the budget estimate and the same as the House allowance. The Committee expects the Department to fund the highest priority, ongoing, or emergency projects within this funding level. The Department should not start any new nonemergency projects.

CONSTRUCTION AND ACCESS

Appropriations, 1995	$12,068,000
Budget estimate, 1996	3,019,000
House allowance	2,515,000
Committee recommendation	2,615,000

The Committee recommends an appropriation of $2,615,000, a decrease of $404,000 below the budget estimate and $100,000 below the House allowance. The Committee expects the Bureau to fund the highest-priority contruction needs in the order stated in the budget justifications. The Committee has included $600,000 for completion of ongoing priority items at Flagstaff Hill. While the Committee is aware of additional projects identified for this site, budget constraints limit the additional amount that can be provided.

PAYMENTS IN LIEU OF TAXES

Appropriations, 1995	$101,409,000
Budget estimate, 1996	113,911,000
House allowance	111,409,000
Committee recommendation	100,000,000

The Committee recommends an appropriation of $100,000,000, a decrease of $13,911,000 below the budget estimate and a decrease of $11,409,000 below the House allowance.

LAND ACQUISITION

Appropriations, 1995	$14,757,000
Budget estimate, 1996	24,473,000
House allowance	8,500,000
Committee recommendation	10,550,000

The Committee recommends an appropriation of $10,550,000 for land acquisition, a decrease of $13,923,000 below the budget estimate and an increase of $2,050,000 above the House allowance.

The following table shows the Committee's recommendations:

	Committee recommendation
Criterion Ranch, OR	$2,100,000
St. George Desert Tortoise Habitat, UT	2,000,000
Idaho land exchanges	1,950,000
Inholdings, emergencies, hardships	1,000,000
Acquisition management	3,500,000
Total	10,550,000

OREGON AND CALIFORNIA GRANT LANDS

Appropriations, 1995	$97,364,000
Budget estimate, 1996	112,752,000
House allowance	91,387,000
Committee recommendation	95,364,000

The Committee recommends an appropriation of $95,364,000, a decrease of $17,388,000 below the budget request and an increase of $3,977,000 when compared to the House allowance. The recommendation represents a decrease of $2,000,000 from the fiscal year 1995 enacted level. The decrease from the budget request consists of $6,260,000 for western Oregon resources management, $16,000 for the western Oregon information and resource data system, $53,000 for western Oregon facilities maintenance, $36,000 for western Oregon construction and acquisition, and $11,023,000 for the jobs in the woods initiative for watershed and ecosystem restoration. The forest plan is maintained at approximately the fiscal year 1995 level.

The Committee is concerned about the many programs in the President's forest plan designed to provide assistance to timber dependent communities in the Pacific Northwest. The Committee is disturbed by the inability of the agencies involved to provide a detailed accounting of funds appropriated in previous fiscal years for the unemployed timber worker programs in the President's forest plan.

The Committee directs the Secretary of the Interior and the Secretary of Agriculture to prepare a detailed accounting and report of the funds appropriated in fiscal year 1995 for the President's forest plan. The report shall include a careful accounting of each appropriated dollar, including: funds appropriated for timber production; administrative expenses, including the number of Federal employees employed to administer the various aspects of the President's plan; funds appropriated for the various jobs programs allowed for under the President's plan, including but not limited to the Jobs in the Woods Program; the number of individuals employed by these programs; and the average length of each program. The Committee directs the Secretaries to submit the report to the Committee no later than March 31, 1996.

RANGE IMPROVEMENTS

Appropriations, 1995	$10,350,000
Budget estimate, 1996	9,113,000
House allowance	9,113,000
Committee recommendation	9,113,000

The Committee recommends an appropriation of $9,113,000 for range improvements, the same as the budget estimate and the House allowance.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

Appropriations, 1995	$8,883,000
Budget estimate, 1996	8,993,000
House allowance	8,993,000
Committee recommendation	8,993,000

The Committee recommends an appropriation of $8,993,000, the same as the budget estimate and the House allowance.

MISCELLANEOUS TRUST FUNDS

Appropriations, 1995	$7,605,000
Budget estimate, 1996	7,605,000
House allowance	7,605,000
Committee recommendation	7,605,000

The Committee recommends an appropriation of $7,605,000, the same as the budget estimate and the House allowance.

FISH AND WILDLIFE AND PARKS

FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

Appropriations, 1995	$511,334,000
Budget estimate, 1996	535,018,000
House allowance	497,150,000
Committee recommendation	496,978,000

The Committee recommends an appropriation of $496,978,000, a decrease of $38,040,000 from the budget estimate and a decrease of $172,000 below the House allowance.

The following table compares Committee recommendations with the budget estimates.

	Budget estimate	Committee recommendation	Change
Fish and wildlife enhancement:			
Endangered species:			
Prelisting	$4,529,000	$2,000,000	−$2,529,000
Listing	8,157,000	750,000	−7,407,000
Consultation	20,028,000	17,297,000	−2,731,000
Recovery	44,956,000	34,800,000	−10,156,000
Subtotal, endangered species	77,670,000	54,847,000	−22,823,000
Habitat conservation	59,691,000	56,050,000	−3,641,000
Environmental contaminants	9,168,000	8,821,000	−347,000
Subtotal, fish and wildlife enhancment	146,529,000	119,718,000	−26,811,000
Refuges and wildlife:			
Refuge operations and maintenance	169,558,000	169,558,000	.....
Law enforcement operations	35,279,000	34,279,000	−1,000,000
Migratory bird management	16,011,000	15,252,000	−759,000
Subtotal, refuges and wildlife	220,848,000	219,089,000	−1,759,000
Fisheries:			
Hatchery operations and maintenance	34,901,000	37,094,000	+2,193,000
Lower Snake River compensation fund	11,557,000	11,557,000	.....

	Budget estimate	Committee recommendation	Change
Fish and wildlife management	22,312,000	15,100,000	−6,212,000
Subtotal, fisheries	68,770,000	64,751,000	−4,019,000
General administration:			
Central office administration	14,171,000	13,628,000	−543,000
International affairs	6,627,000	5,301,000	−1,326,000
Regional office administration	23,644,000	21,000,000	−2,644,000
National Education and Training Center	6,859,000	6,478,000	−381,000
Servicewide administrative support	47,570,000	47,013,000	−57,000
Subtotal, general administration	99,871,000	93,420,000	−5,451,000
Total, resource management	535,018,000	496,978,000	−38,040,000

Endangered species.—Within the fish and wildlife enhancement appropriation, the Committee recommends $54,847,000 for endangered species activities. This amount is $14,100,000 below the fiscal year 1995 level and $1,847,000 above the House. Authorization for the Endangered Species Act expired in 1992. While the Committee is not under the illusion that defunding endangered species activities will address the need for ESA reform, the Committee feels strongly that a time out from additional listings is needed until the administration and Congress can enact legislation to reauthorize the act. As such, the Committee has included bill language prohibiting the Fish and Wildlife Service from listing additional species or making additional critical habitat designations pending reauthorization of the act.

An amount of $2,000,000 is recommended for prelisting for candidate species conservation and other activities that will help prevent future listings of species as threatened or endangered; $750,000 is included in the listing program for reclassifications, downlistings, implementation of 4(d) rules and other nonlisting activities. Additional funds have been included in the habitat restoration subactivity to allow the Fish and Wildlife Service to retain core personnel from the listing program in anticipation of reauthorization of the act.

In the recovery activity, funding is provided at the fiscal year 1995 level for endangered fish recovery in the Upper Colorado River basin and for The Peregrine Fund for continued activities related to the California condor and the peregrine falcon. The Committee is aware of research being done by the Honecker Institute on the interaction between mountain lions and the gray wolf. The Committee urges the Service to consider supporting this research within the funds provided.

The Committee is concerned that as gray wolf populations in Idaho and Montana increase, both naturally and from the introduction of wolves from Canada, the incidence of livestock predation may also increase. The Committee expects the Service to continue the cooperative agreement with the Animal and Plant Health Inspection Service to provide assistance to ranchers experiencing livestock losses to wolves. A reduction of $200,000 has been taken from wolf reintroduction.

Habitat conservation.—The Committee recommends $56,050,000 for habitat conservation, $3,641,000 below the request and $4,475,000 above the House level. The amount includes $20,954,000 for trust species habitats, including $15,825,000 for habitat restoration, $1,225,000 for Upper Klamath basin restoration, and $1,500,000 for the Reno biodiversity initiative; $20,830,000 are included for project planning, including $300,000 for Portland greenspaces and $500,000 for the Rio Grande Bosque study. The Committee has provided $402,000 for environmental coordination and $6,351,000 for coastal ecosystems, the same as the fiscal year 1995 level.

The Committee concurs with the House and the budget request in providing no funds for applied technology transfer to rural areas [ATTRA]; $4,000,000 are provided for the national wetlands inventory to allow for continued distribution of maps and data, as well as continued mapping at a reduced level of effort.

Environmental contaminants.—The Committee recommends $8,821,000 for environmental contaminants, $347,000 below the request and $230,000 below the House level; $820,000 are provided for contaminant investigations, $5,464,000 are provided for contaminants prevention, and $1,417,000 are provided for the Patuxent analytical control facility that was funded in the National Biological Survey in fiscal year 1995.

Refuges and wildlife.—The Committee recommends $219,089,000 for refuges and wildlife, $1,759,000 below the request and $6,040,000 less than the House level.

The recommended amount includes the $169,558,000 requested for refuge operations and maintenance. The Committee has also included bill language providing that all of the revenues collected from the sale of admission permits and from entrance fees at units of the national wildlife refuge system be made available to offset the cost of collection and to support the operation and maintenance of refuges. Under the current fee structure established in the Emergency Wetlands Resources Act of 1986, refuges receive no benefit from fees and have to use some of their operating funds to cover the cost of collection. The Committee has adopted this provision for fiscal year 1996 with the understanding that the Senate authorizing committee is likely to report legislation to make this change in the fee distribution formula permanent within the course of the fiscal year.

The continuation of traditional uses on the lands composing the ACE Basin National Wildlife Refuge was a principle justification for the creation of the refuge. The Committee directs the Secretary to ensure that such uses continue. Traditional uses shall include, but not be limited to, hunting, fishing, shellfishing, hiking, and other wildlife-related activities, provided such uses are compatible with the ACE basin management plan. In preparing the management plan and regulations regarding hunting and fishing, the Secretary shall consult with the State agency that has jurisdiction over fish and wildlife.

The Committee has included $1,400,000 in land acquisition for the Back to the River project. The Committee urges the Fish and Wildlife Service to support a systematic natural areas inventory for counties within and adjacent to this project.

The Committee directs the Department to reinstate its 1992 policy regarding permit terms and conditions for hunting and fishing guides in Alaska providing permit terms of 5 years with one renewal period of 5 years, transferability under prescribed conditions, and a right of survivorship. It further directs the Department to reissue existing permits consistent with this policy. The Committee notes that the existing policy limiting terms to 1 year make it impossible to obtain financing for guiding operations while the limit on transferability and survivorship prevent long-time family businesses from continuing upon the death or illness of the permit holder.

The Committee has included language in the bill restricting the application of the Department's pesticide policy on lands leased for farming within the Lower Klamath and Tule Lake National Wildlife Refuges because of the special status these lands were granted by the Kuchel Act, Public Law 88–567. This principle has been supported by the Klamath Basin Working Group, a consensus-based organization formed to help restore the basin's ecosystem and provide economic stability to area farms. It is the intent of the Committee that the contracts for leasing land for agricultural purposes within the Lower Klamath and Tule Lake National Wildlife Refuges comply with integrated pest management practices, but that such practices shall not be more restrictive than the requirements of applicable State and Federal laws related to the use of chemicals and pest management practices on non-Federal lands.

In the interest of pursuing a nonregulatory approach for private land stewardship, the Committee supports the efforts of the Fish and Wildlife Service to provide voluntary opportunities for technical assistance, incentives, and local conservation initiatives through the Silvio O. Conte Refuge. The Committee encourages the Fish and Wildlife Service to view the National Park Service's Joint River Commission efforts in Vermont and New Hampshire as a valuable model for community-based conservation in the Connecticut River Valley.

Within funds available for the Challenge Grant Program, the Service is encouraged to consider an application for rehabiltation of the gatehouse at John Hay National Wildlife Refuge.

An amount of $34,279,000 is recommended for law enforcement, including funding for the Clark R. Bavin National Fish and Wildlife Forensics Laboratory. The Committee notes that over two-thirds of the laboratory's caseload is comprised of Federal and international cases, and that the laboratory's total caseload is well distributed across all Fish and Wildlife Service regions. Because the laboratory's mission is primarily national and international in scope, the Committee directs the Service to elevate budget development for the laboratory to the headquarters level.

Migratory bird management includes the requested amount for the harvest information program and $889,000 to reflect transfer of migratory bird and eagle permit functions.

Fisheries.—The Committee recommends $64,751,000 for fisheries, $4,019,000 below the request and $1,400,000 above the House level. The funding provided reflects workload reallocations included in the budget justification.

The Committee has not approved the administration's request to transfer 11 fish hatcheries to the States and tribes, and has included an additional $3,000,000 to operate these hatcheries during fiscal year 1996. While the Committee strongly supports the goal of reducing Federal expenditures on hatcheries or fishery programs that do not support essential Federal missions, the Committee believes the States, tribes, sportfishing community, and fishery-related conservation groups should be involved in this process. The Committee directs the Fish and Wildlife Service to convene a working group on the fisheries program, including hatcheries, that includes representatives of the States, tribes, sportfishing community, and fishery-related conservation groups. The working group should develop a plan that will reduce Federal expenditures on hatcheries and other fisheries programs by an amount equal to or greater than the multiyear reduction proposed in the budget request. The Committee recognizes the Fish and Wildlife Service's fisheries mitigation responsibilities pursuant to existing law and expects the working group to take into account such responsibilities.

The Fish and Wildlife Service is directed to report the findings of the working group to the Appropriations Committees by March 1, 1996. If the working group is unable to produce a consensus proposal or fails to achieve savings that equal or surpass the current administration proposal, the Committee will use the fiscal year 1997 appropriations bill to begin transfer or closure of the 11 hatcheries identified in the fiscal year 1996 request.

Nothing in the Committee report should be construed as preventing States or tribes from initiating hatchery transfers in fiscal year 1996. The Committee notes that the administration has proposed a generous phaseout of funding for hatcheries to be transferred. While the Committee will endeavor to provide adequate funding for hatchery transfers beginning in fiscal year 1997, budget constraints are such that there is no guarantee that funding for a 3-year transition program will be available. Should any States or tribes wish to initiate hatchery transfers in fiscal year 1996, the Committee does not object to the use of sport fish restoration administrative, nonproject moneys for this purpose. The Committee directs the Service to work with the States to establish State brood stock programs, and to provide brood stock, eggs, and fry to hatcheries being transferred that is 100 percent of the 1995 level for 2 years beginning on April 1, 1996, and a phased down level over the succeeding several years. The Committee encourages the Service to consider the transfer of equipment associated with hatcheries if this will contribute toward more success in transfering these facilities to non-Federal parties.

The Committee has included the request level for the Lower Snake River compensation plan, which is funded by revenues from power sales. Funding provided for fish and wildlife management assistance includes $150,000 for the Regional Mark Processing Center. Budget constraints have precluded the Committee from providing funding for the recreational fisheries initiative.

Within fish and wildlife management, $200,000 is included for whirling disease research at Montana State University, and

$600,000 is included for implementation of the United States-Canada Yukon River Agreement.

General administration.—The Committee recommends $93,420,000 for general administration, $5,451,000 below the request and $2,509,000 below the House level. The amount provided reflects the structural change included in the budget request, and includes $100,000 for the hatchery system working group and $4,000,000 for the National Fish and Wildlife Foundation.

The Committee is concerned about certain grants that have been made by the National Fish and Wildlife Foundation to organizations involved in litigation against Federal agencies funded in this bill, and organizations known to be hostile to the interests of private landowners and those engaged in the productive and lawful use of public lands. The Committee has included funding for the foundation based upon the understanding that its grant award procedures have been considerably tightened, and that the foundation will make a concerted effort to avoid making further grants to the types of organizations described above. The foundation's performance in this regard will be closely monitored by the Committee during the coming year.

General.—Bill language is included requiring Committee approval prior to the establishment of new refuge units using funds provided in this bill. This language was also included in the House bill. Within the funds provided, the Service is strongly encouraged to maintain the fiscal year 1995 level of effort for the south Florida initiative and forest plan.

The Committee has not included language prohibiting Fish and Wildlife Service involement in a wetlands permit affecting a golf course in Texas.

Bill language is included allowing for vehicle and aircraft replacement. The Committee encourages the Service to work cooperatively with local law enforcement officials in the conduct of official business. The Committee understands that hearings on this topic will be held prior to completion of action on this bill.

CONSTRUCTION

Appropriations, 1995	$53,768,000
Budget estimate, 1996	34,095,000
House allowance	26,355,000
Committee recommendation	38,775,000

The Committee recommends an appropriation of $38,775,000, an increase of $4,680,000 above the budget estimate and $12,420,000 above the House allowance.

The following table shows the projects included in budget estimate, the House allowance, and the Committee recommendation.

Site, State, description	Budget request	House allowance	Committee recommendation
Bear River Migratory Bird Refuge, UT, flood repair		$1,000,000	
Bosque del Apache National Wildlife Refuge, NM, repair		1,820,000	$940,000
Hawaii captive propogation facility, HI		1,000,000	1,000,000
Mississippi refuges, bridge repair and equipment			1,120,000

Site, State, description	Budget request	House allowance	Committee recommendation
National Education and Training Center, WV, construction	$28,000,000	15,580,000	28,000,000
Quivira National Wildlife Refuge, KS, water management			760,000
Russian River, AK, rehabilitation			400,000
Southeast Louisiana refuges, rehabilitation		1,000,000	
Wichita Mountains National Wildlife Refuge, OK, Grama Lake and Comanche Dams, repair	700,000	700,000	700,000
Dam safety—servicewide, inspections	460,000	460,000	460,000
Bridge safety—servicewide, inspections	395,000	395,000	395,000
Emergency projects—servicewide			1,000,000
Construction management—servicewide	4,540,000	4,400,000	4,000,000
Total	34,095,000	26,355,000	38,775,000

NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION FUND

Appropriations, 1995	$6,687,000
Budget estimate, 1996	6,700,000
House allowance	6,019,000
Committee recommendation	4,000,000

The Committee recommends an appropriation of $4,000,000 for the natural resources damage assessment and restoration fund which is a reduction of $2,700,000 below the budget request and $2,019,000 below the House allowance.

LAND ACQUISITION

Appropriations, 1995	$67,141,000
Budget estimate, 1996	62,912,000
House allowance	14,100,000
Committee recommendation	32,031,000

The Committee recommends an appropriation of $32,031,000, a decrease of $30,881,000 below the budget estimate and an increase of $17,931,000 above the House allowance.

The following table shows the Committee's recommendations:

ACE Basin National Wildlife Refuge, SC	$3,000,000
Bald Knob National Wildlife Refuge, AR	2,188,000
Back to the River, NE	1,400,000
Canaan Valley National Wildlife Refuge, WV	2,000,000
Edwin B. Forsythe National Wildlife Refuge, NJ	3,000,000
Great Swamp National Wildlife Refuge, NJ	1,000,000
Pelican Island National Wildlife Refuge, FL	1,450,000
Pettaquamscutt Cove National Wildlife Refuge, RI	1,000,000
Stewart B. McKinney National Wildlife Refuge, CT	4,000,000
Stillwater National Wildlife Refuge, NV	1,500,000
Acquisition management	8,000,000
Emergencies and hardships	1,493,000
Inholdings	1,000,000
Land exchanges	1,000,000
Total, land acquistion	32,031,000

The Committee has made a conscious effort in its recommendations to contain land acquisitions to those projects that have already been undertaken in prior fiscal years. The Committee acknowledges that it was unable to provide specific funding for the Fish and Wildlife Service's top land acquisition priority, the Kona

Forest unit of the Hakalau National Wildlife Refuge in Hawaii. However, the Committee understands the rare opportunity presented to the Service to acquire this pristine native forest in Hawaii. The Kona Forest Unit provides the source of eggs as well as prime habitat for release of native endangered forest birds reared in the Service's Hawaii captive propagation facility, which the Committee has continued to support in this bill and in past fiscal years. The Secretary may transfer Fish and Wildlife Service funds for the acquisition of the Kona Forest unit, provided that any partial acquisition of this property shall not obligate the Department to any future acquisitions, and provided further that any transaction shall be subject to the reprogramming guidelines of the Committee.

COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

Appropriations, 1995	$8,983,000
Budget estimate, 1996	38,000,000
House allowance	8,085,000
Committee recommendation	8,085,000

The Committee recommends $8,085,000 for the cooperative endangered species conservation fund, the same as the House and $898,000 below the fiscal year 1995 level. No funds are provided for grants to States for HCP land acquisitions. The Committee is not necessarily opposed to such a program, but is unable to provide the increase requested due to budget constraints and the lack of an authorization for the Endangered Species Act.

Within the total provided, $200,000 is available for the Upper Colorado River Endangered Fish Recovery Program.

NATIONAL WILDLIFE REFUGE FUND

Appropriations, 1995	$11,977,000
Budget estimate, 1996	11,371,000
House allowance	10,779,000
Committee recommendation	10,779,000

The Committee recommends an appropriation of $10,779,000 for the national wildlife refuge fund, a decrease of $1,198,000 below the fiscal year 1995 level and the same as the House allowance. These funds are used to make payments to counties in which Service lands are based, in order to compensate the local units of government for lost tax revenues.

REWARDS AND OPERATIONS

Appropriations, 1995	$1,167,000
Budget estimate, 1996	1,169,000
House allowance	600,000
Committee recommendation	600,000

The Committee recommends $600,000 for African elephant conservation, which is the same as the House and $567,000 below the fiscal year 1995 level. The Committee concurs with the House that these funds should be matched by non-Federal funding to as great an extent possible.

NORTH AMERICAN WETLANDS CONSERVATION FUND

Appropriations, 1995	$8,983,000
Budget estimate, 1996	12,000,000
House allowance	4,500,000
Committee recommendation	6,750,000

The Committee recommends $6,750,000 for the North American wetlands conservation fund, which is $2,250,000 above the House and $2,233,000 below the fiscal year 1995 level. The Committee notes that the fund has generated $2 in cost sharing for every one Federal dollar expended from the fund. Despite the fund's success in leveraging non-Federal dollars, budget constraints necessitate a reduction below the fiscal year 1995 level. The Committee notes that $17,875,000 will become available to the fund in fiscal year 1996 through permanent appropriations.

Wetlands conservation projects are required to provide for long-term conservation of lands and waters. Long-term conservation shall be interpreted to include short-term conservation strategies that instill a strong conservation ethic among private landowners and are likely to lead to long-term habitat conservation. Priority should be given to projects that encourage private landowners to engage in cost-effective, creative strategies such as rice projects in the lower Mississippi River Valley, the gulf coast region, and in California that provide food for overwintering and migrating waterfowl. Because of limited resources, cost-benefit analysis should be incorporated into the selection criteria of each proposal with priority given where possible to restoration and enhancement projects and acquisition projects with low cost per acre.

LAHONTAN VALLEY AND PYRAMID LAKE FISH AND WILDLIFE FUND

Appropriations, 1995	.....
Budget estimate, 1996	$152,000
House allowance	152,000
Committee recommendation	152,000

The Committee recommends $152,000 to establish the Lahontan Valley and Pyramid Lake fish and wildlife fund, the same as the request and the same as the House level. This fund was created by the Truckee-Carson Pyramid Lake Water Settlement Act to receive non-Federal revenues to support fisheries restoration in Pyramid Lake and wetlands restoration and enhancement in the Lahontan Valley.

RHINOCEROS AND TIGER CONSERVATION FUND

Appropriations, 1995	.....
Budget estimate, 1996	$400,000
House allowance	200,000
Committee recommendation	200,000

The Committee recommends $200,000 to establish the rhinoceros and tiger conservation fund, which is the same as the House level and $200,000 below the budget request. The Committee concurs with the House that these funds should be matched by non-Federal funding to as great an extent possible.

WILDLIFE CONSERVATION AND APPRECIATION FUND

Appropriations, 1995	$998,000
Budget estimate, 1996	1,000,000
House allowance	998,000
Committee recommendation	800,000

The Committee recommends $800,000 for the wildlife conservation and appreciation fund, which is $198,000 below the House and the fiscal year 1995 level. Pursuant to reauthorization of the Partnerships for Wildlife Act, the Committee has deleted language included in the House bill regarding matching funds. Deletion of this language will give the Fish and Wildlife Service more flexibility in leveraging non-Federal funds, but will not eliminate the matching requirement.

NATURAL RESOURCES SCIENCE AGENCY

RESEARCH, INVENTORIES, AND SURVEYS

Appropriations, 1995	$162,041,000
Budget estimate, 1996	172,696,000
House allowance	.....
Committee recommendation	145,965,000

The Committee recommends an appropriation of $145,965,000, a decrease of $26,731,000 when compared to the budget estimate. A comparison of Committee recommendations with the budget estimate is as follows:

	Budget estimate	Committee recommendation	Change
Research:			
Species biology	$18,326,000	$14,933,000	−$3,393,000
Population dynamics	13,874,000	13,094,000	−780,000
Ecosystems	52,377,000	46,193,000	−6,184,000
Subtotal, research	84,577,000	74,220,000	−10,357,000
Inventory and monitoring	22,736,000	18,682,000	−4,054,000
Information transfer	16,536,000	10,868,000	−5,668,000
Cooperative research units	15,827,000	14,517,000	−1,310,000
Facilities operations and maintenance	15,725,000	12,820,000	−2,905,000
Administration	15,545,000	14,858,000	−687,000
Construction	1,750,000	.....	−1,750,000
Total, research, inventories, and surveys	172,696,000	145,965,000	−26,731,000

The Committee has terminated the National Biological Service and consolidated the biological research activities for agencies within the Department of the Interior in this new agency. These science research programs have been established for many years and have supported the needs for the National Park Service, the Bureau of Land Management, the Minerals Management Service, the Fish and Wildlife Service, and others. These programs were brought together to create a consolidated, coordinated, and nonduplicative agency for biological research.

To remove the bureau further from agencies with regulatory and policy responsibilities, the Committee is transferring the Natural

Resources Science Agency from the Assistant Secretary for Fish and Wildlife to the Assistant Secretary for Water and Science. The Committee is concerned that bureau priorities are not being met and that the agency is heading away from basic and applied research. The Committee urges the Assistant Secretary for Water and Science to involve the agencies in identifying their priority science needs and to assist the agencies depending on these research activities in meeting their land management needs on the ground.

The Committee is concerned about reports that the research priorities being identified internally by the agency are not reflective of the critical issues confronting the land managers of the Department. The Committee expects the agency to realign itself so that the direct links between research and management are enhanced. Budgetary constraints preclude pursing areas of scientific research that may be important, but which are not directly relevant to current issues demanding the attention of the Department's field managers.

The Committee expects the agency to establish as a priority the conduct of research and gathering and dissemination of research related to: fulfillment of the Department's land management missions; information related to wildlife resources entrusted to the stewardship of the Department; anadromous and Great Lakes fish; restoration of depleted fish stocks; fish propagation and riverine studies to assure passage of aquatic species of regional and national management significance; aquatic resources of large, interjurisdictional rivers; nonindigenous nuisance organisms that affect aquatic ecosystems; impacts and epidemiology of disease on fish and wildlife populations; chemical drug registration for acquatic species; and effective transfer of information to natural resources managers.

The Committee has agreed to keep the biological research activities combined in one bureau to assist the Department of the Interior in making limited dollars go further. Efficiencies should be realized by working on similar problems and issues for the bureaus. Funds for the programs funded under this appropriation are to be used only for programs for which authorization existed prior to the establishment of the National Biological Survey.

The Committee expects that the cooperative research units be funded to the extent possible.

The Committee has retained the language included in the House bill concerning private property rights. In addition, the Committee has included language passed by the House regarding the use of volunteers, peer review, the conduct of an independent review by the National Academy of Sciences, and the need for compliance with any subsequent authorizing legislation.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

Appropriations, 1995	$1,077,900,000
Budget estimate, 1996	1,157,738,000
House allowance	1,088,249,000
Committee recommendation	1,092,265,000

The Committee recommends an appropriation of $1,092,265,000. This is a decrease of $65,473,000 below the budget estimate and $4,016,000 above the House allowance. While the needs of the parks are great, budget constraints limit the amount of growth attainable at this time. The following table provides a comparison of Committee recommendations to the budget estimate:

	Budget estimate	Committee recommendation	Change
Park management:			
Resource stewardship	$192,792,000	$172,251,000	−$20,541,000
Visitor services	267,590,000	250,323,000	−17,267,000
Maintenance	367,053,000	361,795,000	−5,258,000
Park support	240,054,000	221,112,000	−18,942,000
Subtotal, park management	1,067,489,000	1,005,481,000	−62,008,000
External administrative costs	90,249,000	86,784,000	−3,465,000
Total, operation of the National Park System	1,157,738,000	1,092,265,000	−65,473,000

The Committee recognizes the importance of the National Park Service to the American public and is maintaining the fiscal year 1995 funding level for the park operations account. While the Committee understands the increasing pressures on the parks, budget constraints have limited the ability to increase the Park Service operations account above fiscal year 1995 enacted level.

The Committee appreciates fully the changing conditions of the national park units and the operations resources needed to address those changes. The Park Service should take into consideration the fluctuating needs when distributing the fiscal year 1996 funds to individual park units. There are many park units with increased visitation and changing conditions which may warrant additional resource attention. If it is necessary to shift funds between programs to meet higher priority needs, the Service is expected to comply with the established reprogramming guidelines.

The Committee expects the National Park Service to provide a report within 45 days of enactment of this bill identifying its preliminary allocations for fiscal year 1996. This report will serve as the baseline for any reprogrammings in fiscal year 1996.

In determining these allocations, none of the programmatic increases requested in the budget are to be considered in the distribution except where necessary to meet specific park operating needs. Any new initiatives, such as those related to training, reorganization, or national service, should be addressed through the reprogramming process.

No additional funding is included for implementation of the Service's reorganization plan. The approval of the restructuring effort was given with the understanding that the Committee would be kept informed as the implementation plan progresses and that there be a gradual and thoughtful transition. The Committee continues to be concerned about the implementation costs of the reorganization. There seems to be an excess amount of meetings associated with the Service's reorganization efforts. The ability to hold

managers accountable and the need for policy consistency between park units should not be lost in the effort to reorganize.

The Committee agrees with the House on the Americorps provision and is including language which stipulates that none of the funds appropriated in this bill may be used for Americorps implementation. Increased demands on the park system and the limited funds dictate that the basic park needs should be met first.

The Committee agrees with the House in establishing a recreational fee demonstration program but has made some modest modifications. Bill language is included in title III, general provisions, for a 3-year program that allows fees to be charged at 10 to 50 sites. Like the House, a portion of the collected fees would be returned to the agencies to improve the quality of visitor experience at public recreational areas, to enhance the protection of natural resources, and to offset fee collection costs. These amounts will be above the $72,000,000 proposed in the bill to be returned to the parks from the existing fee program.

The National Park Service should seek to maintain the on-going level of effort for the south Florida ecosystem initiative and for the Pacific Northwest forest plan.

Maintenance.—The Committee has determined that the ''Operations of the National Park System'' appropriation is a more appropriate funding account for the equipment replacement program. Therefore, the equipment replacement program has been placed within the maintenance program.

NATIONAL RECREATION AND PRESERVATION

Appropriations, 1995	$42,941,000
Budget estimate, 1996	39,305,000
House allowance	35,725,000
Committee recommendation	38,051,000

The Committee recommends an appropriation of $38,051,000, a decrease of $1,254,000 below the budget request, an increase of $2,326,000 above the House allowance.

The Committee's recommendations, which are outlined below, include a decrease of $500,000 in natural programs for the greenway initiative. Due to budget constraints, the international park affairs program and the grant administration program are held at the fiscal year 1995 level.

	Budget estimate	Committee recommendation	Change
Recreation programs	$494,000	$494,000	.....
Natural programs	9,029,000	8,529,000	−$500,000
Cultural programs	18,519,000	18,519,000	.....
International park affairs	2,245,000	1,677,000	−568,000
Environmental and compliance review	338,000	338,000	.....
Grant administration	1,869,000	1,676,000	−193,000
Statutory or contractual aid for other activities:			
Blackstone River corridor	344,000	324,000	−20,000
Brown Foundation	107,000	102,000	−5,000
Dayton Aviation Heritage Commission	50,000	48,000	−2,000
Delaware and Lehigh Navigation Canal	346,000	329,000	−17,000

	Budget estimate	Committee recommendation	Change
Holy Assumption of the Virgin Mary Orthodox Church	.....	200,000	+200,000
Ice Age National Scientific Reserve	806,000	766,000	−40,000
Illinois and Michigan Canal National Heritage Corridor Commission	250,000	238,000	−12,000
Jazz Commission	70,000	67,000	−3,000
Johnstown Area Heritage Association	110,000	50,000	−60,000
Lowell Historic Preservation Canal Commission	.....	.....	.....
Maine Acadian Cultural Preservation Commission	25,000	.....	−25,000
Martin Luther King, Jr. Center	534,000	534,000	.....
Mississippi River Corridor Heritage Commission	149,000	142,000	−7,000
National Constitution Center	248,000	236,000	−12,000
Native Hawaiian culture and arts program	1,497,000	1,422,000	−75,000
Quinebaug-Shetucket National Heritage Corridor Commission	.....	200,000	+200,000
Roosevelt Campobello International Park Commission	650,000	607,000	−43,000
Southwestern Pennsylvania Heritage Preservation Commission	798,000	758,000	−40,000
Steel industry heritage	399,000	379,000	−20,000
Wheeling National Heritage Area	180,000	180,000	.....
William O. Douglas Outdoor Education Center	248,000	236,000	−12,000
Subtotal, statutory or contractual aid	6,811,000	6,818,000	+7,000
Total, National recreation and preservation	39,305,000	38,051,000	−1,254,000

HISTORIC PRESERVATION FUND

Appropriations, 1995	$41,421,000
Budget estimate, 1996	43,000,000
House allowance	37,934,000
Committee recommendation	38,312,000

The Committee recommends an appropriation of $38,312,000 for the historic preservation fund in fiscal year 1996, $4,688,000 below the budget estimate, and $378,000 above the House allowance.

Within the appropriation, $32,712,000 is provided for the grants-in-aid program and $5,600,000 is provided for the National Trust for Historic Preservation. The Committee is supportive of the National Trust's program to expand its membership and its fundraising activities and to become self-sufficient. The Committee has provided funding to begin a 5-year period of transition to replace Federal funding with private funding.

CONSTRUCTION

Appropriations, 1995	$167,688,000
Budget estimate, 1996	179,883,000
House allowance	114,868,000
Committee recommendation	116,480,000

The Committee recommends an appropriation of $116,480,000, a decrease of $63,403,000 below the budget estimate and an increase

of $1,612,000 above the House allowance. The construction appropriation is $51,208,000 below last year's level.

The following table shows projects contained in the budget estimate, the House allowance, and the Committee recommendation:

NATIONAL PARK SERVICE CONSTRUCTION

	Budget request	House allowance	Committee recommendation
Alaska parks (employee housing)	$6,000,000		
Andersonville National Historic Site, GA (prisoner of war)		$2,800,000	$2,800,000
Assateague National Seashore, MD (erosion control)			300,000
Blackstone River Valley National Heritage Corridor MA/RI (interpretive project)			760,000
Blue Ridge Parkway, Hemphill Knob, NC (administration building)		1,030,000	
Cane River Creole National Historic Park, LA (preservation and stabilization			8,414,000
Chickasaw National Recreation Area, OK (campground rehabilitation)			1,914,000
Chamizal National Monument, TX (rehabilitation)		1,000,000	
Crater Lake National Park, OR (dormitories construction)	11,000,000		10,000,000
Cuyahoga National Recreation Area, OH (site and structure rehabilitation)		2,500,000	
Delaware Water Gap National Recreation Area, PA (trails rehabilitation)		2,000,000	
Denali National Park and Preserve, AK, (rehabilitation)	5,200,000		
Everglades National Park, FL (water delivery system modification)	7,500,000	6,000,000	4,500,000
Fort Necessity National Battlefield, PA (rehabilitation)		265,000	
Fort Smith National Historic Site, AR (rehabilitation)			500,000
Gateway National Recreation Area, NY (Jacob Riis Park rehabilitation)	5,800,000		1,595,000
General Grant National Memorial, NY (rehabilitation)	2,800,000	2,800,000	1,600,000
Gettysburg National Military Park, PA (water and sewer lines)	2,550,000	2,550,000	2,550,000
Glacier National Park, MT (rehabilitate chalets)			328,000
Grand Canyon National Park, AZ:			
Employee housing	4,200,000	3,350,000	
Transportation	1,700,000	1,000,000	1,000,000
Gulf Islands National Seashore, MS (erosion control)			600,000
Harpers Ferry National Historical Park, WV (utilities and phone lines)			455,000
Hot Springs National Park, AR (stabilization/lead paint)			1,000,000
James A. Garfield National Historic Site, OH (rehabilitation/development)		3,600,000	
Jean Lafitte National Park and Preserve, LA (complete repairs)	2,100,000	2,100,000	
Klondike Gold Rush National Historical Park, AK (restore Skagway historic district)	850,000	850,000	850,000

NATIONAL PARK SERVICE CONSTRUCTION—Continued

	Budget request	House allowance	Committee recommendation
Lackawanna Valley, PA (technical assistance)	.....	400,000	.....
Lake Chelan National Recreation Area, WA (repair of Company Creek road)	.....	.....	585,000
Little River Canyon National Park, AL (health and safety)	.....	460,000	.....
Mount Rainier National Park, WA (replace employees dormitory)	6,050,000	.....	6,050,000
Natchez Trace Parkway, MS	.....	.....	6,000,000
National Capital Parks—Central, DC (Lincoln/Jefferson memorials rehabilitation)	4,000,000	4,000,000	4,000,000
New River Gorge National River, WV (trails, visitor access and hazardous materials)	.....	.....	825,000
President's Park, DC:			
Replace White House electrical system	1,100,000	1,100,000	1,100,000
Replace White House sidewalks	1,000,000	.....	.....
Sagamore Hill National Historic Site, NY (water and sewer lines)	800,000	800,000	800,000
Salem Maritime National Historic Site, MA (vessel exhibit)	.....	2,200,000	2,200,000
Saratoga National Historical Park, NY (monument rehabilitation)	.....	2,000,000	.....
Sequoia National Park, CA (replace Giant Sequoia facilities)	8,900,000	3,700,000	3,700,000
Shenandoah National Park, VA (construct/rehabilitate park facilities)	5,900,000	.....	.....
Southwestern Pennsylvania Commission (various projects)	.....	2,000,000	.....
Stones River National Battlefield, TN (stabilization)	.....	200,000	.....
Thomas Stone Historic Site, MD (rehabilitation)	.....	250,000	.....
Western Trails Center, IA	.....	3,000,000	3,000,000
Wrangell-St. Elias National Park and Preserve, AK (Kennicott Mine site safety and rehabilitation)	.....	.....	1,500,000
Yosemite National Park, CA (El Portal maintenance facilities)	9,650,000	9,650,000	3,656,000
Zion National Park, UT (transportation system facilities)	7,600,000	5,200,000	5,200,000
Subtotal, line item construction	94,700,000	66,805,000	77,782,000
Emergency, unscheduled, housing	39,000,000	13,973,000	13,973,000
Planning	22,405,000	12,000,000	17,000,000
Equipment replacement	15,078,000	14,365,000	.....
General management plans	7,100,000	6,600,000	6,600,000
Special resource studies	1,200,000	825,000	825,000
Strategic planning office	400,000	300,000	300,000
Total	179,883,000	114,868,000	116,480,000

The National Park Service is directed to follow the reprogramming procedures to address the White House directive of closing Pennsylvania Avenue area and converting it into a pedestrian mall. Since the primary reason for closing the avenue was security, those agencies responsible for the recommendation should pay for the long-term costs of the decision. No planning or con-

struction funds for this effort should be spent without prior approval of the Appropriations Committees.

The Committee has provided $2,800,000 for the Prisoner of War Museum in Andersonville, GA. The success of this project is attributable to the excellent fundraising effort, which matches the Federal dollars. The Committee has provided $10,000,000 for construction of dormitories at Crater Lake National Park, OR. This is a decrease of $1,000,000 from the budget request. The Committee urges the Park Service to achieve construction savings through value engineering and increased efficiencies.

The funds provided for the phase II of the Salem Maritime National Historic Site vessel exhibit are required to have a 25-percent cost sharing by non-Federal sources, as directed by the Congress in the fiscal year 1995 Interior appropriations bill.

The National Park Service is encouraged to pursue opportunities for the restoration of the Mississippi monument.

The Committee has determined that the "Operations of the National Park System" appropriation is a more appropriate funding account for the equipment replacement program. Therefore, the equipment replacement program has been placed within the maintenance program.

The Committee directs the National Park Service to report to the Committee on the feasibility of transferring the federally owned highways in Maryland and Virginia to the State of Maryland and Commonwealth of Virginia. The report shall include a study of all costs associated with such a transfer and an analysis of the impact to each State.

The Committee does not agree with the position taken by the House regarding the Pennsylvania Avenue Development Corporation. The Committee expects the Pennsylvania Avenue Development Corporation to terminate its activities by September 30, 1997. The National Park Service should work with the Pennsylvania Avenue Development Corporation and the General Services Administration to determine what responsibilities the Park Service should have in regard to Pennsylvania Avenue after September 30, 1997. These issues should be addressed by the administration in the fiscal year 1997 budget.

In requiring non-Federal sponsorship of the operation of the Fisher Peak Mountain Music Interpretive Center facility in the report accompanying the fiscal year 1995 appropriations measure, it was not the intent of the Committee to limit the range of non-Federal cosponsors to the Commonwealth of Virginia. The Committee's intent would be met if, for example, the non-Federal cosponsorship is accomplished through an agreement between the National Park Service and the National Council for the Traditional Arts so long as Federal funds are not used.

The construction funds provided for the Blackstone River Valley National Heritage Corridor are intended to be used for ongoing interpretive projects in Massachusetts and Rhode Island. At the discretion of the Blackstone River Valley National Heritage Corridor Commission, a portion of these funds may be designated to support the proposed labor and industrial museum in the corridor.

The Committee's policy is to refrain from earmarking any of the National Park Service's share of the Federal Lands Highway Pro-

gram. Consideration should be given to the road construction needs at the Chickamauga-Chattanooga National Military Park.

Bill Language.—The Committee has included language to address visitor safety and to continue site stabilization of the Kennicott cooper mine located in Wrangell-St. Elias National Park and Preserve in Alaska.

URBAN PARKS AND RECREATION FUND

Appropriations, 1995	$6,000
Budget estimate, 1996	2,300,000
House allowance	.....
Committee recommendation	.....

Due to budget constraints, no funds have been provided for the urban park and recreation fund.

LAND AND WATER CONSERVATION FUND

(RESCISSION)

The Committee recommends a rescission of $30,000,000 in annual contract authority provided by 16 U.S.C. 4601–10a. This authority has not been used in recent years and there are no plans to use it in fiscal year 1996.

LAND ACQUISITION AND STATE ASSISTANCE

Appropriations, 1995	$87,373,000
Budget estimate, 1996	82,696,000
House allowance	14,300,000
Committee recommendation	43,230,000

The Committee recommends an appropriation of $43,230,000, a decrease of $39,466,000 below the budget estimate and an increase of $28,930,000 above the House allowance.

The following table shows the Committee recommendation:

	Committee recommendation
Acadia National Park, ME	$1,000,000
Appalachian National Scenic Trail	5,400,000
Assateague Island National Seashore, MD/VA	600,000
Aztec Ruins National Monument, NM	650,000
Big Cypress National Preserve, FL	3,000,000
City of Rocks National Reserve, ID	600,000
Colonial Parkway, Colonial National Historical Park, VA	915,000
Cumberland Island National Seashore, GA	1,500,000
Everglades National Park, FL	5,000,000
Gettysburg National Military Park, PA	2,500,000
Golden Gate National Recreation Area, CA	2,000,000
Jefferson National Expansion Memorial, IL/MO	350,000
Oakland Plantation, Cane River Creole National Historical Park, LA	560,000
Olympic National Park, WA	4,000,000
Acquisition management	7,600,000
Emergencies and hardships	3,000,000
Inholdings	3,055,000
Subtotal, Federal	41,730,000
Assistance to States: Administrative expenses	1,500,000
Total, land acquistion	43,230,000

The Committee has included $4,000,000 toward the purchase of the Elwha and Glines Dams as authorized by Public Law 102–495, the Elwha Act. The Elwha Act authorizes the purchase of the two dams by the Secretary of the Interior at a total purchase price of $29,500,000. Recognizing the serious funding constraints under which the Committee is operating, bill language has been included which authorizes funding to be provided over a period of years, as necessary, in order to acquire the dams. The bill language specifies that the appropriated funds may only be used for acquisition. Appropriated funds cannot be expended until the total purchase price of $29,500,000 is appropriated.

Under the Elwha Act, the Secretary is authorized to study the benefits of the removal of both dams, and to assess the costs of such a removal to restore fish runs in the Elwha River. The Committee continues to be disturbed greatly by the early projections from the administration of cost estimates that range from $80,000,000 to $300,000,000 for dam removal. Due to the lack of available funds, the Committee strongly discourages the administration and those parties supporting dam removal from continuing to support such a policy. Instead, the Committee encourages interested parties to pursue other, less costly alternatives to achieve fish restoration. The Committee urges parties interested in the Elwha Act to work to find, within the next year, a more fiscally responsible and achievable solution to fishery restoration in lieu of dam removal. If no conclusion can be reached on this issue, the Committee, working together with the authorizing committee, will be forced to work to find a legislative solution to the problem.

ADMINISTRATIVE PROVISIONS

The Committee has included language, as in prior years, precluding redevelopment of the southern end of Ellis Island until Congress has an opportunity to renew the plan.

Bill language is included precluding the expenditure of NPS funds for United Nations biodiversity initiatives.

ENERGY AND MINERALS

U.S. GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

Appropriations, 1995	$571,462,000
Budget estimate, 1996	586,369,000
House allowance	686,944,000
Committee recommendation	577,503,000

The Committee recommends an appropriation of $577,503,000, a reduction of $8,866,000 below the budget estimate and $109,441,000 below the House allowance. The following table provides a comparison of the Committee's fiscal year 1996 recommendations with the budget estimate:

	Budget estimate	Committee recommendation	Change
National mapping, geography, and surveys:			
National map and digital data production	$62,407,000	$61,416,000	−$991,000

	Budget estimate	Committee recommendation	Change
Information and data systems	17,894,000	17,894,000	.....
Research and technology	22,725,000	22,538,000	−187,000
Advanced cartographic systems	24,364,000	24,364,000	.....
Subtotal, national mapping, geography, and surveys	127,390,000	126,212,000	−1,178,000
Geologic and mineral resource surveys and mapping:			
Earthquake hazards reduction	50,842,000	46,122,000	−4,720,000
Volcano hazards	20,326,000	20,031,000	−295,000
Landslide hazards	2,339,000	2,305,000	−34,000
National geologic mapping	22,204,000	21,882,000	−322,000
Deep continental studies	2,888,000	2,848,000	−40,000
Magnetic field monitoring and charting	1,808,000	1,784,000	−24,000
Marine and coastal geologic surveys	39,689,000	38,619,000	−1,070,000
Global change and climate history	9,831,000	9,687,000	−144,000
Mineral resource surveys	43,792,000	43,136,000	−656,000
Energy resource surveys	25,623,000	25,252,000	−371,000
Subtotal, geologic and mineral resource surveys and mapping	219,342,000	211,666,000	−7,676,000
Water resources investigations:			
Federal program	125,991,000	124,750,000	−1,241,000
Federal-State program	64,478,000	62,130,000	−2,348,000
Water resources research institutes	.....	4,553,000	4,553,000
Subtotal, water resources investigations	190,469,000	191,433,000	+964,000
General administration	25,830,000	25,373,000	−457,000
Facilities	23,338,000	22,819,000	−519,000
Total, surveys, investigations, and research	586,369,000	577,503,000	−8,866,000

The Committee's recommendation includes an increase of $4,553,000 for the water resources research institutes program, and decreases of $4,000,000 for earthquake research grants to universities, $553,000 for the south Florida ecosystem restoration initiative, and $8,866,000 for the absorption of fixed costs increases. Reductions for fixed cost absorption includes $991,000 for national map and digital data production, $187,000 for research and technology, $720,000 for earthquake hazards reduction, $295,000 for volcano and geothermal investigations, $34,000 for landslide hazards, $322,000 for national cooperative geologic mapping, $40,000 for continental surveys, $24,000 for magnetic field monitoring and charting, $144,000 for global change and climate history, $517,000 for marine and coastal geologic surveys, $656,000 for mineral resource surveys, $371,000 for energy resource surveys, $1,241,000 for the Federal water resources program, $2,348,000 for the Federal/State cooperative water resources program, $457,000 for general administration, and $519,000 for facilities. The Committee concurs with the budget request of $1,000,000 for activities related to the Middle Rio Grande Basin as a critical aquifer.

The Committee recognizes and commends the efforts of the Survey to maintain the quality of its services with decreasing funding

over the past few years. The Committee is aware that the Survey has been forced to reduce staffing during fiscal year 1995 and that full funding of the fiscal year 1996 budget request assumed further significant reductions in force. It is likely that further reductions will occur in fiscal year 1997.

None of the funds provided for the marine and coastal program should be used for the proposed relocation of the Pacific Marine Geology Branch to the University of California at Santa Cruz. The Survey should keep the Committee informed as to the impact of the reduction of staffing levels on facilities requirements.

The Committee supports strongly the national geologic mapping program, which provides geologic information regarding hazards, ground water, and mineral resources. The Committee expects the Survey to provide 20 percent of the funds available for the program to the States to be used for geologic mapping by the States. The Committee understands that university research plays a unique role in the National Earthquake Hazards Reduction Program, and has continued funding for university-based earthquake research.

The Committee has included $4,553,000 for the Water Resources Research Institute Program. This is an efficient and effective mechanism for focusing resources on water problems and issues through multidisciplinary research, education, training, and information transfer programs. The Department should continue to ensure the relevancy of this research to pressing State and national water resources issues. Research grants are to be awarded on a competitive basis. Efforts should continue to integrate the expertise of the water resources research institutes into the full range of the Department's water resources programs and those of other Federal agencies. A report on these efforts should be submitted with next year's budget request.

The Committee expects the Survey to proceed, within available funds, to design and produce a new national atlas. The national atlas will include information made available in both printed and electronic form. The national atlas project will proceed incrementally, with a major release of computer and printed products by the end of fiscal year 1997 and with new or enhanced data sets and graphics being added each year thereafter.

The Committee approves initiation of a coastal erosion study in the State of Washington as proposed within the funds requested for the marine coast program and encourages participation in this study by interested State and local governments.

The Committee expects the Survey and the Bureau of Indian Affairs to provide for public release of all interpretations of data and reports (draft and final) completed under interagency agreement No. AGP00473.94 and all related amendments immediately upon completion of the water studies. Within 15 days of enactment of this act, the Survey and the BIA shall report to the Committee their decision as to whether or not they will approve the public release of the information. If either the Survey or the BIA does not allow for the public release of the information, the Survey should immediately cancel the interagency agreement with the BIA.

The Committee does not concur with the House proposal to assign responsibility for the natural resource research of the Interior

Department to the Geological Survey. This activity is funded as a separate bureau, the Natural Resources Science Agency.

MINERALS MANAGEMENT SERVICE

ROYALTY AND OFFSHORE MINERALS MANAGEMENT

Appropriations, 1995	$188,181,000
Budget estimate, 1996	193,348,000
House allowance	186,556,000
Committee recommendation	182,169,000

The Committee recommends an appropriation of $182,169,000, a decrease of $11,179,000 from the budget estimate and $4,387,000 below the House allowance. The Committee recommendations compared to the budget estimates are shown in the following table:

	Budget estimate	Committee recommendation	Change
Outer Continental Shelf lands:			
Leasing and environmental program	$29,532,000	$26,967,000	−$2,565,000
Resource evaluation	17,636,000	17,310,000	−326,000
Regulatory program	34,520,000	32,286,000	−2,234,000
Information management program	6,409,000	3,258,000	−3,151,000
Office of Management Support	.....	−300,000	−300,000
Subtotal, Outer Continental Shelf lands	88,097,000	79,521,000	−8,576,000
Royalty management:			
Valuation and operations	36,162,000	35,644,000	−518,000
Compliance	35,352,000	34,746,000	−606,000
Indian allottee refunds	15,000	15,000	.....
Program Services Office	.....	−300,000	−300,000
Subtotal, royalty management	71,529,000	70,105,000	−1,424,000
General administration:			
Executive direction	3,484,000	3,310,000	−174,000
Policy and management improvement	3,886,000	3,692,000	−194,000
Administrative operations	11,671,000	11,065,000	−606,000
General support services	14,681,000	14,476,000	−205,000
Subtotal, general administration	33,722,000	32,543,000	−1,179,000
Total, royalty and offshore minerals management	193,348,000	182,169,000	−11,179,000

Leasing and Environmental Program.—The Committee recommends $26,967,000 for the Leasing and Environmental Program, the same as the House. The amount provided includes reductions of $325,000 for fixed cost absorption, $100,000 for OCS committees, $100,000 for the United States/Mexico initiative, and $2,040,000 to maintain the program at the fiscal year 1995 level.

Resource valuation.—The Committee recommends $17,310,000 for resource evaluation, which is $600,000 over the House level and $326,000 below the budget request. The amount provided includes a reduction of $326,000 for fixed cost absorption and an increase of $600,000 for the marine minerals program.

Regulatory program.—The Committee recommends $32,286,000 for the regulatory program, which is $1,199,000 below the House level and $2,234,000 below the budget request. The amount provided includes a reduction of $535,000 for fixed cost absorption, $500,000 for alternative dispute resolution, and a general reduction of $1,199,000.

Information management.—The Committee recommends $3,258,000 for information management and related activities, a reduction of $3,151,000 below the House level and the budget request. This reduction includes a decrease of $151,000 for fixed cost absorption and a decrease of $3,000,000 to be offset by rental receipts, which are estimated to be higher than earlier projections. The Committee has included bill language reflecting this new estimate.

Office of Management Support.—The Committee recommends a decrease of $300,000 for the Office of Management Support in the OCS lands activity. Like the House, the Committee has shown this office as a separate line in the budget table.

Valuation and operations.—The Committee recommends $35,644,000 for the valuation and operations, which is the same as the House level and $518,000 below the budget request. The amount provided includes a reduction of $518,000 for fixed cost absorption.

Compliance.—The Committee recommends $34,746,000 for compliance, which is the same as the House level and $606,000 below the budget request. The amount provided includes a reduction of $606,000 for fixed cost absorption.

Program Services Office.—The Committee recommends a decrease of $300,000 for the Program Services Office in the royalty management activity. Like the House, the Committee has shown this office as a separate line in the budget table.

General administration.—The Committee recommends $32,543,000 for general administration, which is $637,000 below the House level and $1,179,000 below the budget request. The amount provided includes a reduction of $142,000 for fixed cost absorption and a general reduction of $1,037,000.

General.—In the bill's general provisions, the Committee has included language prohibiting the use of funds for OCS leasing and development activities in several areas. This language is the same as language included in the fiscal year 1995 bill, and covers the areas placed under moratoria by President Bush (northern, central, and southern California; the North Atlantic; Washington and Oregon; and the eastern Gulf of Mexico south of 26° N. latitude and east of 86° W. longitude), as well as the mid- and South Atlantic, the eastern Gulf of Mexico north of 26°, and the north Aleutian Basin off Alaska. While the Committee believes the issue of OCS development should ultimately be addressed either administratively or through the authorizing process, the Committee recognizes that public support for OCS development is insufficient to justify lifting the moratoria at this time.

The Committee has not included House language repealing the Outer Banks Protection Act.

The Committee notes that the House approved funding for an independent study of Federal onshore mineral leasing and royalty

collection activities. While the Committee agrees with the goals of the study as stated in the House report, the Committee feels such a study would be premature until Congress determines whether there is a need for a Federal hard rock minerals royalty collection function.

OILSPILL RESEARCH

Appropriations, 1995	$6,440,000
Budget estimate, 1996	7,892,000
House allowance	6,440,000
Committee recommendation	6,440,000

The Committee recommends an appropriation of $6,440,000, the same as the House allowance and $1,452,000 below the budget estimate.

BUREAU OF MINES

MINES AND MINERALS

Appropriations, 1995	$152,427,000
Budget estimate, 1996	132,507,000
House allowance	87,000,000
Committee recommendation	132,507,000

The Committee recommends $132,507,000 for the Bureau of Mines, which is $45,507,000 above the House and the same as the budget request. The amount provided represents more than a 10-percent reduction below the fiscal year 1995 level and more than a 20-percent reduction over 2 years.

The distribution by activity is as follows:

	Budget estimate	Committee recommendation	Change
Environmental remediation:			
Inactive/abandoned mine inventory/site characterization	$4,458,000	$4,458,000	.....
Remediation of contaminated drainages	6,586,000	6,586,000	.....
Restore/hazardous mineral sites	6,293,000	6,293,000	.....
Technology base/mining regulations	6,307,000	6,307,000	.....
Contaminated material treatment technology	5,672,000	5,672,000	.....
Subtotal, environmental remediation	29,316,000	29,316,000	.....
Pollution prevention and control	12,344,000	12,344,000	.....
Health and safety:			
Worker health	7,412,000	7,412,000	.....
Worker safety	20,456,000	20,456,000	.....
Disaster prevention	8,372,000	8,372,000	.....
Subtotal, health and safety	36,240,000	36,240,000	.....
Minerals research partnerships	7,683,000	7,683,000	.....
Information:			
Mineral information	16,810,000	16,810,000	.....
Minerals issues analysis	8,799,000	8,799,000	.....
Subtotal, information	25,609,000	25,609,000	.....

	Budget estimate	Committee recommendation	Change
General administration:			
Executive direction	2,187,000	2,187,000	.....
Finance and management	19,128,000	19,128,000	.....
Subtotal, general administration	21,315,000	21,315,000	.....
Total, Bureau of Mines	132,507,000	132,507,000	.....

Contrary to action taken by the House, the Committee has not proposed termination of the Bureau of Mines. The Bureau performs valuable research in health and safety, environmental remediation, pollution prevention and control, materials research and minerals information. While a portion of the work performed by the Bureau benefits the $360,000,000,000 per year mining and minerals processing industry, much of the Bureau's research supports other Federal missions. Agencies as diverse as the U.S. Trade Representative, the Federal Aviation Administration, the Office of Surface Mining, and the Department of Energy have realized concrete savings as a result of Bureau research. The Department of Defense alone stands to save more than $80,000,000 over the next 2 years as a result of Bureau innovations and expertise in stockpile evaluation, lead cleanup, and metal casting for vehicle armoring.

Research center closures.—The Bureau has successfully conducted its mission despite a more than 20 percent reduction in FTE's since the beginning of fiscal year 1994. On a percentage basis, the Bureau has the largest streamlining savings in the entire Department of the Interior. These reductions and consolidations are increasingly disrupting Bureau programs and impacting its ability to meet customer needs.

This is particularly true in the West where the administration recommended a number of office closures in the fiscal year 1996 budget. The Committee does not support these closures, and expects the Bureau to maintain a presence in Alaska; Spokane, WA; Reno, NV; and Denver, CO, in addition to the locations considered centers of excellence. The Committee does, however, recognize the need for further consolidation of Bureau facilities. The Committee expects the Bureau to merge the Western Field Operations Center in Spokane with the Spokane Research Center and to limit total FTE's to 135, a 25-percent cut from fiscal year 1995. Reno, NV, staffing should not exceed 55 FTE's, also a reduction of nearly 25 percent from the current year ceiling. In Denver, the Minerals Availability Field Office and the Intermountain Field Operations Center should be combined and reduced. The Denver Research Center should be closed, and total FTE's should not exceed 245, a reduction of over 25 percent from the beginning of 1994 and 10 percent below the current ceiling. The Alaska Field Operations Office should be closed, but up to 10 FTE's should be collocated with another Federal agency to perform minerals assessments pursuant to section 1010 of ANILCA. The Washington, DC, offices, which include programmatic activities, should reduce FTE's to 355, a reduction of over 25 percent from the beginning of fiscal year 1994 and almost 15 percent from the current ceiling. FTE ceilings for the

centers of excellence in Albany, OR, Salt Lake City, UT, Minneapolis, MN, and Pittsburgh, PA, should not exceed the 1995 ceilings. These ceilings are all below the fiscal year 1994 level. Overall FTE usage in the Bureau should not exceed the request level of 1,950, but the Bureau is encouraged to continue reimburseable work within this amount.

For facilities scheduled to be closed, the Committee has included bill language allowing the no cost transfer of Bureau properties to universities and State and local governments. To the extent justified by program needs and budget limitations, the Bureau is authorized to station limited personnel at such facilities to engage in cost-shared, cooperative research with the host entity.

Within the funds provided, the Bureau of Mines is encouraged to work with the National Mine Land Reclamation Center and the Generic Technology Center for Respirable Dust in support of research efforts that complement the priority core programs of the Bureau.

The Committee also encourages the Bureau to develop a proposal to offset a portion of the costs of its minerals information program. While budgetary, technical, and antitrust considerations preclude the private sector and other Government agencies from performing this function, the information compiled by the Bureau is of sufficient value to justify a user fee. The Committee expects the Bureau to include a proposal in the fiscal year 1997 budget justification.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

Appropriations, 1995	$110,984,000
Budget estimate, 1996	107,653,000
House allowance	93,251,000
Committee recommendation	95,970,000

The Committee recommends an appropriation of $95,970,000, a decrease of $11,683,000 below the budget estimate and $2,719,000 above the House allowance. A comparison of the budget estimates and the Committee recommendation is as follows:

	Budget estimate	Committee recommendation	Change
State regulatory program grants	$51,661,000	$50,762,000	−$899,000
Federal regulatory programs:			
Regulatory program operations	22,152,000	16,087,000	−6,065,000
Technical services, training, and research	13,597,000	11,597,000	−2,000,000
Assessments and collections	6,769,000	5,735,000	−1,034,000
Subtotal, Federal regulatory programs	42,518,000	33,419,000	−9,099,000
Civil penalties	501,000	500,000	−1,000
General administration	12,973,000	11,289,000	−1,684,000
Total, regulation and technology	107,653,000	95,970,000	−11,683,000

While the Committee commends OSM for its efforts to downsize over the past several fiscal years, budget constraints necessitate

additional reductions. These reductions are made primarily in the Federal regulatory program, where it is appropriate that OSM rely more heavily on primacy States to regulate coal operations. The Committee notes that 97 percent of coal production occurs in primacy States.

Consistent with the House bill and the administration's request, the Committee has not included language in the bill prohibiting expenditure of funds to publish a national final rule defining valid existing rights for purposes of section 522(e) of the Surface Mining Control and Reclamation Act.

ABANDONED MINE RECLAMATION FUND

(Definite, Trust Fund)

Appropriations, 1995	$182,423,000
Budget estimate, 1996	185,120,000
House allowance	176,327,000
Committee recommendation	170,441,000

The Committee recommends an appropriation of $170,441,000, a decrease of $14,679,000 below the budget estimate and $5,886,000 below the House allowance. A comparsion of the Committee recommendation and the budget estimate is as follows:

	Budget estimate	Committee recommendation	Change
State reclamation program grants	$146,543,000	$142,000,000	−$4,543,000
Donations	500,000	.....	−500,000
Federal reclamation programs:			
Fee compliance	5,515,000	2,515,000	−3,000,000
Reclamation program operations	26,739,000	21,039,000	−5,700,000
Rural abandoned mine reclamation program	.....	.....	.....
Subtotal, Federal reclamation programs	32,254,000	23,554,000	−8,700,000
Small operator assistance	.....	.....	.....
General administration	5,823,000	4,887,000	−936,000
Total, abandoned mine land fund	185,120,000	170,441,000	−14,679,000

The Committee has not included any funding for the Appalachian clean streams initiative. While there is clearly a need to address the environmental threats posed by acid mine rock drainage, such an effort is senseless without the technological expertise necessary to conduct mitigation in an environmentally responsible and cost-effective manner. The House has effectively destroyed this technology base by terminating the Bureau of Mines and eliminating funding for its essential functions. The Committee will reconsider funding for the clean streams initiative at such time the Federal commitment to mine waste remediation is more clear.

As part of its efforts to accommodate reductions in the fee compliance activity, the Committee urges OSM to reexamine whether this function could be more efficiently performed by the Internal Revenue Service. The Committee understands OSM has achieved a very high level of fee compliance, but notes that the IRS collects

excise taxes on the same tonnage basis that determines AML fees. The Committee is skeptical of assertions that the IRS cannot achieve adequate compliance on its own.

The Committee has provided no funds for the Rural Abandoned Mine Program [RAMP], the same as the House and the budget request. Despite the outstanding reclamation work that has been performed with RAMP funds, budget constraints preclude the Committee from funding alternative delivery systems.

The Committee has provided no funds for the Small Operator Assistance Program [SOAP], the same as the House and the budget request. Prior-year carryovers will be sufficient to continue the program in fiscal year 1996.

Language is included in the bill continuing the Federal emergency reclamation program at up to $18,000,000. However, the Committee has reduced the reclamation program operations activity within which the emergency program is funded. The Committee feels States should be encouraged to adopt their own emergency programs, consistent with the recommendations of the recommendations of the "National Performance Review." Language is also included limiting emergency program expenditures to 25 percent for any one State, and providing that prior-year unobligated balances shall not be subject to the 25-percent limitation.

Minimum program State grants are funded at $1,500,000 per State, the same as fiscal year 1995.

INDIAN AFFAIRS

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

Appropriations, 1995	$1,519,012,000
Budget estimate, 1996	1,609,842,000
House allowance	1,509,628,000
Committee recommendation	997,221,000

The Committee recommends an appropriation of $997,221,000, a decrease of $612,621,000 below the budget estimate, a decrease of $512,407,000 below the House allowance, and $521,971,000 below the fiscal year 1995 level.

As discussed in the front of the report, the Committee faces a significant reduction in funding available for programs funded through the Interior appropriations bill. The Committee has made an attempt to protect the highest priorities within the funding available to Indian programs across the bill. Tribal governments and individual Indians qualify for many Federal programs outside the Bureau. While the Bureau originally provided nearly all of the funding for Indian programs, funding for the Bureau now represents approximately 33 percent of the total funds provided by the Federal Government for Indian programs. The Committee has sought to protect those programs where additional funding is not likely to be available outside the Bureau.

In order to protect the trust assets of the tribes, the Committee has recommended funding for the Office of Special Trustee for American Indians, and has transferred to that office trust and natural resource activities previously funded through the Bureau of

Indian Affairs. The activities which remain within the Bureau of Indian Affairs represent those programs normally associated with local governments.

Within the funds available for the Bureau, the Committee has protected educational activities to the extent possible. The Committee notes that educational activities, which account for approximately 33 percent of the fiscal year 1995 funding for the ''Operation of Indian programs'' account, are maintained at approximately the current level of funding. In addition, the Committee has partially restored funding for economic development activities proposed for elimination by the House. To the extent possible, the Committee also protected contract support funding. As a result of protecting nearly one-half of the activities at the current level, it was necessary to significantly reduce the remaining activities. While the Committee is aware that these are large reductions, it notes that tribes are specifically eligible for other Federal programs which provide funding for road maintenance, housing, law enforcement, and other governmental services.

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	$262,428,000	$215,407,000	−$47,021,000
Human services	150,766,000	149,790,000	−976,000
Education	57,161,000	56,860,000	−301,000
Public safety and justice	97,796,000	95,811,000	−1,985,000
Community development	69,608,000	68,692,000	−916,000
Resources management	68,377,000	.....	−68,377,000
Other trust services	30,297,000	.....	−30,297,000
General administration	28,140,000	27,385,000	−755,000
Small tribes distribution	2,000,000	.....	−2,000,000
General reduction	.....	−206,000,000	−206,000,000
Subtotal, tribal priority allocations	766,573,000	407,945,000	−343,843,000
Other recurring programs:			
Tribal government	7,000,000	5,000,000	−2,000,000
Human services	5,000,000	.....	−5,000,000
Education:			
School operations:			
Forward funding	356,045,000	330,991,000	−25,054,000
Other school operations	84,040,000	78,475,000	−5,565,000
Subtotal, school operations	440,085,000	409,466,000	−30,619,000
Continuing education	27,411,000	27,411,000	.....
Subtotal, education	467,496,000	436,877,000	−30,619,000
Community development	17,750,000	15,049,000	−2,701,000
Public safety and justice	5,000,000	.....	−5,000,000
Resources management	36,586,000	.....	−36,586,000
Other trust services	3,186,000	.....	−3,186,000

	Budget estimate	Committee recommendation	Change
Subtotal, other recurring programs	542,018,000	456,926,000	−85,092,000
Nonrecurring programs:			
Tribal government	7,365,000	4,215,000	−3,150,000
Public safety and justice	584,000	584,000	.....
Community development	9,716,000	3,500,000	−6,216,000
Resources management	31,823,000	.....	−31,823,000
Other trust services	16,992,000	.....	−16,992,000
Subtotal, nonrecurring programs	66,480,000	8,299,000	−58,181,000
Total, tribal budget system	1,375,071,000	873,170,000	−501,901,000
BIA OPERATIONS			
Central office operations:			
Tribal government	2,991,000	2,787,000	−204,000
Human services	1,290,000	1,276,000	−14,000
Public safety and justice	3,624,000	3,581,000	−43,000
Community development	1,135,000	1,114,000	−21,000
Resources management	4,977,000	.....	−4,977,000
Other trust services	24,714,000	.....	−24,714,000
General administration:			
Assistant Secretary for Indian Affairs	782,000	2,950,000	+2,168,000
Education program management	4,104,000	2,036,000	−2,068,000
Other general administration	44,382,000	33,405,000	−10,977,000
Subtotal, general administration	49,268,000	38,391,000	−10,877,000
General reduction	.....	.....	−24,700,000
Subtotal, central office operations	87,999,000	22,449,000	−65,550,000
Area office operations:			
Tribal government	1,689,000	1,644,000	−45,000
Human services	1,271,000	1,236,000	−35,000
Public safety and justice	842,000	838,000	−4,000
Community development	4,452,000	4,328,000	−124,000
Resources management	4,501,000	.....	−4,501,000
Other trust services	12,974,000	.....	−12,974,000
General administration	29,265,000	28,486,000	−799,000
General reduction	.....	−16,447,000	−16,447,000
Subtotal, area office operation	54,994,000	20,085,000	−34,909,000
Special programs and pooled overhead:			
Human services	1,732,000	.....	−1,732,000
Education	14,732,000	14,406,000	−326,000
Public safety and justice	2,662,000	2,144,000	−518,000
Community development	3,646,000	3,067,000	−579,000
Resources management	1,320,000	.....	−1,320,000
General administration	67,686,000	61,900,000	−5,786,000
Subtotal, special programs	91,778,000	81,517,000	−10,261,000
Total, BIA operations	234,771,000	124,051,000	−110,720,000
Total, operation of Indian programs	1,609,842,000	997,221,000	−612,621,000

Tribal priority allocations.—The Committee recommends an appropriation of $407,945,000, including $64,626,000 for contract support. Of the amount requested in the budget, $40,000,000 has been transferred to the Office of Special Trustee for American Indians for contract support related to the activities of that office. It is the Committee's intent that contract support funding should be distributed in the same manner as in fiscal year 1995. The Bureau should provide the Committee with a plan for future distribution of contract support costs.

The Committee has applied a general reduction to tribal priority allocations. The flexibility which the Committee has allowed the tribes in the past should apply to reprogramming funds provided for tribal priority allocations in fiscal year 1996. Priority consideration should be given to new tribes and small and needy tribes. Due to funding constraints, the Committee has not provided an increase for small and needy tribes. Funding for these tribes and new tribes should be protected within the overall funding provided for tribal priority allocations.

Other recurring programs.—The Committee recommends an appropriation of $456,926,000. Within the funding, the Committee has included up to $5,000,000 for the Indian self-determination fund. The Committee has assumed reductions of $8,437,000 for pay costs absorption and $2,000,000 for facilities operations and maintenance.

The Committee recommends $436,877,000 for education activities, including $409,466,000 for school operations, an increase of $2,212,000 above the fiscal year 1995 level, and $27,411,000 for continuing education, the same level as fiscal year 1995 and the budget request. For ISEP formula funds, the Committee recommends $263,113,000, which is an increase of $3,350,000 above the fiscal year 1995 level. Within the funds provided, the Committee assumes a net increase of $5,500,000, derived from a general increase of $4,280,000 and the transfer of $1,220,000 from ISEP program adjustments. Offsetting these increases is a reduction of $2,000,000 associated with the prohibition of use of funds for travel and training costs associated with national meetings as outlined in the general provisions section of the report. For ISEP program adjustments, the Committee recommends a total of $150,000 for law enforcement protection at Riverside and Chemewa Indian schools. No funding is provided for the effective schools program. Due to limited resources, the Committee has instead transferred that funding for distribution to all schools through the ISEP formula.

For early childhood education, the Committee recommends $5,471,000, a reduction of $1,000,000 below the fiscal year 1995 level of funding. The reduction represents the expected savings from the prohibition on travel and training expenses related to national conferences. The Committee recommends $25,697,000 for student transportation, which is an increase of $1,000,000 above the current level. The Committee has funded facilities operations and maintenance and administrative cost grants at the fiscal year 1995 level.

The Committee has included $300,000 to begin implementation of the school statistical initiative. None of the funds should be expended until the Bureau has submitted and the Committee has ap-

proved a plan for the initiative, including the total estimated costs for the initiative, the schedule for implementation, and personnel required for implementing the initiative.

The Committee has provided no funding for tribal departments of education. The funding constraints facing the Committee prohibit initiating funding for an activity that is expected to have significant out-year costs. The Committee encourages Bureau-funded schools to enter into cooperative agreements with public schools on or near reservations in order to share resources, such as special education teachers.

The Committee understands that a portion of the funds provided for operations and maintenance of educational facilities has been used for personnel costs of the Office of Indian Education Programs. The Committee expects facilities operations and maintenance funds to be used to operate and maintain facilities and not for personnel costs.

The Committee has retained bill language proposed by the House that would prohibit grade expansions in Bureau-funded schools and language which will allow Bureau-funded schools flexibility in setting salary schedules.

Nonrecurring programs.—The Committee recommends an appropriation of $8,299,000, including $4,215,000 for self-governance grants. No funding is provided for the Lummi education project. A reduction of $550,000 is included for absorption of pay costs. The Committee's recommendation includes $3,000,000 for community and economic development grants and $500,000 for technical assistance. The Committee expects the Bureau to phase funding for the community and reservation economic development grants in order to minimize the impacts of the reduced funding level.

The Committee expects the Bureau to facilitate the changes in salary rates so that schools desiring to use different pay rates may do so beginning with school year 1996–97. Within 30 days, the Bureau should provide the Committees with a work plan detailing the schedule the Bureau will follow in implementing the administrative changes that will allow schools to set their own salary schedules by school year 1996–97, including any necessary meetings with employee unions or other necessary groups.

Central office operations.—The Committee recommends $22,449,000 for central office operations. Part of the reductions from current levels results from the transfer of funding for resource management and trust, as well as administrative support to the Office of Special Trustee for American Indians. The recommendation includes no funding for the Substance Abuse Coordination Office due to funding constraints and consistent with positions taken by the Committee in approving the reprogramming of funds for the office in fiscal year 1995. The Committee recommends a reduction of $500,000 for the Office of Indian Gaming.

The Committee has included bill language which requires the Bureau to submit a plan for distributing tribal shares prior to any actual distribution. The Committee expects that such a plan will include provision of tribal shares to all compacting and contracting tribes.

For education program management, the Committee recommends $2,036,000, including $297,000 for the Close-Up Program. The

Committee recommendation includes a reduction of $2,000,000. A portion of the reduction is associated with savings to be realized from the travel and training provisions contained in the general provisions of the bill. The Bureau should examine carefully the costs and staffing levels associated with managing funds provided through the Department of Education to ensure that the Bureau is adequately reimbursed for these costs.

The Committee has transferred $2,168,000 to the Office of the Assistant Secretary for Indian Affairs for the Office of Self-Governance and the Office of Audit and Evaluation. Because of the nature of the functions that these offices perform, the Committee expects that the offices will be part of the Office of the Assistant Secretary and will not report through the Deputy Commissioner for Indian Affairs. Because of the priority the Committee places on the responsibilities of these offices, none of the general reductions for central office operations should be applied against the Office of the Assistant Secretary.

Area office operations.—The Committee recommends an appropriation of $20,085,000. Funding for resources management and trust services has been transferred to the Office of Special Trustee for American Indians.

Special programs and pooled overhead.—The Committee recommends an appropriation of $81,517,000 for special programs and pooled overhead, including the fiscal year 1995 level of $14,433,000 for education programs. Funding is provided for the police academy at the fiscal year 1995 level. The Committee has provided $649,000 to phase out funding for the Indian Arts and Crafts Board. For employee displacement, the Committee recommends $2,314,000. The Committee recommends $8,619,000 for personnel consolidation. The Committee has provided no funding for central office relocation costs. No funding is provided for the Urban Indian Child Welfare Act grants.

Bill language.—The Committee has included bill language which would extend the availability of up to $8,000,000 of unobligated balances in the "Operation of Indian programs" account to March 31, 1996. The funds are to be made available for employee severance, relocation, and related expenses that are necessary as part of the downsizing efforts at the central office.

CONSTRUCTION

Appropriations, 1995	$120,450,000
Budget estimate, 1996	125,424,000
House allowance	98,033,000
Committee recommendation	60,088,000

The Committee recommends an appropriation of $60,088,000, a decrease of $65,336,000 below the budget estimate, a decrease of $37,945,000 below the House allowance, and a decrease of $60,362,000 below the fiscal year 1995 level.

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

	Budget estimate	Committee recommendation	Change
Tribal government	$4,394,000	$3,000,000	−$1,394,000

	Budget estimate	Committee recommendation	Change
Education	69,173,000	45,539,000	−23,634,000
Public safety and justice	15,400,000	6,500,000	−8,900,000
Resources management	32,908,000	.....	−32,908,000
General administration	3,549,000	3,549,000	.....
Construction management	.....	1,500,000	+1,500,000
Total, construction	125,424,000	60,088,000	−65,336,000

General.—The Committee has transferred funding for resources management construction to the special trustee for American Indians.

Tribal government.—For contract support, the Committee recommends $3,000,000, which is a slight increase over the current level. The Committee expects that contract support costs associated with the activities transferred to the Office of the Special Trustee for Indian programs to be funded through this account in fiscal year 1996. For fiscal year 1997, funds for contract support associated with the resources management construction should be requested through the Office of Special Trustee.

Education.—The Committee recommends $45,539,000 for education construction, including $21,500,000 to complete the Chief Leschi Indian School as requested in the budget. None of the funds available for the project should be used to construct a swimming pool. No funding is provided for the Many Farms High School. The Committee recommends a reduction of $134,000 for pay costs, and $10,000,000 for facilities improvement and repair. The Committee has continued the language related to implementing the process to award grants for construction of new schools or facilities improvement and repair in excess of $100,000.

The Committee has included no funding for the pilot project for alternative financing for school construction. In nearly every alternative financing proposal that has been put forth, the Federal Government bears the entire burden of the cost of the school. While the proposals may result in cost savings in the short run, in the long run the Federal Government is still responsible for all or a significant part of the funding for the projects. As discretionary spending continues to decline, postponement of significant costs to a later time period when less funding is available would not appear to be prudent.

Public safety and justice.—The Committee recommends an appropriation of $6,500,000 for public safety and justice, including $1,700,000 for facilities improvement and repair and $4,800,000 as requested for fire protection.

Construction management.—The Committee has included a transfer of $1,500,000 to the Bureau's construction activity from the Office of the Secretary to accommodate the costs of the Office of Construction Management.

INDIAN LAND AND WATER CLAIMS SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

Appropriations, 1995	$77,096,000
Budget estimate, 1996	151,025,000
House allowance	75,145,000
Committee recommendation	.....

The Committee has transferred funding for Indian land and water claims settlements and miscellaneous payments to Indians to the Office of Special Trustee for American Indians.

NAVAJO REHABILITATION TRUST FUND

Appropriations, 1995	$1,996,000
Budget estimate, 1996	.....
House allowance	.....
Committee recommendation	.....

The Committee does not recommend an appropriation for the Navajo rehabilitation trust fund.

TECHNICAL ASSISTANCE OF INDIAN ENTERPRISES

Appropriations, 1995	$1,966,000
Budget estimate, 1996	1,966,000
House allowance	.....
Committee recommendation	900,000

The Committee recommends an appropriation of $900,000, a decrease of $1,066,000 below the budget request and $900,000 above the House allowance.

INDIAN DIRECT LOAN PROGRAM ACCOUNT

Appropriations, 1995	$779,000
Budget estimate, 1996	.....
House allowance	.....
Committee recommendation	.....

The Committee does not recommend an appropriation for the "Indian Direct Loan Program" account.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

Appropriations, 1995	$9,671,000
Budget estimate, 1996	9,684,000
House allowance	.....
Committee recommendation	7,700,000

The Committee recommends an appropriation of $7,700,000, a decrease of $1,984,000 below the budget request and an increase of $7,700,000 above the House allowance for the "Indian Guaranteed Loan Program" account.

The funds recommended by the Committee should be used solely for guarantees of loans and allowable administrative expenses and not to guarantee bond issues. The Committee understands that guarantees of tribal bond issues significantly increase the Federal Government's risk of loss, and, accordingly, the level of subsidy required under the Credit Reform Act. The entire amount of a bond issue may need to be appropriated for a 90-percent bond issue guarantee. Guaranteeing bond issues would substantially reduce

further the amount of funds available to tribes under this program. Therefore, no funds are provided for this purpose.

TERRITORIAL AFFAIRS

ASSISTANCE TO TERRITORIES

Appropriations, 1995	$78,201,000
Budget estimate, 1996	69,232,000
House allowance	52,405,000
Committee recommendation	68,188,000

The Committee recommends an appropriation of $68,188,000, a decrease of $1,044,000 below the budget estimate and an increase of $15,783,000 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
American Samoa:			
Operations grants	$24,090,000	$23,046,000	−$1,044,000
Construction grants	.....	.....	.....
Subtotal, American Samoa	24,090,000	23,046,000	−1,044,000
Northern Mariana Islands: Covenant grants	27,720,000	27,720,000	.....
Subtotal, Northern Mariana Islands	27,720,000	27,720,000	.....
Territorial assistance:			
Office of Insular Affairs	3,527,000	3,527,000	.....
Technical assistance	6,400,000	6,400,000	.....
Maintenance assistance fund	4,400,000	4,400,000	.....
Disaster fund	1,000,000	1,000,000	.....
Brown tree snake	595,000	595,000	.....
Insular management controls	1,500,000	1,500,000	.....
Subtotal, territorial assistance	17,422,000	17,422,000	.....
Total, assistance to territories	69,232,000	68,188,000	−1,044,000

The Committee is disappointed that the House has eliminated virtually all funding for the Office of Insular Affairs and its assistance programs. While the Committee has agreed to the administration's proposal to terminate the Office and move its functions into the Office of the Secretary, it is imperative that the Assistant Secretary for Policy, Management and Budget be provided with adequate staff and resources to oversee the roughly $2,000,000,000 in Federal dollars that will be allocated to the territories and insular areas in fiscal year 1996 and beyond. The Committee has, therefore, recommended the requested amount for territorial assistance, with an appropriate reduction to reflect savings from termination of the Office of Territorial and International Affairs.

The Committee has also included bill language identical to Senate bill 638, the Insular Development Act. This legislation was reported by the Energy and Natural Resources Committee on June 30, and was passed by the full Senate on July 20. The provisions

included would authorize the reallocation of the $27,720,000 covenant grant to the Commonwealth of the Northern Mariana Islands in order to meet the capital infrastructure needs of the Northern Marianas, the other U.S. territories, and the freely associated states. Inclusion of this provision has enabled the Committee to reduce appropriations for assistance to territories by more than $10,000,000 from the fiscal year 1995 level. The Committee also notes that failure to enact legislation implementing the 1992 agreement between the United States and the CNMI will, by law, result in continued annual appropriations to the CNMI of $27,720,000. The infrastructure needs of the other insular areas would not be met.

Guam.—As requested in the budget, the Committee recommends no funds to compensate Guam for the impacts of the various Compacts of Free Association. Funding restraints are such that this likely must be addressed legislatively.

American Samoa.—The Committee recommends $23,046,000 for American Samoa, the same as the fiscal year 1995 level. The funding provided does not include the increase requested for the joint working group. While gravely concerned about the pace of fiscal reform in American Samoa, the Committee is not convinced that additional funding for the working group is critical to the implementation of such reforms. The Committee notes that a financial planning contractor has already been hired using technical assistance funds, and that the contractor will continue to cooperate with the working group in developing a financial recovery plan.

The Committee has not recommended any funds for construction grants for American Samoa, reflecting both the budget proposal and the inclusion of provisions from Senate bill 638.

Virgin Islands.—As requested in the budget, the Committee recommends no funds for the Virgin Islands. The Virgin Islands are eligible for existing territorial assistance grant programs, and would be eligible for infrastructure grants under the provisions of Senate bill 638.

Northern Mariana Islands.—The Committee has included $27,720,000 for covenant grants to the Commonwealth of the Northern Mariana Islands under existing legislative authority. This is the same as the budget estimate and the funding level approved by the House. As noted above, the Committee has also included legislation that would reallocate CNMI funding to meet the infrastructure needs of all the insular areas. Of the funds provided for the CNMI, $3,000,000 may be allocated by the Secretary to Federal agencies and the CNMI to address the very serious immigration and labor issues outlined in the Department's April 24, 1995, report to Congress.

Territorial assistance.—The Committee recommends $17,422,000 for territorial assistance, the same as the amended budget request and $1,028,000 below the fiscal year 1995 funding level. This amount reflects the administration's proposal to terminate the Office of Territorial and International Affairs and move its functions under the Office of the Secretary. The Committee reiterates the importance of maintaining adequate staff and resources to oversee insular programs, and urges the Department to make provisions for such oversight in future budget requests.

Within technical assistance, up to $1,000,000 may be used for the grants to the Closeup Foundation.

TRUST TERRITORY OF THE PACIFIC ISLANDS

Appropriations, 1995	$19,800,000
Budget estimate, 1996	.....
House allowance	.....
Committee recommendation	.....

The Trust Territory of the Pacific Islands ceased to exist with implementation of the Compact of Free Association with the Republic of Palau. As such, the Committee has provided no funding for the trust territory appropriation consistent with the House bill and the budget request.

COMPACT OF FREE ASSOCIATION

Appropriations, 1995	$23,574,000
Budget estimate, 1996	24,938,000
House allowance	29,518,000
Committee recommendation	24,938,000

Federal services assistance.—The Committee recommends $6,964,000 for Federal services assistance, the same as the House and the budget request. To the extent there are any unobligated balances in this account found to be in excess of program needs, the Secretary is authorized, following notification of the Appropriations Committees, to reprogram such funds as are necessary for the resettlement of Rongelap Atoll, provided such funds are expended in a manner consistent with the relevant provisions of Senate bill 638 included in this bill.

Program grant assistance.—The Committee recommends $14,900,000 for program grant assistance, the same as the budget request and the same as the House. The increase of $4,900,000 over fiscal year 1995 is due to the implementation of the Compact of Free Association with the Republic of Palau.

Enewetak support.—The Committee recommends $1,091,000 to continue the Enewetak agricultural and food support program, the same as the budget request and the same as the House. The Committee recognizes that while substantial progress has been made, current agricultural production remains insufficient to sustain the population of Enewetak. Nevertheless, the Committee notes that the program was established on an interim, not permanent basis.

Rongelap Atoll.—The Committee recommends $1,983,000 for Rongelap resettlement, the same as the budget request and the same as the House. The Committee concurs with the House in recognizing U.S. responsibility to contribute to the resettlement of Rongelap Atoll. However, it is not clear that sufficient progress toward resettlement can be made with the incremental funding necessitated by current budget constraints. The Committee urges the Department to work with the people of Rongelap to agree upon a final resettlement plan and cost estimate, and to work with Congress to develop a prudent funding alternative that resolves the Rongelap resettlement issue. Subsection (d) of Senate bill 638 authorizes a portion of the infrastructure moneys provided to be used for Rongelap resettlement.

Palau Road.—The Committee has included language in the bill that would allow the Secretary to negotiate with the Palau Government as to changes in the engineering specifications for the Palau Road. This provision ensures that any such changes will not result in increased costs to the United States.

DEPARTMENTAL OFFICES

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

Appropriations, 1995	$62,479,000
Budget estimate, 1996	64,772,000
House allowance	53,919,000
Committee recommendation	58,109,000

The Committee recommends an appropriation of $58,109,000 for fiscal year 1996. This is $6,663,000 below the budget request and $4,190,000 above the House allowance.

The Committee recommendations compared to the budget estimates are displayed in the following table:

	Budget estimate	Committee recommendation	Change
Departmental direction	$13,872,000	$11,116,000	−$2,756,000
Policy, management, and budget	24,520,000	21,420,000	−3,100,000
Hearings and appeals	7,399,000	7,039,000	−360,000
Central services	18,981,000	18,534,000	−447,000
Total, departmental management	64,772,000	58,109,000	−6,663,000

The President's Office of Forestry and Economic Development [OFED] in Portland, OR, has performed important and useful work in coordinating the activities of the various Federal agencies involved in developing and implementing the President's Pacific Northwest forest plan. While not everyone agrees, the Committee has several concerns with the outputs that have resulted from the plan, clearly the OFED has performed a vital role in ensuring interagency coordination. This role was important during plan development and the early stages of implementation. However, now the plan is final, through judicial review, and operational. Therefore, the Committee believes the OFED should sunset, as originally planned, no later than December 31, 1995.

Bill language is included which requires filing of the charter for the Western Water Policy Review Advisory Commission and the appointment of commission members.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

Appropriations, 1995	$34,608,000
Budget estimate, 1996	35,361,000
House allowance	34,608,000
Committee recommendation	34,608,000

The Committee recommends an appropriation of $34,608,000 for fiscal year 1996. This is a decrease of $753,000 below the budget request and the same as the House allowance.

The Committee does not object to continuation of the policy provided in fiscal year 1995 allowing limited client reimbursement of Solicitor's office expenses, when activities are undertaken at the request of the client bureaus.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

Appropriations, 1995	$23,939,000
Budget estimate, 1996	25,485,000
House allowance	23,939,000
Committee recommendation	23,939,000

The Committee recommends an appropriation of $23,939,000 for fiscal year 1996. This is a decrease of $1,546,000 below the budget request and the same as the House allowance.

OFFICE OF CONSTRUCTION MANAGEMENT

Appropriations, 1995	$1,996,000
Budget estimate, 1996	2,000,000
House allowance	.....
Committee recommendation	500,000

Funding for the Office of Construction Management has been transferred to the Bureau of Indian Affairs "Construction" account. A small core policy group from the Office of Construction Management has been retained in the policy, management, and budget activity. In an effort to bring management closer to the program, management responsibility for oversight of construction and facilities operations and maintenance policy for BIA schools and other Bureau facilities will be transferred to the BIA over the next 3 years. The Committee expects the Department to keep the Committee informed on the progress of the transition.

NATIONAL INDIAN GAMING COMMISSION

SALARIES AND EXPENSES

Appropriations, 1995	$1,000,000
Budget estimate, 1996	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.

The Committee has included bill language for the Bureau of Indian Affairs and the National Indian Gaming Commission to address the Committee's concerns about tribes who are engaged in gaming operations that are not in full compliance with the Indian Gaming Regulatory Act. The Commissioner is directed to provide the Secretary of the Interior with a report of Indian tribes or tribal organizations who engage in gaming operations and whether those tribes or tribal organizations are in full compliance, partial compliance, or noncompliance with the requirements of the Indian Graming Regulatory Act. Noncompliance would include those In-

dian tribes or tribal organizations which are known to have class II or class III gaming operations without having obtained the requisite Federal approval.

OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS

FEDERAL PROGRAMS

Appropriations, 1995	.....
Budget estimate, 1996	.....
House allowance	.....
Committee recommendation	$280,038,000

The Committee recommends an appropriation of $280,038,000 for a new account for the Office of Special Trustee for American Indians, an increase of $280,038,000 above the budget request and the House allowance. The following table provides a comparison of the budget estimate with the Committee recommendations:

	Budget estimate	Committee recommendation	Change
FEDERAL PROGRAMS			
Financial trust services:			
Program operations	.....	$14,451,000	+$14,451,000
Program policy and direction	.....	1,440,000	+1,440,000
Subtotal, financial trust services	.....	15,891,000	+15,891,000
Trust asset management and protection:			
Program operations	.....	68,854,000	+68,854,000
Program policy and direction	.....	4,930,000	+4,930,000
Subtotal, trust asset management and protection	.....	73,784,000	+73,784,000
Resource management and protection:			
Program operations	.....	137,774,000	+137,774,000
Program policy and direction	.....	4,697,000	+4,697,000
Subtotal, resources management and protection	.....	142,471,000	+142,471,000
Executive direction	.....	1,492,000	+1,492,000
Administrative support:			
Tribal	.....	40,000,000	+40,000,000
Federal	.....	6,400,000	+6,400,000
Subtotal, administrative support	.....	46,400,000	46,400,000
Total, Federal programs	.....	280,038,000	+280,038,000

The Committee recommendation includes the transfer of all funds and FTE's for natural resources and trust programs from the Bureau of Indian Affairs to the Office of the Special Trustee. The Committee recommendation also transfers all functions which were proposed within the Office of the Secretary for the Office of the Special Trustee.

Following more than a decade of critical reports issued by the General Accounting Office and the Office of Inspector General, and numerous oversight hearings by the authorizing committees, last year Congress passed the American Indian Trust Fund Management Reform Act of 1994. Among the proactive actions required of the Secretary for the proper discharge of the Federal trust responsibility are: adequate accounting systems and controls over receipts and disbursements of trust funds; development of consistent policies and procedures; provision of adequate staffing, supervision, and training; and appropriate management of natural resources located within the boundaries of Indian reservations and trust lands.

The legislation established the Office of the Special Trustee for American Indians. The responsibilities of the office include: development of a comprehensive strategic plan; oversight of all trust reform efforts; ensuring the development of systems, policies, and procedures for trust fund investment and accounting, and for ownership and lease data for Indian lands; certification of the adequacy of annual budget requests for trust programs; and approval of reprogramming of any funds appropriated for trust or natural resources programs.

The Committee believes that the special trustee will be effective in effecting reforms in the Bureau of Indian Affairs only to the extent that the trustee has authority over the human and financial resources supporting trust and natural resource programs. Lacking such authority, the trustee cannot be held accountable and the likely result will be simply one more office pointing out the shortcomings of the BIA.

Furthermore, under the current financial constraints facing the Committee and the various downsizing activities taking place in the Department, it is essential that the Committee have a clear understanding of the organizational structure supporting trust programs and an assurance that the significant general reductions proposed to be taken against the Bureau of Indian Affairs do not impair the Secretary's ability to manage trust assets. It is the Committee's belief that this division would improve the delivery of services for both trust and nontrust programs as the organizations would have a much more narrow and coherent focus than is now possible with all responsibilities resident in the BIA.

Consistent with the intent of the legislation, at such time as all of the reforms are implemented, the special trustee may recommend transferring responsibilities back to BIA, or the continuation of this office as a permanent establishment necessary for the efficient discharge of the Secretary's trust responsibilities.

The Committee has recommended funding in a simplified budget structure to allow the special trustee some flexibility in establishing the office and the budget structure. Prior to submission of the fiscal year 1997 budget request, the Committee expects the special trustee to work with the Committee to establish an appropriate budget structure for the office.

Financial trust services.—The Committee recommends an appropriation of $14,451,000 for program operations and $1,440,000 for program policy and direction. None of the funds provided are for reconciliation efforts related to individual Indian money accounts. The Committee's recommendation assumes a reduction of

$2,000,000 associated with the use of prior-year unobligated balances.

The Committee is very concerned about reconciliation efforts currently undertaken by the Bureau of Indian Affairs and its contractors and the ability of the BIA to produce meaningful statements on the balances of tribal accounts as of September 30, 1995, as required by the American Indian Trust Fund Management Reform Act of 1994. The Committee has not included language that would extend the deadlines set forth in the act. However, the Committee expects the special trustee to work closely with the contractors, the tribes, the General Accounting Office, the Department of Justice, the Committee, and the authorizing committees to ensure that the significant resources devoted to this effort in the past are not jeopardized by an effort to meet an arbitrary deadline for producing the statements. The Committee expects the special trustee to work closely with all the parties to ensure efforts to produce statements for the tribes result in the best possible product.

The Committee expects the special trustee to provide the Committee by December 1, 1996 a detailed operating plan for financial trust services for fiscal year 1996. The plan should detail what specific activities relating to the reconciliation effort will be undertaken, both directly by the Office of Special Trustee and by its contractors. The plan should detail what products will be provided to the tribes and the Congress and when such products will be submitted. The plan should include staffing for financial trust services, including the number of vacant positions and when the positions are expected to be filled. The Committee is deeply troubled by the high turnover rate within the office and its effect on the ability of the organization to operate properly.

The special trustee shall consult with tribes during culmination of the tribal reconciliation process, using the Inter-Tribal Monitoring Association [ITMA] and other groups as deemed appropriate to maintain an effective liaison with the tribes. The appointment of the advisory group authorized in the American Indian Trust Funds Management Reform Act of 1994, is expected to replace ITMA as a mechanism for receiving advice on all matters pertaining to trust funds.

Within the funds available, support should be provided to the Inter-Tribal Monitoring Association [ITMA]. The Committee expects ITMA to provide the special trustee with any information that is provided to the Committee or any of the authorizing committees. If the Office of the Special Trustee plans to continue funding ITMA in fiscal year 1997, the Committee expects the special trustee to identify the funds to be available for ITMA in the fiscal year 1997 budget request.

Trust asset management and protection.—The Committee recommends $73,854,000 for trust asset management and protection, including $13,472,000 for water rights negotiation and litigation, $1,996,000 for litigation support, and $2,328,000 for attorney fees. Consistent with other programs, trust asset management and protection activities which have been transferred from the Bureau of Indian Affairs include a reduction of $1,437,000 for pay cost absorption.

Of the funds provided for litigation support and attorney fees, the Service should provide assistance to native allotment applicants affected by *Aguilar* v. *United States.*

Resource management and protection.—The Committee recommends $142,471,000 for resource management and protection, which includes the transfer of all resource management activities previously funded through the "Operation of Indians programs" account in the Bureau of Indian Affairs. A reduction of $3,463,000 has been assumed in the recommended level for pay costs absorption.

Within the funds provided, an increase of $100,000 is assumed for the timber-fish-wildlife program, $73,000 for the Lake Roosevelt management program, to be provided directly to the Lake Roosevelt Water Quality Management Council, $250,000 for the Native American Fish and Wildlife Society, and $150,000 for the last year of funding for the Intertribal Agriculture Council. The Committee expects future funding for the council to be provided by participating tribes. The Jobs in the Woods Program is continued at $3,000,000. Funding for water management and planning should be continued for the Muckleshoot Tribe at a level of $350,000. Within the $3,000,000 provided for the jobs in the woods initiative, $400,000 should continue to be used by the Northwest Indian Fisheries Commission for the wildstock restoration initiative.

The Committee is deeply concerned with the proposal by the Makah Indian Tribe to initiate the whaling of gray whales in the Pacific Ocean and strongly encourages the Makah Tribe not to proceed with any whaling activities until they receive authorization from the International Whaling Commission.

The funds provided to continue assessment of salmon population declines in the Arctic-Yukon-Kuskokwim region should be provided to the Bering Sea Fishermen's Association [BSFA], a regional native entity, to direct and implement this program. BSFA should work closely with individual tribes and other native associations to reverse recent salmon declines. BSFA should give particular consideration to those villages in the Arctic, Kuskokwim, and Yukon areas which were not able to participate in the program last year.

Executive direction.—The Committee recommends a total of $1,492,000, including $447,000 for the Office of Special Trustee, $795,000 for the Office of American Indian Trust, and $250,000 for emergency management improvements.

Administrative support.—The Committee recommends $46,400,000 for administrative support, including $40,000,000 transferred from the "Operation of Indian programs" account for contract support. The Committee recommends $6,400,000 and 79 FTE's for initial administrative support for the programs transferred from the Bureau of Indian Affairs to the Office of Special Trustee. The recommendation provides a full complement of staff for external affairs, budget, and personnel. The allowance for acquisition management assumes that for fiscal year 1996, virtually all of the Indian self-determination contracts will already have been negotiated and awarded by the BIA. Future adjustments in this area will be considered.

In the areas of property management, information resources management, and administrative accounting, the Committee in-

tends for those services to be provided by the BIA to the special trustee during fiscal year 1996. Minimal staffing resources are provided to work with the BIA to provide a transition from the BIA to the new office. Additional transfers of staff and resources should be included in the fiscal year 1997 budget.

The Committee has not included any funds for overhead costs, such as GSA rent, postage, FTS–2000, PAY/PERS, or workers' compensation. These costs should be paid from the "Operation of Indian programs" account during fiscal year 1996. The fiscal year 1997 budget should include appropriate overhead amounts in the Office of the Special Trustee.

CONSTRUCTION

Appropriations, 1995	.....
Budget estimate, 1996	.....
House allowance	.....
Committee recommendation	$47,245,000

The Committee recommends an appropriation of $47,245,000 for resources management construction activities transferred from the construction program within the BIA, including $27,000,000 for irrigation project construction, $1,751,000 for engineering and supervision, $499,000 for survey and design, and $17,995,000 for safety of dams. Within the funds provided for irrigation project construction, $25,500,000 is provided for the Navajo Indian irrigation project and $1,500,000 is provided for the southern Arizona project.

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

Appropriations, 1995	.....
Budget estimate, 1996	.....
House allowance	.....
Committee recommendation	$82,745,000

The Committee recommends an appropriation of $82,745,000 for Indian land and water claim settlements and miscellaneous payments to Indians, transferred from the Bureau of Indian Affairs. Within the recommended funding level, $78,600,000 is for the following settlements: $8,000,000 for the Catawba Indian settlement; $8,000,000 for the Fallon water rights settlement; $2,000,000 for the Jicarilla Settlement Act; $25,600,000 for the Northern Cheyenne settlement; $10,000,000 for the Pyramid Lake water rights settlement; and $25,000,000 for the Ute Indian rights settlement. For miscellaneous payments, $1,045,000 is provided. For trust fund deficiencies, $3,100,000 is provided.

TRANSFER OF BALANCES OF APPROPRIATIONS

Bill language has been included which transfers the obligated and unobligated balances of the following appropriations from the Bureau of Indian Affairs to the Office of Special Trustee for American Indians: Navajo rehabilitation trust fund; claims and treaty obligations; O&M Indian irrigation systems; power systems, Indian irrigation projects; White Earth settlement fund; cooperative fund (Papago); tribal trust funds; funds contributed for the advancement of the Indian race; bequest of George C. Edgeter; Northern Chey-

enne, payment to tribal economic recovery fund; Crow Boundary Settlement Act; and tribal economic recovery fund.

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. Strikes House language regarding the transfer of funds to the Presidio Trust, if authorized. The Committee urges the authorizing committees to provide for an orderly transfer of functions and funding between the National Park Service and the Presidio Trust in any legislation regarding the future of the Presidio.

SEC. 109. Strikes language included in the House bill repealing the Outer Banks Protection Act. Further discussion of this issue is contained under the minerals management section of this report.

SEC. 110. Prohibits the use of funds for developing, promulgating, and implementing a rule concerning rights-of-way under section 2477 of the revised statutes.

SECS. 111–114. Restricts use of funds provided in the act for offshore leasing and certain preleasing and leasing activities as proposed by the administration in the budget.

SEC. 115. Prohibits more than 50 percent of any self-governance funds for tribes in the State of Washington from being allocated if access is restricted.

This section is recommended in order to discourage Indian tribes in the State of Washington from taking actions that would affect adversely the ability of nonmember and non-Indian owners of fee simple lands on those reservations to use existing or potential water, electricity, or other utilities necessary for residential use.

The Committee understands that education program funding is currently not included in tribal self-governance compacts. Therefore, education funding will not be affected by this provision. Only tribal self-governance funds will be reduced by 50 percent for any tribe that takes or threatens to take these actions, from and after the date of those actions. For several years, nonmember and non-Indian owners of fee simple lands on the Lummi Reservation in the State of Washington have been in conflict with the tribal government over the use of and access to water resources. In June 1995, the water level of one of the wells located on nonmember fee simple lands dropped to a dangerous level by reason of unilateral actions of the tribe.

The Committee encourages cooperative negotiation processes that protect an adequate water supply for nonmembers and non-Indians on reservations. Until a fair and equitable resolution for all parties residing on the reservation is achieved, however, the Lummi Indian Tribe and other Washington State tribes similarly situated are strongly encouraged not to affect adversely the present users of utilities and other necessities for the homes of the non-Indian and nonmember owners of fee simple lands on the reservation or their access to those utilities or necessities.

SEC. 116. Directs the Department of the Interior to issue a specific schedule for completion of a land exchange at Lake Cushman.

SEC. 117. Provides authority for the National Park Service to expend appropriated funds for the maintenance and repair of the Company Creek Road at Lake Chelan National Recreation Area. The National Park Service has identified the 2.4-mile Company Creek Road as a flood prone area and a high-priority project.

SEC. 118. Provides direction and authority for certain activities associated with development of the insular areas. This legislation was passed by the Senate on July 20, 1995.

TITLE II—RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

FOREST RESEARCH

Appropriations, 1995	$193,748,000
Budget estimate, 1996	203,796,000
House allowance	182,000,000
Committee recommendation	177,000,000

The Committee recommends an appropriation of $177,000,000, a decrease of $26,796,000 below the budget estimate and $5,000,000 below the House allowance.

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

	Budget estimate	Committee recommendation	Change
Forest resources and management research	$78,000,000		−$78,000,000
Research Foundation Program	115,796,000		−115,796,000
Ecosystems research	10,000,000		−10,000,000
Forest and rangeland research		$177,000,000	+177,000,000
Total, forest research	203,796,000	177,000,000	−26,796,000

The Committee has agreed to consolidate the remaining three budget line items providing the Forest Service with more capability and flexibility to accomplish better its forest research mission. Administrative efficiencies and cost savings are expected to be gained through the budget structure consolidation. It is the Committee's intention that this change will simplify the management of funds. However, the Forest Service must continue to present its research budget justification and other budget materials to the same detail level as in the past, including the State sheets. The budget restructuring is not intended to take funding away from core research activities.

Due to the extreme budget constraints that the Committee faces, the forest research budget is reduced by 9 percent from the fiscal year 1995 level. The Committee believes no forest and range experiment station, research program, or research project should be protected from decreases. If fiscal year 1995 funding levels for specific items are mandated, it would result in disproportionate decreases to other stations, programs, or projects. Although the Committee has eliminated the "International forestry" appropriation account, funding is included to continue the International Institute of Tropical Forestry and the Institute of Pacific Islands Forestry. As with

other programs, it may be necessary to reduce program funding for these institutes due to budget constraints.

The Committee is concerned that the recent Forest Service research efforts have failed to address the needs of the land managers. Considering the limited resources, the Forest Service should involve the land managers in identifying Forest Service research priorities and move toward implementation of adaptive management.

The Committee is concerned about the pace of the inventory of old-growth forest stands and urges the Forest Service to promptly complete this inventory.

The Committee recognizes that an opportunity exists to highlight songbird habitat on the Shawnee National Forest. The Forest Service should consider actions to protect songbirds within the context of the approved forest plan. If further modifications to allowed uses on the Shawnee National Forest are desired in order to enhance songbirds on the forest, they should be pursued in the framework of forest plan revision and/or amendment.

STATE AND PRIVATE FORESTRY

Appropriations, 1995	$154,268,000
Budget estimate, 1996	187,459,000
House allowance	129,551,000
Committee recommendation	128,294,000

The Committee recommends an appropriation of $128,294,000, a decrease of $59,165,000 below the budget estimate, $1,257,000 below the House allowance, and $25,974,000 below the fiscal year 1995 level.

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

	Budget estimate	Committee recommendation	Change
Forest health management:			
Federal lands forest health management	$29,631,000	$25,124,000	−$4,507,000
Cooperative lands forest health management	8,777,000	7,806,000	−971,000
Cooperative lands fire management	17,621,000	15,100,000	−2,521,000
Subtotal, forest health management	56,029,000	48,030,000	−7,999,000
Cooperative forestry:			
Forest stewardship	37,000,000	23,328,000	−13,672,000
Stewardship Incentive Program	28,000,000	.....	−28,000,000
Forest Legacy Program	10,000,000	5,000,000	−5,000,000
Natural resource conservation education	1,500,000	.....	−1,500,000
Urban and community forestry	28,930,000	18,483,000	−10,447,000
Economic action programs	13,000,000	17,453,000	+4,453,000
Pacific Northwest assistance programs	13,000,000	16,000,000	+3,000,000
Subtotal, cooperative forestry	131,430,000	80,264,000	−51,166,000
Total, State and private forestry	187,459,000	128,294,000	−59,165,000

Forest health management.—The Committee recommends $48,030,000 for forest health management, which is $7,999,000

below the request, and $594,000 below the fiscal year 1995 funding level.

Cooperative forestry.—The Committee recommends $80,264,000 for cooperative forestry, which is $25,380,000 below the fiscal year 1995 enacted level and $3,264,000 above the House allowance. Included at this level is a decrease of $13,672,000 for the forest stewardship program, which is a 10-percent reduction from the fiscal year 1995 funding level. Due to the severe funding constraints, no funds have been provided for the stewardship incentives program. Within the total provided, the Forest Service is to continue technical assistance at a reduced level for the Chesapeake Bay watershed restoration initiative ($135,000). Funding of $5,000,000 is included for the forest legacy program. As in prior years, no funding is provided for the administration's request for the new natural resource conservation education program.

The Committee has not provided funding for the stewardship incentives program, keeping dollars focused on the technical assistance provided in the base stewardship programs. While the objectives of the incentives program, which involves direct financial assistance for multiresource management, are commendable, budgetary constraints preclude continued funding for this program. The Committee notes that at a time when timber supply on public lands is constrained, and continued high demand for wood products benefits private landowners, those who gain the benefit from harvesting timber on private land should use the associated profits to engage in multiresource management.

The Committee urges the Forest Service to continue funding for agroforestry research at the National Agroforestry Center at Lincoln, NE.

The Committee recommends $18,483,000 for the urban and community forestry program. No earmarks are included as in past years. It is expected that all urban areas and communities would compete through the Forest Service's established grants process.

Funding of $17,453,000 is included for the economic action programs. This funding level includes $3,000,000 for the continuation of economic grants to counties as authorized in the Columbia River Gorge National Scenic Act. The economic development grants have been a key incentive to the counties in adopting land use ordinances in support of the National Scenic Act. Funding is included for the forests products conservation and recovery program, the timber bridge initiative, the economic recovery program, the economic diversification studies program, and the rural development program. The Committee is aware of the importance of the rural development through forestry program to the Northeast-Midwest region.

For Pacific Northwest assistance programs, the bill includes $13,000,000 for rural community assistance and $3,000,000 for old growth diversification.

INTERNATIONAL FORESTRY

Appropriations, 1995	$4,987,000
Budget estimate, 1996	10,000,000
House allowance	.....
Committee recommendation	.....

Due to the budget constraints faced by this Committee, no funds have been provided for the "International forestry" account. The budget request of $10,000,000 included sustainable forest management; technical cooperation, training, and research in focus countries with major forest ecosystems; the flexible cooperation program; the sister forest program; the International Institute for Tropical Forestry; and the Institute for Pacific Islands Forestry.

The Committee is agreeable to the use of up to $4,000,000 within other Forest Service appropriations to continue the agency's role in international forestry activities. It is the Committee's expectation that foreign travel expenditures decrease substantially. Agreeing with the House, the Committee does not support the continuation of the deputy chief position for international forestry.

NATIONAL FOREST SYSTEM

Appropriations, 1995	$1,328,893,000
Budget estimate, 1996	1,348,755,000
House allowance	1,266,688,000
Committee recommendation	1,256,043,000

The Committee recommends an appropriation of $1,256,043,000, a decrease of $92,712,000 from the budget and $10,645,000 below the House allowance.

The distribution of the Committee's recommendations are as follows:

	Budget estimate	Committee recommendation	Change
Ecosystem planning, inventory, and monitoring	$148,675,000	$130,000,000	−$18,675,000
Recreation use:			
Recreation management	175,317,000	158,500,000	−16,817,000
Wilderness management	35,115,000	31,500,000	−3,615,000
Heritage resources	18,527,000	13,130,000	−5,397,000
Subtotal, recreation use	228,959,000	203,130,000	−25,829,000
Wildlife and fish management:.			
Wildlife habitat management	28,448,000	26,500,000	−1,948,000
Inland fish habitat management	18,625,000	13,500,000	−5,125,000
Anadromous fish habitat management	21,693,000	21,000,000	−693,000
Threatened, endangered, and sensitive species habitat management	30,992,000	20,000,000	−10,992,000
Subtotal, wildlife and fish management	99,758,000	81,000,000	−18,758,000
Rangeland management:			
Grazing management	24,064,000	16,000,000	−8,064,000
Rangeland vegetation management	19,386,000	11,000,000	−8,386,000
Subtotal, rangeland management	43,450,000	27,000,000	−16,450,000
Forest land management:			
Timber sales management	157,614,000	188,582,000	+30,968,000
Forest land vegetation management	56,740,000	51,740,000	−5,000,000
Subtotal, forestland management	214,354,000	240,322,000	+25,968,000

	Budget estimate	Committee recommendation	Change
Soil, water, and air management:			
Soil, water, and air operations	24,339,000	22,000,000	−2,339,000
Watershed improvements	23,957,000	20,000,000	−3,957,000
Subtotal, soil, water, and air management	48,296,000	42,000,000	−6,296,000
Minerals and geology management	37,392,000	35,000,000	−2,392,000
Land ownership management:			
Real estate management	45,276,000	43,000,000	−2,276,000
Landline location	20,370,000	14,000,000	−6,370,000
Subtotal, land ownership management	65,646,000	57,000,000	−8,646,000
Infrastructure management:			
Road maintenance	84,289,000	82,000,000	−2,289,000
Facility maintenance	25,202,000	24,000,000	−1,202,000
Subtotal, infrastructure management	109,491,000	106,000,000	−3,491,000
Law enforcement operations	59,591,000	59,591,000	.....
General administration	293,143,000	275,000,000	−18,143,000
Total, National Forest System	1,348,755,000	1,256,043,000	−92,712,000

Ecosystem planning, inventory, and monitoring.—The Committee recommends $130,000,000 for ecosystem planning, inventory, and monitoring, which is a decrease of $18,675,000 below the request. Within the total, $380,000 is provided to continue the ongoing ecosystem demonstration efforts on the Ouachita National Forest, AR.

The Committee agrees with the House language expressing concern about the expansion of ecoregion assessments. The Forest Service is to provide a report summarizing the purpose; the scope; the benefits; and the costs for past years, the current year, and future years. The report is to include each ongoing or planned assessment and is due to the Committee by January 1, 1996.

Recreation use.—The Committee recommends $203,130,000 for recreation use, which is a decrease of $25,829,000 below the request and $17,223,000 below the fiscal year 1995 funding level.

It is the Committee's understanding that the Forest Service has withdrawn its proposal to create a single administrative unit for the Frank Church River of No Return Wilderness. Appropriations requested by the Forest Service for planning and startup costs of the proposed new administrative unit should be made available instead to field units for needed operation and maintenance activities.

Within the available funds, the Committee urges the Forest Service to complete the Spring Mountain National Recreation Area management plan.

The Committee agrees with the House in establishing a recreational fee demonstration program but has made some modest modifications. Bill language is included in title III, general provisions, for a 3-year program that allows fees to be charged at 10 to 50 sites. Like the House, a portion of the collected fees would be

returned to the agencies to improve the quality of visitor experience at public recreational areas, to enhance the protection of natural resources, and to offset fee collection costs.

Wildlife and fish management.—The Committee recommends $81,000,000 for wildlife and fish management, which is a decrease of $18,758,000 below the request and $12,256,000 below the fiscal year 1995 funding level. In distributing the reduced level of funding for the wildlife and fish program, the Committee expects the Forest Service to apply the reductions not just to direct Forest Service programs but to include a pro rata share of the reduction to cooperative partner programs.

Forestland management.—The Committee recommends $240,322,000 for forestland management, which is $25,968,000 above the request and $27,468,000 below the fiscal year 1995 funding level. Within forestland management, the Committee provides $188,582,000 for timber sales management. This level of funding will produce an estimated total green sales volume of 2.6 BBF in fiscal year 1996. This represents the maximum capacity of green volume that the Forest Service can produce in fiscal year 1996. The Committee has provided an increase of $5,000,000 in road construction funding to support the 2.6 BBF program. The Forest Service estimated salvage sale volume is 1.5 BBF.

The Committee continues to be concerned that the agency has not been able to meet the annual timber targets in the Pacific Northwest forest plan. The Forest Service should seek to maintain the ongoing level of effort for the Pacific Northwest forest plan activities.

The Committee expects the Forest Service to use the most cost-effective method of estimating timber volume. The agency has the discretion to offer salvage sales on a scaled basis, which is the most accurate method to determine net merchantable volume in rapidly deteriorating timber and which is often more cost efficient than tree measurement with large volume sales. In addition to considering what may be the most cost-effective method to measure timber sales volume, the Forest Service should also take into consideration the skills and expertise available to conduct tree measurement, and whether the expected outcome is likely to be as accurate as scaling.

In providing the increased timber sales preparation funds, the Committee has not allocated these resources by region. The Committee expects the Forest Service to allocate funding in a manner which will optimize forest plan outputs. Funding should be allocated to those forests which have the highest likelihood of attaining current forest plan goals, objectives, and targets. Forests which meet the forest plan goals and objectives shall be allowed to carry over into fiscal year 1997 any savings they have been able to realize in fiscal year 1996. The Committee directs the Forest Service to report all accomplishments on a region-by-region basis. Outputs are to be reported by the same convention utilized to set forest plan goals. Timber accomplishments are to be reported on a net sawtimber sold and awarded basis. In addition to these appropriated funds, additional resources for timber sales preparation, and other purposes, will become available as a result of a pipeline initiative. This effort is described further in the title III (sec. 327) portion of this report.

The fiscal year 1995 rescission bill provided additional funds to salvage dead and diseased timber. The Committee continued funding for timber salvage and the forest health program. The Service has entered into a cooperative agreement with the State of Alaska to control bark beetle infestation which threatens the viability of the Chugach National Forest. The Committee urges the Service to work closely with this cooperative partnership to implement cost-effective solutions to bark beetle infestation in Alaska.

The President's Office of Forestry and Economic Development [OEED] in Portland, OR, has performed important and useful work in coordinating the activities of the various Federal agencies involved in developing and implementing the President's Pacific Northwest forest plan. While not everyone agrees, the Committee has several concerns with the outputs that have resulted from the plan, clearly the OFED has performed a vital role in ensuring interagency coordination. This role was important during plan development and the early stages of implementation. However, now the plan is final, through judicial review, and operational. Therefore, the Committee believes the OFED should sunset, as originally planned, no later than December 31, 1995.

The Committee has been advised that the Delta National Forest, the largest single tract of southern bottomland hardwoods in the State of Mississippi, is experiencing a disastrous level of timber mortality due to unseasonal flooding caused by unmanageable beaver populations. In order to reverse the extensive losses being sustained at this federally managed property, and also, to avoid further damages which are extending to adjoining private property, the Committee directs the agency to take action to reduce beaver damages in the Delta National Forest.

Soil, water, and air management.—The Committee recommends $42,000,000 for soil, water, and air management, which is a decrease of $6,296,000 below the request. The Forest Service is encouraged to continue the Walker Lake, NV, project.

Prior to the adoption of the President's forest plan for the Pacific Northwest (option 9, record of decision signed April 13, 1994), several small hydroelectric projects had received preliminary permits for study issued by FERC, or had license applications filed with FERC, and met the terms of the requirements of the specific forest plan(s) for the forest in which the project would be located. The developers of these hydroelectric projects have already made a significant financial investment based upon compliance with the forest plan in place prior to option 9. The Committee is concerned by the Forest Service changing the terms and conditions for agency approval of these small hydroelectric projects in the region of option 9, and urges the Forest Service to resolve the inconsistencies and work with the appropriate individuals to conduct an expeditious review of the projects.

Land ownership management.—The Committee recommends $57,000,000 for land ownership management, which is a decrease of $8,646,000 below the request and $4,612,000 below the fiscal year 1995 funding level. The Committee encourages the use of land exchanges as a way in which to protect important recreational or environmentally significant lands, in lieu of the Federal Government acquiring lands. The Committee believes that land exchanges

represent a more cost-effective way in which to do business and encourages the Forest Service to give high priority to the Plum Creek land exchange along the Interstate 90 corridor in the State of Washington. The I–90 corridor is among the most sensitive areas in the region for recovery of the northern spotted owl. These lands are biologically significant and have great recreational potential. The pattern of checkerboard ownership has created many challenges in managing these lands and, therefore, would help reduce public-private conflicts and rationalize policies for this area. The Committee directs the Forest Service to expedite this exchange.

Infrastructure management.—The Committee recommends $106,000,000 for infrastructure management, which is a decrease of $3,491,000 below the budget estimate.

The Committee has continued bill language to allow the use of up to $5,000,000 for the obliteration of forest roads. The Forest Service should be careful not to obliterate roads which may be necessary to access the forest to fight fires or to address pest infestation and/or treatment requirements.

Law enforcement.—The Committee recommends $59,591,000 for law enforcement, the same as the budget estimate. The Committee is troubled about the growing law enforcement workload on the national forests and the ability of the on-the-ground managers to obtain law enforcement support where the greatest needs are. While the Committee has concerns about the stove-piped law enforcement structure within the Forest Service, the agency is expected to continue this structure through fiscal year 1996 and report to the Committee on the relative effectiveness of the law enforcement structure. The Forest Service is directed to contract with an outside consultant to look at the current arrangement and to explore other alternatives for meeting law enforcement needs such as an increased cooperative law enforcement program or block grants. The study should be completed by June 1, 1996, and should address: (1) the effectiveness of the current organization structure; (2) the effectiveness of the current cooperative law enforcement program; (3) the establishment of block grants to local law enforcement agencies, its merits, and whether or not cost savings would be realized; and (4) other alternatives which would ensure full law enforcement coverage while reducing costs and FTE's. Funding for this study should be paid out of law enforcement funds.

Given the declining budget, the Committee encourages the Forest Service to use cooperative law enforcement agreements more extensively during fiscal year 1996. The ties between Federal and local law enforcement agencies should be strengthen. As FTE numbers are reduced, an increased cooperative law enforcement program should be considered to address the Forest Service law enforcement needs.

Other.—The Committee has included bill language prohibiting the Forest Service from proceeding with reinvention and reorganization activities before review and approval of the committees of legislative jurisdiction and the Appropriations Committees. The Committee remains concerned about the agency's ongoing reexamination of its mission. The Committee notes the large amount of agency personnel time and expenditure of resources devoted to reorganizational planning and the shift in focus of the agency away

from a multiple-use orientation. The Committee is concerned that restructuring efforts may have the effect of dismantling the agency's ability to respond to the needs of actively managed forests and public lands to sustain healthy habitat using multiple-use and sustained-yield principles as required by law.

At the direction of the Secretary, the Forest Service is presently preparing an analysis of conflicting environmental laws and regulations to assess where they can be modified either administratively or legislatively to streamline or modify agency management processes. On its own, the Forest Service is currently revising its land management planning regulations to achieve streamlining objectives. Simplification and streamlining of management processes should precede, not follow, agency reorganization proposals. Only after management processes are streamlined is it clear if and where organizational structure should be changed and responsibility delegated. Therefore, the Committee is not inclined to approve any reorganization requests until the report ordered by the Secretary is submitted for review. Similarly, the revisions to the land management planning regulations should be preceded, not followed, by the report ordered by the Secretary since the regulations are bound by all existing statutory requirements.

The Committee is aware of the Forest Service's proposal to relocate the region 5 regional office from San Francisco to Mare Island/Vallejo where excess military property is available. With declining budgets, it is impossible to provide supplemental funding for this move. Furthermore, if the Forest Service wishes to proceed with moving the regional office to a new location, the agency is directed to take the moving costs from the normal region 5 allocations. The allocations of other regions are not to be reduced in order to finance the move.

When considering such a major move, the Forest Service should consider its mission, what is good for the agency, and how the move fits into the declining budget situation. The new location should place the regional office closer to other Forest Service offices and the interested publics. The agency should take into consideration the impacts on the organization and on its employees. For example, relocation alternatives should reflect attention to the agency's employee relocation costs, the ability to attract and retain a competent, seasoned, and skilled work force, increased housing and transportation costs for employees, and the proximity to State and Federal partners.

The Committee is concerned about the many programs in the President's forest plan designed to provide assistance to timber dependent communities in the Pacific Northwest. The Committee is disturbed by the inability of the agencies involved to provide a detailed accounting of funds appropriated in previous fiscal years for the unemployed timber worker programs in the President's forest plan.

The Committee directs the Secretary of the Interior and the Secretary of Agriculture to prepare a detailed accounting and report of the funds appropriated in fiscal year 1995 for the President's forest plan. The report shall include a careful accounting of each appropriated dollar, including: funds appropriated for timber production; administrative expenses, including the number of Federal em-

ployees employed to administer the various aspects of the President's plan; funds appropriated for the various jobs programs allowed for under the President's plan, including but not limited to the Jobs in the Woods Program, the number of individuals employed by these programs, and the average length of each job. The Committee directs the Secretaries to submit the report to the Committee no later than March 31, 1996.

The Committee concurs with the House language regarding the Jobs in the Woods Program and the goal of hiring dislocated timber and forest workers from forest dependent communities and to provide job training in support of those workers.

The Committee agrees with the House on the Americorps provision and is including language which stipulates that none of the funds appropriated in this bill may be used for Americorps implementation. The Committee notes that the Forest Service disregarded guidance provided in fiscal year 1995 about Americorps.

Language is included under title III, general provisions (sec. 308) protecting giant sequoias found on Forest Service, Bureau of Land Management, and National Park Service lands. The Committee is concerned about fuel loading in adjacent areas which may pose a threat to the giant sequoias. Natural resource experts in the agencies have indicated the value and/or appropriateness of some controlled burns in order to protect the giant sequoias. The agencies should also consider the appropriateness of removing dense understory species which have the potential to carry fire into the crowns of sequoia trees.

As dollars and personnel ceilings become more constrained, the Forest Service should engage in greater amounts of contracting for those activities where it is not essential for a Federal employee to conduct the work. The Committee expects the Forest Service to develop a plan, in conjunction with the fiscal year 1997 budget submission, and identify where such contracting would be possible, and if not possible, why not. The plan should include one demonstration forest per region. Activities to be contracted might include projects such as environmental assessments, resource field work, and forest plan monitoring. Opportunities to engage in such contracting may be prevalent in areas that have been affected adversely by the decreased Federal timber sales program in recent years. If additional legislative authority is necessary to conduct such a program, suggested language should be included in the plan.

FOREST SERVICE FIRE PROTECTION

Appropriations, 1995	$159,285,000
Budget estimate, 1996	164,285,000
House allowance	.....
Committee recommendation	.....

The Committee has eliminated this account and included funding for this activity under wildland fire management.

EMERGENCY FOREST SERVICE FIREFIGHTING FUND

Appropriations, 1995	$226,200,000
Budget estimate, 1996	239,000,000
House allowance	.....
Committee recommendation	.....

The Committee has eliminated this account and included funding for this activity under wildland fire management.

WILDLAND FIRE MANAGEMENT

Appropriations, 1995	.....
Budget estimate, 1996	.....
House allowance	$385,485,000
Committee recommendation	385,485,000

The Committee recommends $385,485,000 for a new ''Fire protection and emergency suppression'' account, which includes presuppression and suppression activities. This account replaces the ''Forest Service fire protection and emergency forest service firefighting fund'' accounts.

Within the account, $295,315,000 is provided for preparedness and fire use and $90,170,000 is provided for suppression operations. The presuppression activity includes management, planning, prevention, prescribed fire and hazard fuel reduction, preseason readiness, and preparedness. The suppression activity includes fire suppression, increased presuppression activities due to emergencies (seasonal severity), and emergency rehabilitation.

The Committee has provided resources to fund the preparedness and fire use subactivity at a level comparable to the 88 percent most efficient level, which is a methodology designed to minimize total wildland fire costs over time.

The Committee concurs with the House regarding the management of the fire program, and efforts to manage the forests in a manner that contribute to a healthier forest and lower the probability of massive wildfires. The Committee notes that approximately $300,000,000 is owed to Forest Service accounts from which funds were transferred to fight fires in prior years. With the present approach to emergencies, requiring offsetting reductions in order to avoid increasing the deficit, it will become increasingly difficult for the Committee to appropriate additional resources to repay accounts when severe fire years occur. Thus, the Forest Service is encouraged to review its fire management program in a manner that provides for public and firefighter safety and a suppression program commensurate with the resources and other values at risk.

CONSTRUCTION

Appropriations, 1995	$199,215,000
Budget estimate, 1996	192,338,000
House allowance	120,000,000
Committee recommendation	186,888,000

The Committee recommends an appropriation of $186,888,000, a decrease of $5,450,000 from the budget and a decrease of $12,327,000 below the fiscal year 1995 funding level. The budget

estimate and the Committee recommendation are compared in the following table:

	Budget estimate	Committee recommendation	Change
Facilities	$62,888,000	$59,888,000	−$3,000,000
Roads and trails:			
Direct road construction	103,081,000	102,000,000	−1,081,000
Trail construction	26,369,000	25,000,000	−1,369,000
Subtotal, roads and trails	129,450,000	127,000,000	−2,450,000
Timber receipts transfer to general fund	(−44,548,000)	(−44,548,000)	.....
Timber purchaser credits	(50,000,000)	(50,000,000)	.....
Total, construction	192,338,000	186,888,000	−5,450,000

Facilities.—The Committee has included $3,000,000 for research construction.

The Committee has included $11,250,000 for fire, administration, and other [FA&O] facilities. Within the funds provided, funding of $351,000 is included for the Salt Lake District Office/Interagency Fire Office, Wasatch-Cache National Forest, UT.

The Committee has included $45,638,000 for recreation facilities. The Committee is providing $2,700,000 for completion of the Lewis and Clark Interpretive Center; $1,400,000 to complete the replacement visitor center at Seneca Rocks; $2,500,000 to complete the Columbia River Gorge Discovery Center; $190,000 to complete the Multnomah Falls sewer system; $60,000 for the Bead Lake boating access with $176,000 in road construction; $750,000 for the Timberline Lodge water storage tank; $400,000 for phase II of the Gum Springs Recreation Area rehabilitation project; $500,000 for Johnston Ridge Observatory with $550,000 under road construction; and $682,000 for improvements at the Winding Stair Mountain National Recreation and Wilderness Area.

The Committee is concerned about the Forest Service's ambitious plans for restoring Grey Towers. It is estimated that $17,000,000 would be needed during the next 5 years to restore and rehabilitate the facility and grounds. With declining budgets, it is unlikely that full funding for such an undertaking will be available. The Forest Service should explore other avenues to assist with restoration of the unit, such as cost sharing with non-Federal partners. The Forest Service should work with the Committee to provide a better understanding of the needs at Grey Towers.

Bill language is included to allow the Forest Service to make a construction grant to the Non-Profit Citizens for the Columbia Gorge Discovery Center. Under this arrangement, it is expected that the responsibility for operation and maintenance of the Columbia Gorge Discovery Center would transfer to the grantee as well. Thus, appropriated funds from the Forest Service will not be necessary once construction is completed, except for a minimal Forest Service presence at the center. The non-Federal ownership would afford the opportunity for the grantee to charge an entry fee to assist with the operation and maintenance costs. The new arrange-

ment will provide considerable cost savings for the agency in future years.

Bill language is included to provide the authority for issuing a Federal grant to provide construction funds which were earmarked in the fiscal year 1991 Interior appropriations bill for the Forest Service share of the research facility at the University of Missouri.

Roads and trails.—The Committee has provided $102,000,000 for roads, including $57,000,000 for timber, $33,000,000 for recreation, and $12,000,000 for general purpose. The Committee has provided $25,000,000 for trail construction.

Recently the Taft Tunnel Trail was closed for safety reasons. The Committee encourages the Forest Service to provide funding for the Taft Tunnel Trail to address the safety concerns, such as the guardrails, and reopen the trail to the public.

LAND ACQUISITION

Appropriations, 1995	$63,882,000
Budget estimate, 1996	65,311,000
House allowance	14,600,000
Committee recommendation	41,167,000

The Committee recommends an appropriation of $41,167,000, a decrease of $24,144,000 below the budget estimate and $26,567,000 above the House allowance.

The Committee recommendation is shown in the following table:

	Committee recommendation
Appalachian Trail	$2,000,000
Aquisition management	7,500,000
Arapaho National Forest, CO	550,000
Cash equalization	2,000,000
Cibola National Forest/Tres Pistoles, NM	1,350,000
Columbia River Gorge National Scenic Area, OR-WA	4,392,000
Emergency acquisitions	2,000,000
Finger Lakes National Forest, NY	1,000,000
Francis Marion National Forest, SC	1,500,000
Gallatin National Forest, MT	6,000,000
Green Mountain National Forest, VT	3,000,000
Mark Twain National Forest, MO	725,000
Olympic National Forest, WA	2,800,000
San Bernadino National Forest, CA	2,000,000
Tahoe National Forest, CA	1,000,000
Wenatchee National Forest, WA	350,000
White Mountain Scenic Area, NH	2,000,000
Wilderness protection	1,000,000
Total, land acquistion	41,167,000

The Committee encourages the use of land exchanges as a way in which to protect important recreational or environmentally significant lands in lieu of the Federal Government acquiring lands. The Committee believes that land exchanges represent a more cost effective way in which to do business and encourages the Forest Service to give high priority to the Plum Creek land exchange along the Interstate 90 corridor in Washington State.

The land exchange along the I–90 corridor is among the most sensitive areas in the region for recovery of the northern spotted owl. These lands are biologically significant and have great recreational potential. The pattern of checkerboard ownership has created many challenges in managing these lands. Therefore, the

Committee believes that a comprehensive land exchange would help reduce public-private conflicts and rationalize policies for this area. The Committee directs the Forest Service to expedite this exchange, and has appropriated $350,000 toward this end.

Acquisition in the Olympic National Forest, WA, is for the Anderson-Middleton property.

ACQUISITION OF LANDS FOR NATIONAL FORESTS, SPECIAL ACTS

Appropriations, 1995	$1,250,000
Budget estimate, 1996	1,317,000
House allowance	1,069,000
Committee recommendation	1,069,000

The Committee recommends an appropriation of $1,069,000, the same as the House allowance and $248,000 from the estimate.

Congress has enacted several special laws which authorize appropriations from the receipts of specified national forests for the purchase of lands to minimize erosion and flood damage to critical watersheds needing soil stabilization and vegetative cover within these national forests.

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

Appropriations, 1995	$210,000
Budget estimate, 1996	210,000
House allowance	210,000
Committee recommendation	210,000

The Committee recommends an appropriation of $210,000, the same as the budget estimate and the House allowance. These funds are to be used for acquisition of lands to complete land exchanges under the act of December 4, 1967 (16 U.S.C. 484a). Under the act, deposits made by public school districts or public school authorities to provide for cash equalization of certain land exchanges can be appropriated to acquire similar lands suitable for National Forest System purposes in the same State as the national forest lands conveyed in the exchanges.

RANGE BETTERMENT FUND

(Special Fund, Indefinite)

Appropriations, 1995	$4,575,000
Budget estimate, 1996	3,976,000
House allowance	3,976,000
Committee recommendation	3,976,000

The Committee recommends an appropriation of $3,976,000, the same as the budget estimate and the House allowance. These funds are to be derived from grazing receipts from the national forest (Public Law 94–579, as amended) and to be used for range rehabilitation, protection, and improvements including seeding, reseeding, fence construction, weed control, water development and fish and wildlife habitat enhancement in 16 Western States.

GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND RANGELAND RESEARCH

Appropriations, 1995	$89,000
Budget estimate, 1996	92,000
House allowance	92,000
Committee recommendation	92,000

The Committee recommends an appropriation of $92,000, the same as the budget estimate and the House allowance.

ADMINISTRATIVE PROVISIONS

The Committee has continued many of the same administrative provisions as provided in prior years. New provisions are added regarding approval of reorganization proposals and restoration of language regarding appropriations structure changes.

A new provision is added regarding the prohibition of the use of funds in this act for a new Tongass land management plan. The Committee understands that authorizing actions may be taken regarding the Tongass National Forest and seeks to save the taxpayers dollars by precluding action on a planning process that may be changed by law.

Language is included prohibiting the expenditure of funds on the Tongass National Forest except in compliance with alternative P identified in the Tongass land management plan revision supplement to the draft environmental impact statement, dated August 1991.

DEPARTMENT OF ENERGY

CLEAN COAL TECHNOLOGY

The Committee has recommended no new budget authority for the clean coal technology program, the same as the House. Pursuant to previous appropriations acts, $200,000,000 in advance appropriations was to become available in fiscal year 1996 for ongoing clean coal projects. Rescissions included in Public Law 104–6 reduced this amount to $150,000,000. This amount is consistent with the provisions of Public Law 104–6, which assumed no new project starts and the orderly completion of projects already approved. An additional rescission of $150,000,000 for fiscal year 1997 was also included in Public Law 104–6.

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

(INCLUDING TRANSFER OF FUNDS)

Appropriations, 1995	$423,701,000
Budget estimate, 1996	436,508,000
House allowance	379,524,000
Committee recommendation	376,181,000

The Committee recommends an appropriation of $376,181,000, a decrease of $60,327,000 below the budget estimate and $3,343,000 below the House allowance. The Committee recommendations com-

pared to the budget estimates and the 1995 appropriation are shown in the following table:

	Budget estimate	Committee recommendation	Change
Coal:			
Advanced clean fuels research:			
Coal preparation	$4,910,000	$4,666,000	−$244,000
Direct liquefaction	5,080,000	5,580,000	+500,000
Indirect liquefaction	5,836,000	5,836,000	.....
Advanced research and environmental technology	746,000	1,396,000	+650,000
Subtotal, advanced clean fuels research	16,572,000	17,478,000	+906,000
Advanced clean/efficient power systems:			
Advanced pulverized coal-fired powerplant	5,000,000	6,000,000	+1,000,000
Indirect fired cycle	11,900,000	11,900,000	.....
High efficiency:			
Integrated gasified combined cycle	24,500,000	22,200,000	−2,300,000
Pressurized fluidized bed	19,500,000	19,500,000	.....
Advanced research and environmental technology	12,484,000	11,984,000	−500,000
Kalina Cycle	.....	2,000,000	+2,000,000
Subtotal, advanced clean/efficient power systems	73,384,000	73,584,000	+200,000
Advanced research and technology development	24,925,000	21,953,000	−2,972,000
Subtotal, coal	114,881,000	113,015,000	−1,866,000
Oil technology:			
Exploration and production supporting research	41,348,000	37,833,000	−3,515,000
Recovery field demonstration	28,369,000	12,575,000	−15,794,000
Exploration and production environmental research	7,056,000	5,456,000	−1,600,000
Processing research and downstream operations	10,000,000	.....	−10,000,000
Subtotal, oil technology	86,773,000	55,864,000	−30,909,000
Gas:			
Natural gas research:			
Resource and extraction	33,001,000	17,074,000	−15,927,000
Delivery and storage	3,071,000	1,071,000	−2,000,000
Advanced turbine systems	43,970,000	40,970,000	−3,000,000
Utilization	4,934,000	4,774,000	−160,000
Environmental research/regulatory impact analysis	5,405,000	2,945,000	−2,460,000
Subtotal, natural gas research	90,381,000	66,834,000	−23,547,000
Fuel cells:			
Advanced research	1,317,000	1,317,000	.....
Global climate initiative	8,000,000	.....	−8,000,000

	Budget estimate	Committee recommendation	Change
Molten carbonate systems	30,067,000	38,067,000	+8,000,000
Advanced concepts	16,080,000	12,080,000	−4,000,000
Subtotal, fuel cells	55,464,000	51,464,000	−4,000,000
Subtotal, gas	145,845,000	118,298,000	−27,547,000
Cooperative research and development		6,295,000	+6,295,000
Fossil energy environmental restoration	18,919,000	14,919,000	−4,000,000
Fuels conversion, natural gas, and electricity	2,687,000	2,687,000	
Headquarters program direction	13,621,000	11,321,000	−2,300,000
Energy Technology Center program direction	56,276,000	56,276,000	
Equipment not related to construction	1,701,000	1,701,000	
General plant projects	2,304,000	2,304,000	
Use of prior-year funds and other adjustments	−6,499,000	−6,499,000	
Total, fossil energy research and development	436,508,000	376,181,000	−60,327,000

The Committee has reduced fossil energy research and development by about 11 percent below the fiscal year 1995 level, and generally agrees with the House that similar reductions will occur in each of the next several fiscal years. Declining budgets will preclude most new project starts. Emphasis will be placed on completing multiyear projects already in progress and maintaining the Department's core research capabilities. In cases where multiple contractors have been selected to pursue the same programmatic objective, the Committee urges the Department to make contractor downselections as early as possible.

Coal.—The Committee recommends $113,015,000 for coal research, $13,200,000 below the House level and $1,866,000 below the budget request. The sum of $2,000,000 is provided for Kalina cycle testing for fossil applications at the ETEC facility. Such funds are provided for 1 year of testing only and on the condition that industry partners will finance any costs beyond the $2,000,000 provided and the Department's estimated landlord costs for ETEC for fiscal year 1996. The change from the budget request is shown in the following table.

Program	Project	Change
Coal preparation	BCBF characterization	−$744,000
	Other coal preparation research	+500,000
Direct liquefaction	Bench scale research	+500,000
Advanced research and environmental technology	In-house research [PETC]	+450,000
	Bench scale research	+200,000
Advanced pulverized coal-fired powerplant	Complete hospital waste project	+1,000,000
High efficiency integrated gasification combined cycle	Advanced sorbent devlopment	+500,000
	Gasifier improvement facility	−3,905,000
	Fixed-bed gasifier/hot gas cleanup testing	+200,000
	In-house research [METC]	+905,000
Advanced research and environmental technology	Air toxics emissions facility	−500,000

Program	Project	Change
Advanced research technology development	Materials and components	+200,000
	International program support	−300,000
	Coal technology export	−372,000
	Instrumentation and diagnostics	−500,000
	University coal research	−1,000,000
	HBCU's, education and training	−1,000,000
Kalina cycle	Fossil applications, ETEC	+2,000,000

Oil technology.—The Committee recommends $55,864,000 for oil technology research, $2,950,000 below the House level and $30,909,000 below the budget request. Of the amounts provided for reservoir characterization, $1,500,000 is for the data repository, $250,000 is to continue the gypsy field project and $250,000 is to continue work on the northern midcontinent digital petroleum atlas. The sum of $3,000,000 is included for the advanced computational technology initiative.

The change from the budget request is shown in the following table.

Program	Project	Change
Exploration and production supporting research.	Reservoir characterization	+$250,000
	Technology transfer	−650,000
	Exploration and drilling	−1,000,000
	National laboratory/industry partnership	−1,000,000
	Advanced computational technology initiative [ACTI]	−1,115,000
Recovery field demonstrations	Class 4	−6,050,000
	Modified class 5 (feasibility study)	−50,000
	Assess and transfer field results	−1,500,000
	Increase production from marginal wells	−4,214,000
	Class HO (unconsolidated gulf coast)	−2,000,000
	Rocky Mountain Oilfield Test Center [RMOTC]	−1,980,000
Exploration and production environmental research.	Risk assessment	−1,600,000
Processing research and downstream operations.	Pollution prevention	−5,305,000
	Environmental compliance	−2,670,000
	Technology development	−1,945,000
	Technical and program support	−80,000

The Committee recognizes the accomplishments and the important ongoing research being performed at the National Institute for Petroleum Energy Research [NIPER] at Bartlesville, OK. To the extent the program level funded herein allows, the Department of Energy is encouraged to maintain as much of the program at NIPER as possible.

Natural gas.—The Committee recommends $118,298,000 for natural gas research, $4,512,000 over the House level and $27,547,000 below the budget request. The change from the budget request is shown in the following table.

Program	Project	Change
Resource and extraction	Resources and reserves	−$1,500,000
	Coalbed methane	−1,984,000
	Advanced computational technology initiative [ACTI]	−12,443,000
Delivery and storage	Deliverability/State reporting (new)	−1,000,000
	Deliverability	−1,000,000
Advanced turbine systems utilization	Advanced turbine systems development	−3,000,000
	International gas technology information center [GTI]	−130,000
	Low-quality gas upgrading	−30,000

Program	Project	Change
Environmental and regulatory analysis	Program planning data analysis	−400,000
	Outreach and technology transfer	−500,000
	NORM treatment and disposal	−920,000
	Gas processing	−640,000
Fuel Cells	Near-term commercialization	−8,000,000
	Molten carbonate systems	+8,000,000
	Advanced concepts/tubular solid oxide	−4,000,000

Program direction.—The Committee recommends $11,321,000 for headquarters program direction, the same as the House level and $2,300,000 below the budget request. For program direction at the energy technology centers, the Committee recommends $56,276,000, which is $6,000,000 over the House and the same as the budget request. The Committee expects the distribution ratio of program direction dollars to the field technology centers and project offices to be the same in fiscal year 1996 as has been used in fiscal year 1995. The allocations should reflect programmatic requirements commensurate with the actions in this bill.

ALTERNATIVE FUELS PRODUCTION

(INCLUDING TRANSFER OF FUNDS)

Appropriations, 1995	−$3,900,000
Budget estimate, 1996	−2,400,000
House allowance	−2,400,000
Committee recommendation	−2,400,000

The Committee concurs with the House proposal to transfer $2,400,000 from this account to the general funds of the Treasury. The funds to be transferred represent investment income earned as of October 1, 1995, on principal amounts that are in a trust fund established as part of the sale of the Great Plains Gasification Plant in Beulah, ND.

NAVAL PETROLEUM AND OIL SHALE RESERVES

Appropriations, 1995	$187,048,000
Budget estimate, 1996	101,028,000
House allowance	151,028,000
Committee recommendation	136,028,000

The Committee recommends an appropriation of $136,028,000 for the naval petroleum and oil shale reserves, the same as the House level and an increase of $35,000,000 over the budget request. The amounts recommended by the Committee are shown in the following table:

	Budget estimate	Committee recommendation	Change
Oil reserves:			
Naval Petroleum Reserves Nos. 1 and 2	$78,828,000	$113,828,000	+$35,000,000
Naval Petroleum Reserve No. 3	15,600,000	15,600,000	.....
Program direction (headquarters)	6,600,000	6,600,000	.....
Subtotal, oil reserves	101,028,000	136,028,000	+35,000,000

	Budget estimate	Committee recommendation	Change
Shale oil development program: Shale reserves development	.....	.....	.....
Total, naval petroleum and oil shale reserves	101,028,000	136,028,000	+35,000,000

The Committee agrees with the House that reserves Nos. 1 and 2 are Federal assets that must be maintained at an adequate level, regardless of whether or not the reserves are eventually sold. The President's caretaker budget would have significantly and imprudently reduced the value of those assets. Though funding provided by the Committee is still $51,020,000 below the fiscal year 1995 level, the use of uncosted program balances and continued improvements in operational efficiency should enable the Department to operate the reserves adequately.

Because funds are not provided for the purchase of oil for the strategic petroleum reserve, the Committee has included bill language waiving the statutory requirement that oil from NPR–1 be sold at prices equivalent to SPR purchase prices. Identical language is included in the House bill.

The Committee has also included bill language to repeal section 501 of Public Law 101–45, a provision that prohibits appropriated funds from being used by the executive branch to contract with organizations outside the Department of Energy to perform studies of the sale or divestiture of the naval petroleum reserves. Operation of a commercial oil field is not an appropriate function of the Federal Government. The budget resolution assumes the sale of the reserves, and the Committee does not wish to prohibit any studies necessary to ensure that such sale is well structured.

ENERGY CONSERVATION

Appropriations, 1995	$755,751,000
Budget estimate, 1996	923,561,000
House allowance	556,371,000
Committee recommendation	576,976,000

The Committee recommends an appropriation of $576,976,000, a decrease of $178,775,000 below the 1995 level, a decrease of $346,585,000 below the budget estimate, and an increase of $20,605,000 above the House allowance. A comparison of the Committee recommendations with the 1995 enacted level and the budget estimates is shown on the following table:

	Budget estimate	Committee recommendation	Change
Buildings:			
Building systems	$46,998,000	$18,959,000	−$28,039,000
Building envelope	11,999,000	7,407,000	−4,592,000
Building equipment	27,542,000	17,167,000	−10,375,000
Codes and standards	24,599,000	17,699,000	−6,900,000
Federal Energy Management Program	25,408,000	18,968,000	−6,440,000
Implementation and deployment	6,032,000	1,355,000	−4,677,000
Management and planning	10,300,000	8,425,000	−1,875,000
Capital equipment	1,924,000	1,424,000	−500,000

	Budget estimate	Committee recommendation	Change
Review of uncosted balances	−2,256,000	−2,256,000	.....
Subtotal, buildings sector	152,546,000	89,148,000	−63,398,000
Industrial:			
Cogeneration	34,488,000	28,377,000	−6,111,000
Electric drives	8,882,000	4,332,000	−4,550,000
Process heating and cooling	4,588,000	1,800,000	−2,788,000
Industrial wastes	29,660,000	15,840,000	−13,820,000
Municipal solid wastes	2,680,000	200,000	−2,480,000
Materials and metals processing	25,070,000	17,220,000	−7,850,000
Other process efficiency	27,757,000	17,042,000	−10,715,000
Implementation and deployment	29,722,000	13,679,000	−16,043,000
Management	8,000,000	6,400,000	−1,600,000
Capital equipment	2,020,000	.....	−2,020,000
Review of uncosted balances	−2,518,000	−2,518,000	.....
Subtotal, industrial	170,349,000	102,372,000	−67,977,000
Transportation:			
Alternative fuels utilization	55,578,000	27,083,000	−28,495,000
Materials development	39,147,000	31,607,000	−7,540,000
Heat engine development	24,066,000	17,104,000	−6,962,000
Electric and hybrid propulsion development	129,395,000	90,132,000	−39,263,000
Implementation and deployment	3,375,000	2,200,000	−1,175,000
Management	9,200,000	7,870,000	−1,330,000
Capital equipment	1,547,000	1,547,000	.....
Review of uncosted balances	−3,825,000	−3,825,000	.....
Subtotal, transportation	258,483,000	173,718,000	−84,765,000
Utility: Integrated resource planning	9,786,000	4,926,000	−4,860,000
Technical and financial assistance:			
International market development	5,134,000	2,907,000	−2,227,000
Inventions and innovation	8,762,000	5,504,000	−3,258,000
Municipal energy management	1,843,000	1,843,000	.....
Information and communications	1,640,000	1,640,000	.....
Weatherization assistance program	229,046,000	137,446,000	−91,600,000
State energy conservation program	24,651,000	31,500,000	+6,849,000
Institutional conservation progra	26,849,000	.....	−26,849,000
Management	28,056,000	23,056,000	−5,000,000
Review of uncosted balances	−4,750,000	−4,750,000	.....
Subtotal, technical and financial assistance	321,231,000	199,146,000	−122,085,000
Policy and management	11,166,000	7,666,000	−3,500,000
Total, energy conservation	923,561,000	576,976,000	−346,585,000

The Committee recommendation reduces energy conservation activities by approximately 27 percent below the fiscal year 1995 level. It is anticipated that funding constraints will result in further reductions to the program in future years. At the funding level provided by the Committee, it is assumed that many programs and projects will be terminated or refocussed in order to permit termination over the next few years. Over the past few years, the Committee has included language in the report in an effort to limit ex-

pansion of the program in anticipation of the current funding constraints. The Committee reiterates the concerns expressed previously and renews the requirement that the Department clearly articulate in their budget requests the long-term scope and costs for those projects for which funding is requested.

Over the past few years, the Energy Conservation Program has consistently requested funding for large, expensive initiatives that included funding both for new projects as well as ongoing efforts. The Committee strongly encourages the Department to avoid requesting funds for energy conservation in the context of these large initiatives, but rather, the Department should justify programs on the merits of individual programs and projects. To the extent that a particular program supports a larger programmatic effort, it should be clearly identified in the budget justifications. Given that funding levels are expected to decline over the next few years, efforts should be spent on finding the most effective way to transition programs to the private sector. Any new program starts will require offsetting funding from terminating or downsizing projects.

While the Committee has permitted some flexibility in how reductions are taken, this flexibility should not be construed as support for maintaining a number of projects at reduced levels in anticipation of future funding increases. To the extent possible, the Committee expects the Department to work closely with industry to refocus the energy conservation budget in context of the declining resources that will be available to the program. The Committee expects the program to focus on areas where significant energy savings can be realized in a cost-effective manner. Wherever possible, cost-sharing should be increased to leverage scarce Federal dollars. Emphasis should be placed on technology development and not on technology commercialization.

Buildings.—The Committee recommends an appropriation of $89,148,000 for the buildings sector. For residential buildings, $4,074,000 is provided for the building America initiative and $2,791,000 is provided for the residential efficiency program. No funding is provided for the commercial buildings program. For retrofit technologies, a total of $9,411,000 is provided, including $8,328,000 for the Rebuild America Program. For best practices, the Committee recommends a funding level of $2,683,000.

Within the building envelope program, the Committee recommends $2,528,000 for materials and structures and $3,614,000 for windows and glazing. Within materials and structures, $150,000 is provided to continue the joint program with EPA on foam insulation. No funding is provided for the superwindow collaborative. For indoor air quality, $1,265,000 is provided. For heating and cooling, $6,248,000 is provided for thermally activated heat pumps, $994,000 for space conditioning equipment, $3,023,000 for refrigeration systems, and $2,992,000 for technology introduction. No funding is provided for the microgeneration initiative. The Committee expects the Department to encourage private industry to develop and market this technology.

For the lighting program, $2,002,000 is provided. No funding is provided for the lighting collaboratives. The Committee recommends $1,908,000 for the partnerships for technology introduction within the appliances program.

The Committee recommends $17,699,000 for the codes and standards program, including $6,420,000 for State code updates and $1,000,000 for the home energy rating systems/energy efficient mortgage program. The Committee is aware of the concerns regarding the notice of proposed rulemaking, published on March 4, 1994, with respect to energy conservation standards of eight types of products, including fluorescent lamp ballasts, television sets, room air conditioners, water heaters, direct heating equipment, mobile home furnaces, kitchen ranges and ovens, and pool heaters. The Committee understands that the proposed rulemaking with respect to fluorescent lamp ballasts, television sets, and electric water heaters was withdrawn and is in the process of being reformulated for fluorescent lamp ballasts and electric water heaters. The Committee further understands that on June 23, 1995, the rulemaking for television sets was terminated. The bill language that has been included prohibits the Department from implementing any new or amended standards for fluorescent lamp ballasts.

The Committee directs that of the funding for the Home Energy Rating Systems Program, no less than $1,000,000 will be provided to operating home energy rating systems in the States of Alaska, Arkansas, California, Colorado, Mississippi, and Vermont. Furthermore, the Committee expects that the remaining funding provided for Home Energy Rating Systems Program will be programmed through the State Energy Conservation Program to the States to hasten the development of additional rating systems through public/private partnerships.

The Committee expects the Department to consider carefully the economic consequences of its recommendations, in addition to the issue of technological feasibility. The Committee understands that as part of the rulemaking process, the Department has a series of meetings with industry and other interested parties to develop its technical analyses, including the life-cycle cost analysis. The Committee expects the Department to make these analyses available for public review prior to issuing a notice of proposed rulemaking. Prior to issuance of any final rule, the Department shall provide the Committee with a summary of the comments submitted to the Department on the proposal and brief the Committee on the Department's response to the comments received.

The Committee recommends $18,968,000 for the Federal Energy Management Program, including $2,000,000 for the Federal energy efficiency fund. The Committee expects the Department to work with other agencies to ensure future funding for activities supported through the fund is requested through the individual agencies.

The Committee is encouraged by recent efforts by Federal agencies to capture the energy cost savings available through utility demand-side management and other cost-effective energy conservation incentive programs. However, the Committee believes that greater emphasis must be placed on seeking the most comprehensive and cost-effective energy conservation services available in the marketplace. To ensure that competition is promoted in the growing energy services industry, the Committee expects the Department to review and revise its regulations as necessary to guarantee that the use of sole source contracting by Federal agencies to pro-

cure energy conservation services is extended equally to all providers of such services.

For implementation and deployment, $1,355,000 is provided. No funding is included for the cool communities program or for training commercial building operators. The Committee recommends $8,425,000 for management and planning. For capital equipment, $500,000 is provided.

Industry.—The Committee recommends an appropriation of $102,372,000 for industry programs. Within cogeneration, $20,775,000 is provided for advanced topping cycles and $7,602,000 is provided for continuous fiber ceramic composites. For electric drives, $4,332,000 is provided, including $3,148,000 for motor challenge and $750,000 for market transformation activities.

Within the industrial wastes program, $13,516,000 is provided for waste reduction, including the ongoing level of $6,000,000 for the NICE3 program. For waste utilization and conversion, $2,324,000 is provided, including $1,200,000 for the vehicle recycling program. Within the municipal solid waste program, no funding is provided for municipal solid waste combustion and $200,000 is provided for municipal solid waste data collection and analysis. Funding has not been included to continue the joint EPA/DOE life cycle assessment [LCA] program.

For materials and metals processing, $17,220,000 is provided, including $5,369,000 for the metals initiative, $885,000 for process electrolysis, $2,242,000 for foundries and glass, and $8,724,000 for advanced materials. No funding is provided for the aluminum spray forming project or the neodymium program.

The Committee recommends $17,042,000 for other process efficiency, including $4,526,000 for alternative feedstocks, $1,900,000 for bioprocessing, $2,800,000 for process development, and $7,816,000 for pulp and paper. No funding is provided for the refining initiative or the food, textiles, and agriculture activity.

For implementation and deployment, the Committee recommends $13,679,000, including $3,000,000 for the environmental technology partnerships and $2,000,000 for the climate-wise program. No funding is provided for expansion industrial assessment centers due to budgetary constraints.

For management activities, $6,400,000 is recommended. No funding is provided for capital equipment.

Transportation.—Over the past few years, the Committee has recommended significant increases for development of advanced transportation technologies. Unfortunately, it is likely that funding constraints faced by the Committee will require reductions in the overall appropriations provided for these programs. The Committee expects the Department to work with its industrial partners to refocus the program to reflect a rational program at a significantly reduced level. The Committee has provided funding on the basis of specific technology development rather than in support of the partnership for a new generation of vehicles initiative. While the Committee is supportive of the goals of the program, it remains concerned about the availability of funds to support the current schedule and scope of the program. The Department should provide the Committee with an updated 5-year program plan for the transpor-

tation program that reflects current authorization levels and identifies specific projects and associated funding.

The Committee recommends $27,083,000 for alternative fuels utilization, including $6,344,000 for engine optimization, $994,000 for atmospheric reactions, $11,235,000 for AFV data acquisition, and $8,510,000 for AFV deployment. No funding is provided for natural gas adsorbent research or for acquisition of alternative-fueled vehicles for the Federal fleet. The Committee notes that significant unobligated balances remain available for acquisition of vehicles during fiscal year 1996 as the program transitions from being funded by the Department to being funded by the various agencies. The Committee notes that the DOE has funded the alternative fueled vehicle fleet program through its early years for the fleets of all departments and agencies participating in the program. As the program matures it is appropriate that the costs of this program be covered by the departments and agencies operating those fleets. The Committee understands that original equipment manufacturer alternative fuel vehicles are now becoming more widely available and that the necessary infrastructure to support alternative fuel vehicle fleets also is being installed at a strong and steady pace. The Committee, therefore, believes that the costs of the alternative fueled vehicles Federal fleet program be funded in fiscal year 1997 and subsequent years through the departments and agencies operating the fleets affected by this program, and directs OMB and GSA to work with affected departments and agencies to meet the purchase requirements of the Energy Policy Act of 1992 for fiscal year 1996 with funds available to these agencies in addition to any unobligated prior year funds from the Department. The current level of funding is provided for electric vehicle field operations.

For materials technology, the Committee recommends $31,607,000, including $14,614,000 for propulsion systems materials, $12,330,000 for vehicle systems materials, and $4,663,000 for the High Temperature Materials Laboratory. No funding is provided for the fuel cells/battery materials initiative.

The Committee recommends $17,104,000 for the heat engine development program, including $11,650,000 for light duty engine development and $5,454,000 for heavy duty engine development.

For the electric and hybrid propulsion development program, the Committee recommends $90,132,000, including $26,692,000 for battery development, $23,000,000 for fuel cell development, and $40,440,000 for systems development. No funding is provided to continue the phosphoric acid fuel cell bus program, the locomotive fuel cell program, or the hybrid electric vehicle student competition. The Committee does not object to the addition of another team within the hybrid program, with the understanding that an additional team would be funded within the current funds provided to the program.

The Committee recommends $2,200,000 for implementation and deployment, $7,870,000 for management, and $1,547,000 for capital equipment.

Utility.—The Committee recommends $4,926,000 for the utility program, including $1,000,000 for demand-side management,

$626,000 for regulatory analysis, $3,000,000 for planning process, and $300,000 for program direction.

Technical and financial assistance.—The Committee recommends $199,146,000 for technical and financial assistance, including $2,907,000 for international market development, $5,504,000 for inventions and innovations, $1,843,000 for municipal energy management, $1,640,000 for information and communications, $137,446,000 for weatherization assistance grants, $31,500,000 for the State energy block grants, and $23,056,000 for program direction.

The Committee recommends a consolidation of the State energy conservation program and institution conservation program into a more flexible State grant program. The Committee has no objection to the Department combining funding for the State building codes program, the State alternative fuels program, and the Rebuild America Program into the block grant program as well, which have been funded within the programs they were requested. Funding requested for the State energy grant program should be consolidated in the fiscal year 1997 budget request.

Policy and management.—The Committee recommends $7,666,000 for policy and management activities, including $2,995,000 for contractual services and $2,187,000 for the Golden Field Office.

ECONOMIC REGULATION

Appropriations, 1995	$12,413,000
Budget estimate, 1996	10,500,000
House allowance	6,297,000
Committee recommendation	8,038,000

The Committee recommends an appropriation of $8,038,000, which is $2,462,000 below the budget estimate and an increase of $1,741,000 above the House allowance.

The Committee is concerned about the additional responsibilities which the Office of Hearings and Appeals has taken on over the past few years. The Committee believes that these activities are more appropriately funded through Departmental overhead accounts, similar to other such activities within the Department. Overall funding for the Office of Hearing and Appeals has been reduced accordingly. The Committee expects the Department to submit a report to the Committee within 30 days detailing the plan for funding activities within the Office of Hearings and Appeals in fiscal year 1996.

EMERGENCY PREPAREDNESS

Appropriations, 1995	$8,233,000
Budget estimate, 1996	8,219,000
House allowance	.....
Committee recommendation	.....

The Committee recommends no funding for emergency preparedness in fiscal year 1996. Consistent with the Secretary's strategic alignment initiative, emergency preparedness activities are being consolidated and funded in the energy and water appropriations bill.

STRATEGIC PETROLEUM RESERVE

The Committee recommends $287,000,000 for the strategic petroleum reserve, the same as the House level and a decrease of $25,689,000 below the budget request. The amounts recommended by the Committee are shown in the following table:

Appropriations, 1995	$243,718,000
Budget estimate, 1996	312,689,000
House allowance	287,000,000
Committee recommendation	287,000,000

Of the funds provided, $187,000,000 is to be derived by transfer of unobligated balances in the "SPR petroleum" account, and $100,000,000 is to be derived by transfer from the SPR decommissioning fund.

Though the funding provided is significantly below the request level, the Department should be able to operate the reserves at an adequate level using uncosted balances and savings from management efficiencies such as those recommended by the inspector general in report IG–0370.

The Committee has included bill language providing for the sale of a portion of the oil from the Weeks Island, LA, site, and allowing $100,000,000 of the proceeds from the sale of the oil to be used for the decommissioning of Weeks Island and other priority SPR operations. This language was requested by the President, and has been approved by the Committee, in recognition of the severe safety and environmental risks posed by the Weeks Island site. Water intrusion threatens the structural integrity of the facility, necessitating its immediate closure.

SPR PETROLEUM ACCOUNT

No funds are provided for additional purchases of petroleum for the strategic petroleum reserve. The Committee has instead recommended transferring $187,000,000 in unobligated balances from the "Petroleum" account to the "Operations" account, consistent with the House bill and the budget request. An amount of $23,000,000 will remain in the "Petroleum" account to cover terminal contracts necessary for drawdown readiness.

The Committee has again included language in the bill that allows normal operations at NPR–1 even though the fill rate of the strategic petroleum reserve is less than 75,000 barrels per day. Identical language was included in the House bill. The Committee has also included language from the House bill capping outlays from the "Petroleum" account at $5,000,000.

ENERGY INFORMATION ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

Appropriations, 1995	$84,566,000
Budget estimate, 1996	84,689,000
House allowance	79,766,000
Committee recommendation	64,766,000

The Committee recommends an appropriation of $64,766,000, a decrease of $19,923,000 below the budget estimate and $15,000,000 below the House allowance.

The reduction from the budget request includes $333,000 for the manufacturing energy consumption survey, $750,000 for midterm forecasting model development, $1,000,000 for oil and gas surveys, $1,540,000 for administrative overhead expenses paid to the Department's Office of Human Resources, $1,300,000 for pay and other administrative cost savings, and a $15,000,000 reduction to reduce duplication of effort and contribute toward a refocusing of the program on those functions and/or information not available elsewhere.

Bill language.—The Committee has included bill language to require that the manufacturing energy consumption survey be conducted once every 3 years, rather than the mandated 2-year cycle. Language has also been included which makes permanent the authority to enter into 8-year contracts for end-use consumption surveys.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

Appropriations, 1995	$1,709,780,000
Budget estimate, 1996	1,816,350,000
House allowance	1,725,792,000
Committee recommendation	1,815,373,000

The Committee has provided $1,815,373,000 for Indian Health Services, which is $89,581,000 above the House, $105,593,000 above the fiscal year 1995 level, and $977,000 below the fiscal year 1996 request. The Committee has not provided increases for fixed costs, but has included small increases for priority initiatives requested by the IHS. The Committee has also provided the increases requested to staff new facilities at Kotzebue, AK, Anchorage, AK, Shiprock, NM, and Hays, MT. The Committee concurs with the House that any reductions from the budget request should be applied equitably to all tribes, regardless of self-governance status.

Due to the nature of programs conducted in facilities and environmental health support, the Committee has chosen to fund this activity in the "Indian health services" account. In fiscal year 1995, FEHS was funded in the "Indian health facilities" account.

With respect to funds provided to the Indian Health Service for facilities and environmental health support, because of the fluctuating nature of the workload in this program, the funds should be distributed in accordance with a methodology which addresses overall workload annually and maintains parity among the areas and tribes as the workload shifts.

The amounts recommended by the Committee are shown in the table below:

	Budget estimate	Committee recommendation	Change
Hospitals and clinics	$871,597,000	$835,457,000	−$36,140,000
Dental health	60,831,000	58,285,000	−2,546,000
Mental health	38,749,000	36,824,000	−1,925,000
Alcohol and substance abuse	96,046,000	91,352,000	−4,694,000

	Budget estimate	Committee recommendation	Change
Contract care	384,704,000	362,564,000	−22,140,000
Public health nursing	24,771,000	23,734,000	−1,037,000
Health education	8,698,000	8,313,000	−385,000
Community health representatives	46,273,000	43,955,000	−2,318,000
Immunization	1,397,000	1,328,000	−69,000
Urban health programs	25,780,000	23,349,000	−2,431,000
Indian health professions	29,519,000	26,044,000	−3,475,000
Tribal management	5,509,000	2,348,000	−3,161,000
Direct operations	51,733,000	49,709,000	−2,024,000
Self-governance	9,569,000	9,090,000	−479,000
Contract support	161,174,000	153,040,000	−8,134,000
Facilities and environmental health support		89,981,000	+89,981,000
Total, Indian Health Services	1,816,350,000	1,815,373,000	−977,000

Hospitals and health clinics.—The Committee recommends $835,457,000 for hospitals and health clinics. Reductions from the request include $35,990,000 for pay and fixed costs, $250,000 for women's health, and $250,000 for elder health. The sum of $400,000 has also been transferred from the hospitals and clinics appropriation to the Office of Environmental Health and Engineering Support. These funds are for staff previously transferred from the Office of the Assistant Secretary for Health and recently assigned to OEHE.

The Committee has provided increases of $8,991,000 for staffing and operations at new facilities; $1,500,000 to improve collections and billing systems; $750,000 for an information system initiative to support improvements in management systems, telemedicine, and electronic commerce; and $750,000 for epidemiology centers, to be located at sites where there is technical expertise and historical support for epidemiology work among local tribes and regional tribal organizations.

The Committee notes that within the Navajo area there are six hospitals and 18 outpatient facilities, none of which are in Utah. The Committee is concerned about the adequacy of health care service available to the Utah Navajo population, and 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's are being met. The IHS should carefully consider those needs in designing a replacement facility for the Montezuma Creek Health Center.

Dental health.—The Committee recommends $58,285,000 for dental health, the same as the House. This amount includes a decrease of $2,546,000 for pay and fixed costs and an increase of $767,000 for the staffing and operations at new facilities.

Mental health.—The Committee recommends $36,824,000 for mental health, the same as the House and the budget request. This amount includes decreases of $1,675,000 for pay and fixed costs and $250,000 for child abuse prevention, and an increase of $376,000 for staffing and operations at new facilities.

Alcohol and substance abuse.—The Committee recommends $91,352,000 for alcohol and substance abuse, the same as the

House. This amount includes a decrease of $4,694,000 for pay and fixed costs.

Contract health services.—The Committee recommends $362,564,000 for contract health services, the same as the House. The amount provided includes reductions of $19,640,000 for built-in increases and $2,500,000 for the contract health care initiative.

Public health nursing.—The Committee recommends $23,734,000 for public health nursing, the same as the House. This amount includes a decrease of $1,037,000 for pay and fixed costs and an increase of $229,000 for the staffing and operations at new facilities.

Health education.—The Committee recommends $8,313,000 for health education, the same as the House. This amount includes a decrease of $385,000 for pay and fixed costs and an increase of $69,000 for staffing and operations at new facilities.

Community health representatives.—The Committee recommends $43,955,000 for community health representatives, the same as the House. This amount includes a decrease of $2,318,000 for pay and fixed costs.

Alaska immunization.—The Committee recommends $1,328,000 for Alaska immunization, the same as the House. This amount includes a decrease of $69,000 for pay and fixed costs. The Committee also directs the IHS, in consultation with the Centers for Disease Control and the State of Alaska, to evaluate program needs and assess whether State participation is adequate and appropriate as compared to other Federal immunization programs. The IHS should report to the Committee by January 1, 1996.

Urban health.—The Committee recommends $23,349,000 for urban health, the same as the House. This amount includes decreases of $1,231,000 for pay and fixed costs and $1,200,000 for additional urban health services.

Indian health professions.—The Committee recommends $26,044,000 for Indian health professions, $2,000,000 below the House and the fiscal year 1995 level. The amount provided includes decreases from the request of $1,475,000 for pay and fixed costs and $2,0000,000 for lapsed positions. The sum of $500,000 is also included for the Indians Into Psychology Progam.

Tribal management.—The Committee recommends $2,348,000 for tribal management, $3,000,000 below the House and the fiscal year 1995 level. This amount includes decreases of $161,000 for pay and fixed costs and a general reduction of $3,000,000. The Committee feels that self-determination has reached a stage where both the tribes and the IHS have sufficient experience and models to warrant a reduction in tribal management grants.

Direct operations.—The Committee recommends $49,709,000 for direct operations, $2,000,000 above the House and the same as the fiscal year 1995 level. This amount includes a decrease of $2,024,000 for pay and fixed costs. The Committee notes the significant improvements in management made by the IHS over the past 2 years, and desires this progress to continue even as the growth of self-governance increases management pressures.

Self-governance.—The Committee recommends $9,090,000 for self-governance, the same as the House and the fiscal year 1995 level. This amount includes a decrease of $479,000 for pay and

fixed costs, but should be enable the IHS to accommodate additional compacts with tribes in fiscal year 1996.

Contract support costs.—The Committee recommends $153,040,000 for contract support, the same as the House and $7,580,000 above the fiscal year 1995 level. This amount includes decreases of $11,864,000 for pay and fixed costs and $3,770,000 for support cost shortfalls. The requested increase of $80,000 is included for the staffing and operations of new facilities.

The Committee has provided $7,500,000 for the Indian self-determination fund, the same as the House.

Facilities and environmental health support.—The Committee recommends $89,981,000 for facilities and environmental health support, which when compared to the levels provided in the facilities account is $1,900,000 above the House and $2,201,000 above the fiscal year 1995 level. This amount includes a decrease of $1,150,000 for pay and fixed costs and an increase of $301,000 for the staffing and operations of new facilities. Other increases include $500,000 for injury prevention and $400,000 transferred from the hospitals and clinics appropriation to the Office of Environmental Health and Engineering Support.

INDIAN HEALTH FACILITIES

Appropriations, 1995	$253,282,000
Budget estimate, 1996	242,672,000
House allowance	236,975,000
Committee recommendation	151,227,000

The Committee has provided $151,227,000 for Indian health care facilities, which is $102,055,000 below the fiscal year 1995 level, $91,445,000 below the request, and $85,748,000 below the House level. Part of the decrease reflects a transfer of facilities and environmental health support to the services account. The amounts provided are shown in the table below:

	Budget estimate	Committee recommendation	Change
Maintenance and improvement	$39,484,000	$38,334,000	−$1,150,000
Construction facilities	11,214,000	14,547,000	+3,333,000
Equipment	13,663,000	12,975,000	−688,000
Sanitation facilities	85,081,000	84,889,000	−192,000
Facilities and environmental health support	92,734,000	.....	−92,734,000
Contract support	496,000	482,000	−14,000
Total, Indian health facilities	242,672,000	151,227,000	−91,445,000

Maintenance and improvement.—The Committee recommends $38,334,000 for maintenance and improvement, the same as the House and the fiscal year 1995 level. This amount includes a decrease of $1,150,000 for pay and fixed costs.

Construction of facilities.—The Committee recommends $14,547,000 for construction of facilities, which is $13,275,000 below the fiscal year 1995 level and $3,333,000 above the House and the budget request. Included in the amount provided are $8,998,000 for the White Earth, MN, health center and $2,216,000 for the Hays, MT, health center, the same as the budget request and the same as the House level. Also included are $750,000 for

moving costs at the Alaska Native Medical Center, $2,000,000 for competitive small ambulatory care facility grants authorized under section 306 of the Indian Health Care Improvement Act, $1,000,000 for modular dental units, and $1,900,000 to maintain the current construction priority system, including completion of partially funded health care facilities designs. Section 306 grants should be awarded in a manner that provides the greatest possible increase in health care services to the most needy populations. The IHS should also seek to maximize non-Federal cost sharing, and may give special consideration to projects already on the health care facility priority list. The funds for modular dental units continue the program to replace and purchase mobile dental units. These funds should be built into the base.

These increases are to be partially offset by $2,317,000 reprogrammed from stalled or lapsed projects. Of this amount, $667,000 is from funds appropriated in fiscal year 1989 for the Fort Yuma, AZ, health center, and $1,650,000 is from funds appropriated for the Winnebago, NE, hospital.

The Committee is pleased that the Department of Health and Human Services has established a working group to identify alternative construction methods for IHS health care facilities. Budget constraints are such that new and creative approaches to facility construction must be pursued.

The Talahina, OK, hospital is ranked sixth on the IHS health facilities construction priority list for inpatient facilities. The Choctaw Nation of Oklahoma has developed a plan for construction of a replacement facility in accordance with the approved program justification document. The Choctaw Nation proposes to use various non-IHS (direct or indirect) funding sources, including tribal moneys, 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.

Sanitation facilities.—The Committee recommends $84,889,000 for sanitation facilities, the same as the House and the fiscal year 1995 level. This amount includes a decrease of $192,000 for pay and fixed costs.

The Committee understands the IHS is working with the Makah Tribe to determine the most cost-effective method to close permanently the landfill located on the Makah Reservation, and to examine potential solutions to the long-term waste disposal problem at the reservation consistent with applicable Federal standards. The Committee supports this effort, and directs the IHS to report to the Committee upon completion of the study.

Equipment.—The Committee recommends $12,975,000 for equipment, the same as the House and the fiscal year 1995 level. This amount include a decrease of $688,000 for pay and fixed costs.

Contract support costs.—The Committee recommends $482,000 for contract support costs, the same as the House and the fiscal year 1995 level. This amount include a decrease of $14,000 for pay and fixed costs.

DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

INDIAN EDUCATION

Appropriations, 1995	$81,341,000
Budget estimate, 1996	84,785,000
House allowance	52,500,000
Committee recommendation	54,660,000

The Committee recommends an appropriation of $54,660,000 which is a decrease of $30,125,000 from the budget request and an increase of $2,160,000 above the House allowance.

The following table represents the distribution of funds for the Department of Education's portion of Indian education funding:

Grants to local education agencies	$52,500,000
Administration	2,160,000
Total	54,660,000

The Committee has provided funding for grants to local education agencies and has provided a proportionate share of administrative expenses for the Office of Indian Education to distribute the grants. Due to funding constraints, the Committee is unable to provide funding for the National Advisory Council on Indian Education. If tribes and Indian education interests wish to continue the Council, it should be funded through non-Federal sources.

OTHER RELATED AGENCIES

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

Appropriations, 1995	$24,888,000
Budget estimate, 1996	26,345,000
House allowance	21,345,000
Committee recommendation	20,345,000

The Committee recommends an appropriation of $20,345,000, a decrease of $6,000,000 from the budget estimate and $1,000,000 below the House allowance.

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

PAYMENTS TO THE INSTITUTE

Appropriations, 1995	$11,213,000
Budget estimate, 1996	19,846,000
House allowance	5,500,000
Committee recommendation	5,500,000

The Committee recommends an appropriation of $5,500,000, a decrease of $14,346,000 below the budget estimate the same as the House allowance.

Funding is provided with the understanding that Federal funding will be phased out for the Institute.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

Appropriations, 1995	$313,853,000
Budget estimate, 1996	329,800,000
House allowance	309,471,000
Committee recommendation	307,988,000

The Committee recommends an appropriation of $307,988,000, a decrease of $21,812,000 below the budget estimate and $1,483,000 below the House allowance. The following table provides a comparison of the budget estimates with the Committee recommendation:

	Budget estimate	Committee recommendation	Change
Sciences	$110,254,000	$105,081,000	−$5,173,000
Arts and humanities	89,027,000	79,907,000	−9,120,000
Public service and external affairs	4,516,000	4,346,000	−170,000
Administration	30,210,000	29,163,000	−1,047,000
Facilities services	91,060,000	84,758,000	−6,302,000
Institutionwide programs	4,733,000	4,733,000	.....
Total	329,800,000	307,988,000	−21,812,000

This total includes an increase of $650,000 for the Smithsonian Astrophysical Observatory to complete the staffing requirements for operation of the submillimeter array and fund the startup operations at the Hilo Field station.

Reductions from the fiscal year 1995 level reflect a $6,425,000 savings associated with Federal work force reduction, and fiscal year 1996 nonrecurring costs of $40,000 for the return of funds associated with the Museum Support Center claim to the judgment fund, and $50,000 for the Mpala Research Center equipment.

The Smithsonian is the Nation's curator and, as such, has had a tradition of free and open access to the public it serves. However, in the face of current economic realities, the Committee cannot overlook the potential that charging admission could provide in terms of relieving growing budgetary pressures. Currently, the Institution has a $250,000,000 maintenance backlog. An active construction program includes plans for the National Museum of the American Indian and the Air and Space Museum extension. Upon their completion, both facilities will require the Federal Government to absorb additional operating costs. At the same time, the Smithsonian's program base is being eroded by the Committee's inability to provide the resources for agencies funded through this bill to meet the uncontrollable annual costs of legislated pay raises, increased health insurance premiums, utilities increases, and the like. Therefore, the Committee believes that it would be remiss in not requesting that the Board of Regents review the issue of charging admission fees and report back to the Appropriations Committee and the authorizing committee by June 1, 1996, on the feasibility and cost effectiveness of such a proposal.

As part of this effort, the Smithsonian should consider the feasibility of a program that involves a weekly type of pass valid for all of its facilities in the Nation's Capitol, as well as an annual type

of fee comparable to the golden passport program of the National Park Service. The report should consider appropriate pricing strategies that would be reasonable, yet responsive to the variety of visitors who patronize the Smithsonian's facilities every year.

CONSTRUCTION AND IMPROVEMENTS, NATIONAL ZOOLOGICAL PARK

Appropriations, 1995	$3,042,000
Budget estimate, 1996	4,950,000
House allowance	3,000,000
Committee recommendation	3,250,000

The Committee recommends an appropriation of $3,250,000 for construction and improvements at the National Zoological Park, a decrease of $1,700,000 below the budget estimate and $250,000 above the House allowance.

This amount fully funds the zoo's request for renovation, repair, and improvements at both the Rock Creek and Front Royal facilities. Because of the limitations of the Committee's allocation, no funding is provided in the coming fiscal year for further construction of the grasslands exhibit.

REPAIR AND RESTORATION OF BUILDINGS

Appropriations, 1995	$23,954,000
Budget estimate, 1996	34,000,000
House allowance	24,954,000
Committee recommendation	33,954,000

The Committee recommends an appropriation of $33,954,000, a reduction of $46,000 below the budget estimate and $9,000,000 above the House allowance.

The Committee recognizes the Institution's need for additional Federal funding to address the critical repair work required in its older buildings, as well as essential maintenance and repair of its other facilities. Because many of the conditions identified by the Smithsonian threaten to pose a danger to its collections and to the visiting public, the Committee has attempted, within its severe budgetary constraints, to meet the Institution's request for a minimum appropriation of $34,000,000 in the coming fiscal year. It is the Committee's understanding that the Smithsonian will be able to put the additional moneys appropriated within this account to effective use without the additional staff requested to complement the increased repair funding.

CONSTRUCTION

Appropriations, 1995	$21,857,000
Budget estimate, 1996	38,700,000
House allowance	12,950,000
Committee recommendation	27,700,000

The Committee recommends an appropriation of $27,700,000, a decrease of $11,000,000 below the budget estimate and an incease of $14,750,000 above the House allowance.

As requested by the Smithsonian in its fiscal year 1996 estimate, $8,700,000 is included to complete the construction and equipping of the Natural History East Court Building, and $3,000,000 for

minor construction, alterations and modifications. This last amount includes $200,000 for planning and design.

The Committee also recommends $15,000,000 for continued construction of the National Museum of the American Indian Cultural Resources Center. This amount will bring the Federal contribution to date for this project to a total of $40,900,000, including all planning and design costs. It remains the expectation of the Committee that the Smithsonian will encourage non-Federal funding to assist with the completion of the Suitland facility.

In concurrence with the House recommendation, the Committee recommends $1,000,000 to complete a proposed master plan and initiate detailed planning and design to allow for the development of a financing plan for the proposed National Air and Space Museum extension at Dulles Airport. The detailed financing plan for the facility should clearly outline the phasing of the project and commitments that have been made by the Commonwealth of Virginia and the Smithsonian toward both its construction and operation.

The Committee has not provided requested funding of $500,000 for construction planning. Given the anticipated reductions in domestic discretionary spending in future years, the Committee does not expect that it will have the resources to fund the variety of capital expansion projects that would require these planning funds. Planning and design dollars are available within the "Construction" account for minor construction, alterations and modifications and also within the "Repair and restoration" account for projects in that category.

NATIONAL GALLERY OF ART

SALARIES AND EXPENSES

Appropriations, 1995	$52,902,000
Budget estimate, 1996	54,566,000
House allowance	51,315,000
Committee recommendation	51,844,000

The Committee recommends $51,844,000, a decrease of $2,722,000 below the budget estimate and $529,000 above the House allowance.

REPAIR, RESTORATION, AND RENOVATION OF BUILDINGS

Appropriations, 1995	$4,016,000
Budget estimate, 1996	9,885,000
House allowance	5,500,000
Committee recommendation	7,385,000

The Committee recommends an appropriation of $7,385,000, $2,500,000 below the budget estimate and $1,885,000 above the House allowance.

An increase of $3,369,000 above the fiscal year 1995 funding level is provided to meet the gallery's need for critical repair work on the west building skylights and their fire protection system. The Committee concurs with the House recommendation that none of the funds appropriated be used for the proposed sculpture garden, other than those necessary for maintenance of the site.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

OPERATIONS AND MAINTENANCE

Appropriations, 1995	$10,323,000
Budget estimate, 1996	10,373,000
House allowance	9,800,000
Committee recommendation	10,323,000

The Committee recommends an appropriation of $10,323,000, $50,000 below the budget estimate and $523,000 above the House allowance, for operation and maintenance of the Kennedy Center. The "Operations and maintenance" account consists of day-to-day upkeep activities for the Kennedy Center's building and the surrounding grounds. These activities include maintenance, security, visitor information about the memorial, interpretation, janitorial services, and repair of the physical plant.

The Committee recommends bill language which amends the relevant sections of 40 U.S.C. 193 to provide the trustees of the John F. Kennedy Center for the Performing Arts with the same police authority as exists for the Smithsonian Institution and the National Galley of Art. This authority will allow the Kennedy Center noncontract security staff to maximize the effectiveness of security operations, including protection of the Federal facility, employees, patrons, and visitors, as well as allow for full participation with other law enforcement officials.

CONSTRUCTION

Appropriations, 1995	$8,983,000
Budget estimate, 1996	9,000,000
House allowance	8,983,000
Committee recommendation	8,983,000

The Committee recommends an appropriation of $8,983,000, $17,000 below the budget estimate and the same as the House allowance, for repair, restoration, and renovation projects at the Kennedy Center. This amount will be used for restoration of the building's exterior; for fire alarm and security systems; for interior repairs, including theater access projects for persons with disabilities and exhaust and ventilation problems; and for repair of basic building systems.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

SALARIES AND EXPENSES

Appropriations, 1995	$8,878,000
Budget estimate, 1996	10,070,000
House allowance	5,140,000
Committee recommendation	6,537,000

The Committee recommends an appropriation of $6,537,000, $3,533,000 below the budget estimate and $1,397,000 above the House allowance.

The table below shows the Committee recommendation and the budget estimate.

	Budget estimate	Committee recommendation	Change
Fellowship program	$1,924,000	$1,846,000	−$78,000
Scholar support	787,000	761,000	−26,000
Public service	988,000	948,000	−40,000
General administration	1,335,000	1,300,000	−35,000
Smithsonian fee	130,000	130,000	.....
Conference planning/outreach	1,101,000	1,088,000	−13,000
Space	3,805,000	464,000	−3,341,000
Total	10,070,000	6,537,000	−3,533,000

Earlier this year, during consideration of the rescissions legislation, the Committee expressed its concern over the excessive rental costs associated with the Wilson Center's projected move to the Federal Triangle Building. As agreed by all parties at that time, until the financial issues surrounding the move are resolved to the satisfaction of both the Wilson Center, and the House and Senate Appropriations Committees, no further funds will be appropriated for this purpose.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

Appropriations, 1995	$133,846,000
Budget estimate, 1996	143,675,000
House allowance	82,259,000
Committee recommendation	82,259,000

The Committee recommends an appropriation of $82,259,000, a decrease of $61,416,000 below the budget estimate.

The following table provides a comparison of the budget estimates and the Committee recommendations:

	Budget estimate	Committee recommendation	Change
Grants: Program grants	$75,770,000	$37,435,000	−$38,335,000
State programs:			
State grants	32,060,000	22,442,000	−9,618,000
State set-aside	8,745,000	6,122,000	−2,623,000
Subtotal, State programs	40,805,000	28,564,000	−12,241,000
Subtotal, grants	116,575,000	65,999,000	−50,576,000
Administrative areas:			
Policy planning and research	700,000	420,000	−280,000
Administration	24,900,000	14,940,000	−9,960,000
Computer replacement	1,500,000	900,000	−600,000

	Budget estimate	Committee recommendation	Change
Subtotal, administrative areas	27,100,000	16,260,000	−10,840,000
Total, grants and administration	143,675,000	82,259,000	−61,416,000

While the Committee recognizes that the Senate authorizing committee has proposed a 25-percent reduction in National Endowment for the Arts funding over 5 years, budget constraints require the Committee to take bolder action. Within the funds provided, no grants are to be awarded to individuals (except for literature). No funds shall be awarded for seasonal support unless the application is specific to the contents of the season, including identified programs and/or projects. Bill language is included restricting funds from being used for these purposes as well as to restrict subgrants.

Within the funds provided for program grants, arts in education should remain as a priority.

The Committee recognizes that the recommended funding reductions will result in reductions in force. The National Endowment for the Arts may use up to $4,400,000 of program funds to accommodate these necessary personnel actions.

MATCHING GRANTS

Appropriations, 1995	$28,512,000
Budget estimate, 1996	28,725,000
House allowance	17,235,000
Committee recommendation	17,235,000

The Committee recommends an appropriation of $17,235,000, a decrease of $11,490,000 below the budget estimate. Of this amount, $9,735,000 is for matching grants and $7,500,000 is for challenge grants.

NATIONAL ENDOWMENT FOR THE HUMANITIES

GRANTS AND ADMINISTRATION

Appropriations, 1995	$146,131,000
Budget estimate, 1996	156,087,000
House allowance	82,469,000
Committee recommendation	96,494,000

The Committee recommends an appropriation of $96,494,000, $59,593,000 below the budget request and $14,025,000 above the House allowance. The following table provides a comparison of the budget estimate and the Committee recommendation:

	Budget estimate	Committee recommendation	Change
Grants:			
Program grants	$76,650,000	$36,000,000	−$40,650,000
State programs	27,911,000	28,000,000	89,000
Office of Preservation	24,416,000	17,041,000	−7,375,000
Technology and the humanities	4,000,000	.....	−4,000,000
Subtotal, grants	132,977,000	81,041,000	−51,936,000

	Budget estimate	Committee recommendation	Change
Administrative areas: Administration	23,110,000	15,453,000	−7,657,000
Total, grants and administration	156,087,000	96,494,000	−59,593,000

The Committee recognizes that the proposed decreases in the Endowment's budget for fiscal year 1996 are significant and will result in corresponding staff reductions. Therefore, in accordance with the House, the Committee anticipates that up to $4,000,000 in program funds will be available to the NEH to accommodate necessary personnel actions. Further, unlike in previous years, the Committee has not distributed funds within the programs grants division, in order to provide flexibility to the NEH in defining a program structure to meet its diminished appropriation.

MATCHING GRANTS

Appropriations, 1995	$25,913,000
Budget estimate, 1996	25,913,000
House allowance	17,025,000
Committee recommendation	18,000,000

The Committee recommends an appropriation of $18,000,000, $7,913,000 below the budget request and $975,000 above the House allowance. Included in this mark is $10,000,000 for challenge grants and $8,000,000 in Treasury funds for matching grants.

INSTITUTE OF MUSEUM SERVICES

Appropriations, 1995	$28,715,000
Budget estimate, 1996	29,800,000
House allowance	21,000,000
Committee recommendation	21,000,000

The Committee recommends an appropriation of $21,000,000, $8,800,000 below the budget request and the same as the House allowance.

COMMISSION OF FINE ARTS

SALARIES AND EXPENSES

Appropriations, 1995	$834,000
Budget estimate, 1996	879,000
House allowance	834,000
Committee recommendation	834,000

The Committee recommends an appropriation of $834,000, $45,000 below the budget estimate and the same as the House allowance.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

Appropriations, 1995	$7,500,000
Budget estimate, 1996	6,941,000
House allowance	6,000,000
Committee recommendation	6,000,000

The Committee recommends an appropriation of $6,000,000, $941,000 below the budget estimate and the same as the House allowance.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

Appropriations, 1995	$2,947,000
Budget estimate, 1996	3,063,000
House allowance	3,063,000
Committee recommendation	2,500,000

The Committee recommends an appropriation of $2,500,000, $563,000 below the budget estimate and the House allowance.

The Advisory Council on Historic Preservation provides review, coordination, mediation, education, and advice on historic preservation matters. It does not have responsibility for designating historic properties, providing financial assistance, overriding other Federal agencies' decisions, or controlling actions taken by property actions. The Advisory Council works closely with Federal agencies and State historic preservation officers. The Committee is concerned that some of the Advisory Council's work is duplicative of preservation activities conducted by other entities.

Approximately 10 percent of the work performed by the Advisory Council benefits agencies funded out of the Interior appropriations bill. The Committee expects that the services performed by the Council should be paid by the benefiting departments and agencies through reimbursable agreements. The funding level provided relates to the gradual reduction of the dependency on the Interior appropriations bill.

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

Appropriations, 1995	$5,655,000
Budget estimate, 1996	6,000,000
House allowance	5,090,000
Committee recommendation	5,090,000

The Committee recommends an appropriation of $5,090,000, a decrease of $910,000 below the budget estimate and the same as the House allowance.

FRANKLIN DELANO ROOSEVELT MEMORIAL COMMISSION

SALARIES AND EXPENSES

Appropriations, 1994	$48,000
Budget estimate, 1995	147,000
House allowance	48,000
Committee recommendation	147,000

The Committee recommends an appropriation of $147,000 the same as the budget estimate and $99,000 above the House allowance.

The Franklin Delano Roosevelt Memorial Commission is responsible for oversight on all aspects of the Franklin Delano Roosevelt Memorial project and for private fundraising efforts. The Commission is at the critical stage of completing its $10,000,000 fundrais-

ing goal. The Franklin Delano Roosevelt Memorial construction is to be finished by the spring of 1997.

PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION

SALARIES AND EXPENSES

Appropriations, 1995	$2,738,000
Budget estimate, 1996	3,043,000
House allowance	2,000,000
Committee recommendation	.....

The Committee does not recommend an appropriation for salaries and expenses, which is $2,000,000 below the House allowance and $3,043,000 below the budget estimate. Salaries and expenses for the Pennsylvania Avenue Development Corporation are to be provided through unobligated balances available in the "Public development" account from prior-year appropriations. The Committee expects the Corporation to prepare for an orderly termination of its activities on September 30, 1997, to minimize personnel impacts. To the extent possible, the Corporation should work with private interests along Pennsylvania Avenue, as well as the General Services Administration, the National Park Service, and the National Capital Planning Commission to establish a plan for maintaining the improvements which the Corporation has made. The Committee strongly supports the Corporation's efforts to encourage extensive involvement of private interests in any formal organization which exists after the Corporation terminates its activities on September 30, 1997.

PUBLIC DEVELOPMENT

Appropriations, 1995	$4,084,000
Budget estimate, 1996	2,445,000
House allowance	.....
Committee recommendation	.....

The Committee does not recommend an appropriation for public development activities, a decrease of $2,445,000 below the budget estimate and the same as the House allowance. The Committee has provided no new funding for public development activities. Funds available through previous appropriations are available to continue these activities and provide funding for salaries and expenses of the Corporation. The Committee expects the Federal Triangle project to continue at the current level. The Committee is very concerned that appropriate oversight be provided by the Corporation for this project in order to protect the Federal Government's significant investment in the project. The Committee expects the Corporation to continue to work closely with GSA in oversight activities.

LAND ACQUISITION AND DEVELOPMENT FUND

Appropriations, 1995	.....
Budget estimate, 1996	$1,388,000
House allowance	.....
Committee recommendation	.....

The Committee does not recommend an appropriation for land acquisition, a decrease of $1,388,000 below the budget estimate and the same as the House allowance.

HOLOCAUST MEMORIAL COUNCIL

SALARIES AND EXPENSES

Appropriations, 1995	$26,609,000
Budget estimate, 1996	28,707,000
House allowance	28,707,000
Committee recommendation	26,609,000

The Committee recommends an appropriation of $26,609,000, the same level as fiscal year 1995 and $2,098,000 below the budget estimate and the House allowance.

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 1994.

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. Prohibits the use of any funds in the bill for the Americorps program. Failure to comply with the Committee's reprogramming guidelines in fiscal year 1995 necessitates this legislative provision.

SEC. 313. Strikes House language regarding the transfer of functions of the Pennsylvania Avenue Development Corporation [PADC]. The Committee has made provisions for PADC to continue its operations in fiscal year 1996.

SEC. 314. Relates to the Columbia River basin ecoregion management project. The Committee recommends different language than was approved by the House.

The Committee believes that the Interior Columbia basin ecosystem management project (the project) has collected important scientific information on forest health conditions that is relevant to forest management. Despite this accomplishment, the project has grown too large and too costly to sustain in a time of fiscal crisis, and is drawing away both personnel and funding that the Committee believes should be used for on-the-ground management. Additionally, the massive nature of the undertaking, and the broad geographic scope of the decisions to be made as part of a single project, have raised concerns about potential vulnerability to litigation and court injunctions with a regionwide impact. Consequently, the Committee has included a level of funding less than the amount requested by the administration.

The Committee has included bill language that directs the line officials assigned to the Walla Walla, WA, office of the project to publish a final environmental impact statement for the Federal lands subject to the project in Oregon and Washington, and line officials assigned to the Boise, ID, office of the project to publish an Upper Columbia Basin final environmental impact statement for the Federal lands subject to the project in Idaho and Montana and other affected States. The language directs the publication of the final environmental impact statements [FEIS's] by April 30, 1996. After the publication of the two FEIS's, the project will end. The Committee expects the Forest Service to provide $1,150,000 and the Bureau of Land Management to provide $450,000 of the $1,600,000 allocated for the FEIS completions.

The language directs the responsible line officials of the Forest Service and the Bureau of Land Management to conduct a site specific review to amend each forest plan and BLM district plan. Undertaking this review, the responsible line official is to use the scientific data and analysis included in the applicable final environmental impact statements and any broad policies (such as PACFISH, INFISH, and Eastside Screens) applicable to such plan. The Committee does not agree with the approach of adopting generic policies setting aside large tracts of land from use across the board. Consequently, the Committee has included language directing the responsible line officials upon completion of the review to determine whether modifications of, or alternatives to these policies, tailored to the specific conditions of each national forest and BLM district plan, shall be adopted as amendments. The language grants the authority for the agencies to modify the policies and the FEIS's to meet the needs of individual forests or BLM districts. Any amendments are to emphasize procedures to develop site specific standards instead of imposing general standards applicable to broad areas.

To ensure local participation, when preparing amendments to the national forest or BLM district plans, the agencies are directed to consult with the Governor of the State and the county commissioners of the county in which the national forest or BLM district is located.

To reduce the likelihood for costly duplication and excessive delays, the bill language states that any amendment to a forest plan, which adopts a policy that is a modification of a policy upon which consultation or conferencing pursuant to section 7 of the Endangered Species Act has already occurred, shall not again be subject to the consultation or conferencing provisions of such section 7. Nor do projects consistent with the plan amendments need additional consultation or conferencing under section 7.

The amendments must be adopted on or before July 31, 1996, however, a significant amendment shall be adopted on or before December 31, 1996. None of the existing broad scale policies (such as PACFISH, INFISH, and Eastside Screens) shall remain in effect on December 31, 1996, or after an amendment is promulgated, whichever occurs first. In addition, the Committee has prohibited the application of the broad-scale policies or the FEIS's to non-Federal lands in the affected States.

SEC. 315. Provides authority for a demonstration fee program for the public land agencies. More description of this provision can be found at the front of this report.

SEC. 316. Strikes language regarding the salvage of timber in the Pacific Northwest. Comprehensive language addressing an emergency salvage program was included in the recently passed rescissions legislation (House of Representatives bill 1944).

SEC. 317. Provides that none of the funds in this act can be used for a program, project, or activity that is not in compliance with any applicable Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 318. Strikes House provision specifying that none of the funds in the bill can be used for the Mississippi River Corridor Heritage Commission.

SEC. 319. Strikes House language prohibiting funds from being used to implement the codes and standards program of the Department of Energy.

SEC. 320. Strikes House language prohibiting the Department of Energy from planning, proposing, issuing, or prescribing new or amended standards for fluorescent lamps ballasts. The Senate added different language regarding fluorescent lamp ballasts.

SEC. 321. 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. 322. Strikes House language imposing a moratorium on the issuance of patents for mining claims.

SEC. 323. 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. 324. Provides that none of the funds in this act or any other act can be used for the Office of Forestry and Economic Development after December 31, 1995.

SEC. 325. Prohibits the use of funds in this or any other act to redefine the definition of an area where a marbled murrelet is known to be nesting from the existing definition or to modify the protocol for surveying for marbled murrelets in effect on July 21, 1995.

SEC. 326. Provides for a land exchange in the Columbia basin.

SEC. 327. Provides authority for the use of excess timber receipts for the preparation of timber sales to refill the sales preparation pipeline and for some of the receipts to be used for backlogged recreation maintenance and/or rehabilitation projects.

Section 2001(k) of the Fiscal Year 1995 Supplemental Appropriations for Disaster Assistance and Rescissions Act, Congress directed the Secretary of Agriculture and the Secretary of the Interior to release for harvest certain timber sales in any unit of the National Forest System or district of the Bureau of Land Management subject to section 318 of Public Law 101–121 (103 Stat 745). The Congress directed that every such sale affected by section 2001(k) would be released for harvest. The sole exception from this directive is sale units where an endangered marbled murrelet is known to be nesting within the acreage that is subject of the sale unit. The language in section 2001(k) requires physical evidence of a nest site. The managers considered, but rejected, broader exceptions to the directed release of sales during discussions with the administration. Even where a sales unit is not released, section 2001(k)(3) directs the Secretary concerned to provide substitute timber volume.

During House consideration of section 2001(k), the Congressional Budget Office [CBO] scored the measure as bringing in $37,500,000 to the U.S. Treasury. The Senate measure was provided an identical budget score.

Because the timber sales have not yet been released and harvested pursuant to section 2001(k)(2), it is not yet certain what level of revenues will flow to the Treasury. This depends upon the implementation of section 2001(k)(2) by the Secretary concerned, as well as the timing of the release and harvest of the sales involved. It is possible that the receipts will be higher than the level estimated by CBO.

On the assumption that there will be receipts in excess of the level assumed by CBO, this section directs the Secretary of the Interior and the Secretary of Agriculture to establish timber sales pipeline restoration funds with any excess receipts, exclusive of the amounts necessary for State and local government payments and other necessary deposits. The purpose of these newly created revolving funds is to restore the green timber sale preparation pipelines of the Forest Service and the Bureau of Land Management and to deal with the backlog of unfunded recreation projects from both agencies. Information submitted to the Committee from both agencies shows that they have very little pipeline volume prepared and available for sale, as well as large recreation project backlogs.

Subsection (a) establishes the funds and divides the initial receipts based upon each agencies percentage of sales affected by section 2001(k). Subsection (b)(1) directs that 75 percent of the excess receipts shall be used for timber sale preparation, and 25 percent shall be expended on the backlog of recreation projects on national forest or BLM lands. Subsection (b)(2) defines Forest Service timber sale preparation expenditures as those Forest Service expenditures associated the forest land management budget line item and associated timber roads. For the Bureau of Land Management, the expenditures must be from the "Oregon and California grant lands"

account and the "Forestry management area" account to assist in timber sale pipeline restoration for the public domain forestry program. The Committee intends that justified expenditures be very narrowly limited by the Secretary concerned to only those expenditures that directly assist in timber sale pipeline restoration.

Subsection (c) directs that receipts from timber sales prepared, sold and harvested under the authority of this section—minus the amounts necessary for State and local government payments and other necessary deposits—shall be returned to the pipeline restoration funds for use to prepare additional sales and to fund additional recreation projects in accordance with the 75/25 formula in subsection (b)(1). Through these revolving funds the Committee hopes to replenish the timber sale preparation pipeline and reduce the backlog of recreation projects.

Subsection (d) directs the termination of each fund whenever the Secretary concerned makes a finding that sales sufficient to achieve the total allowable sale quantity of the National Forest System or the allowable sales level for the Oregon and California grant lands for the Bureau of Land Management have been prepared. Subsection (e) specifies that timber sales prepared, or recreation projects completed, under this section shall comply with all applicable environmental and natural resources laws and regulation.

Subsection (f) contains important reporting requirements to help keep the Appropriations Committees apprised of agency progress in implementing this section. Past efforts to invest in pipeline restoration have met with mixed success. Therefore, the Committee directs the Secretary concerned to keep Congress apprised of expenditures made from and revenues received into the funds, as well as timber sale preparation and recreation project work undertaken during the previous year and proposed for the coming year. The Committee intends to review closely progress made in replenishing the timber sale pipeline, as well as the agencies' priority list for recreation project work to be funded. The Committee will reserve the right to adjust the recreation priority list for the coming year's work.

Subsection (g) makes it clear that the authority of this section extends until each of the Funds is terminated in accordance with the provisions of subsection (d).

SEC. 328. Prohibits the use of funds for travel and training expenses of the Bureau of Indian Affairs and the Office of Indian Education for education conferences or training activities.

The Committee has included language which prohibits the use of Bureau of Indian Affairs or Office of Indian Education funding for travel or training expenses related to education conferences. The Committee is troubled by the continued excessive costs associated with multiple national conferences each year. During a time of declining budgets, it is imperative that scarce resources are spent on classroom activities. The Committee notes that over $900,000, or about 15 percent of the funding for early childhood education, has been spent on travel and training for staff at 21 sites where the program is operated. The Committee also notes that Indian School Equalization Program funds have been spent on travel to places such as Hawaii during periods of time where schools were at risk of closing early due to lack of funding. The Committee also notes

that school monitoring reports have reported each year over the past few years that libraries at BIA funded schools experience deficiencies in library materials at the same time that schools are spending scarce resources for travel to conferences. While the Committee is aware of efforts by the Office of Indian Education to limit travel, the Committee believes that it is necessary to include bill language to prevent any funds from being spent on travel and conferences during a period of extreme budget constraints.

SEC. 329. Includes language restricting the types of grant awards that can be made by the National Endowment for the Arts.

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 1996: Subcommittee on Interior and Related Agencies:				
Defense discretionary	.....	.....	.....	.....
Nondefense discretionary	12,123	12,123	13,174	[1] 13,168
Violent crime reduction fund	.....	.....	.....	.....
Mandatory	65	59	55	[1] 49
Projections of outlays associated with the recommendation:				
1996	.....	.....	.....	[2] 8,191
1997	.....	.....	.....	2,843
1998	.....	.....	.....	758
1999	.....	.....	.....	208
2000 and future year	.....	.....	.....	66
Financial assistance to State and local governments for 1996 in bill	NA	902	NA	395

[1] Includes outlays from prior-year budget authority.
[2] Excludes outlays from prior-year budget authority.

NA: Not applicable.

LIMITATIONS AND LEGISLATIVE PROVISIONS

COMPLIANCE WITH PARAGRAPH 7, RULE XVI OF THE STANDING RULES OF THE SENATE

Rule XVI, paragraph 7 requires that every report on a general appropriation bill filed by the Committee must identify each recommended amendment which proposes an item of appropriation which is not made to carry out the provisions of an existing law, a treaty stipulation, or an act or resolution previously passed by the Senate during that session.

Those items are as follows:

—$567,436,000 for management of lands and resources, Bureau of Land Management;

—$2,015,000 for construction and access, Bureau of Land Management;

—$100,000,000 for payments in lieu of taxes, Bureau of Land Management;

—$243,717,000 for wildland fire management, Department of the Interior, Bureau of Land Management;

—$9,113,000 for range improvements, Bureau of Land Management;

—Such amounts as may be collected in service charges, deposits, and forfeitures, Bureau of Land Management;

—Such amounts as may be contributed in miscellaneous trust funds, Bureau of Land Management;

—Unspecified amounts for the Bureau of Land Management to assist in the protection of lands in Alaska, on a reimbursable basis;

—$55,047,000 for endangered species program functions, Fish and Wildlife Service;

—$4,553,000 for the water resources research institutes, U.S. geological Survey;

—$27,411,000 for tribally controlled community colleges, Bureau of Indian Affairs;

—Such sums as become available in alternative fuels production, Department of Energy;

—$151,028,000 for naval petroleum reserve, Department of Energy;

—$287,000,000 for strategic petroleum reserve, Department of Energy;

—$8,038,000 for economic regulation, Department of Energy;

—$79,766,000 for Energy Information Administration, Department of Energy;

—$99,494,000 for the National Endowment for the Arts;

—$99,494,000 for the National Endowment for the Humanities;

—$21,000,000 for the Institute of Museum Services.

COMPLIANCE WITH PARAGRAPH 7(C), RULE XXVI OF THE STANDING RULES OF THE SENATE

Pursuant to paragraph 7(c) of rule XXVI, the accompanying bill was ordered reported from the Committee, subject to amendment and subject to the subcommittee allocation, by recorded vote of 28–0.

Yeas	Nays
Chairman Hatfield	
Mr. Stevens	
Mr. Cochran	
Mr. Specter	
Mr. Domenici	
Mr. Gramm	
Mr. Bond	
Mr. Gorton	
Mr. McConnell	
Mr. Mack	
Mr. Burns	
Mr. Shelby	
Mr. Jeffords	
Mr. Gregg	
Mr. Bennett	
Mr. Byrd	
Mr. Inouye	
Mr. Hollings	
Mr. Johnston	
Mr. Leahy	
Mr. Bumpers	
Mr. Lautenberg	
Mr. Harkin	
Ms. Mikulski	
Mr. Reid	
Mr. Kerrey	
Mr. Kohl	
Mrs. Murray	

COMPLIANCE WITH PARAGRAPH 12, RULE XXVI OF THE STANDING RULES OF THE SENATE

Paragraph 12 of rule XXVI requires that Committee report on a bill or joint resolution repealing or amending any statute or part of any statute include "(a) the text of the statute or part thereof which is proposed to be repealed; and (b) a comparative print of that part of the bill or joint resolution making the amendment and of the statute or part thereof proposed to be amended, showing by stricken-through type and italics, parallel columns, or other appropriate typographical devices the omissions and insertions which would be made by the bill or joint resolution if enacted in the form recommended by the committee."

In compliance with this rule, the following changes in existing law proposed to be made by the bill are shown as follows: existing law to be omitted is enclosed in black brackets; new matter is printed in italic; and existing law in which no change is proposed is shown in roman.

Section 501 of Public Law 101–45 is repealed.

[SEC. 501. No funds appropriated or made available heretofore or hereafter under this or any other Act may be used by the executive branch to contract with organizations outside the Department of Energy to perform studies of the potential transfer out of Federal ownership, management or control by sale, lease, or other disposition, in whole or in part, the facilities and functions of Naval Petroleum Reserve Numbered 1 (Elk Hills), located in Kern County, California, established by Executive order of the President, dated September 2, 1912, and Naval Petroleum Reserve Numbered 3 (Teapot Dome), located in Wyoming, established by Executive order of the President, dated April 30, 1915: *Provided,* That the negotiation of changes to the unit plan contract with Chevron which governs operation of Elk Hills, where the purpose of the changes is to prepare for the divestiture of the Reserve, is prohibited.]

40 U.S.C. 193n is amended as follows:

Subject to section 5375 of Title 5, the Secretary of the Smithsonian Institution [and], the Trustees of the National Gallery of Art, *and the Trustees of the John F. Kennedy Center for the Performing Arts,* or their authorized representatives, may designate employees of their respective agencies as special policemen, without additional compensation for duty in connection with the policing of the respective buildings and grounds specified in section 193v of this title.

The enacting clause and section (d)(1) and section (2)(a) and section (2)(c) of Public Law 93–435 are amended in the following manner:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subject to valid existing rights, all right, title, and interest of the United States in lands permanently or periodically covered by tidal waters up to but not above the line of mean high tide and seaward to a line three geographical miles distant from the coastlines of the territories of [Guam, the Virgin Islands] *Guam, the Commonwealth of the Northern Mariana Islands, the Virgin Islands,* and American Samoa, heretofore or hereafter modified by accretion, erosion, and reliction, and in artificially made, filled in, or reclaimed lands which were formerly permanently or periodically covered by tidal waters, are hereby conveyed to the governments of [Guam, the Virgin Islands] *Guam, the Commonwealth of the Northern Mariana Islands, the Virgin Islands,* and American Samoa, as the case may be, to be administered in trust for the benefit of the people thereof.

* * * * * * *

(d)(1) The Secretary of the Interior shall, not later than sixty days after the date of enactment of this subsection, convey to the governments of [Guam, the Virgin Islands] *Guam, the Commonwealth of the Northern Mariana Islands, the Virgin Islands,* and American Samoa, as the case may be, all right, title, and interest of the United States in deposits of oil, gas, and other minerals in the submerged lands conveyed to the government of such territory by subsection (a) of this section.

(2) The conveyance of mineral deposits under paragraph (1) of this subsection shall be subject to any existing lease, permit, or other interest granted by the United States prior to the date of such conveyance. All rentals, royalties, or fees which accrue after such date of conveyance in connection with any such lease, permit, or other interest shall be payable to the government of the territory to which such mineral deposits are conveyed.

SEC. 2. (a) Nothing in this Act shall affect the right of the President to establish naval defensive sea areas and naval airspace reservations around and over the islands of [Guam, American Samoa] *Guam, the Commonwealth of the Northern Mariana Islands, American Samoa*, and the Virgin Islands when deemed necessary for national defense.

(b) Nothing in this Act shall affect the use, development, improvement, or control by or under the constitutional authority of the United States of the lands transferred by the first section of this Act, and the navigable waters overlying such lands, for the purposes of navigation or flood control or the production of power, or be construed as the release or relinquishment of any rights of the United States arising under the constitutional authority of Congress to regulate or improve navigation, or to provide for flood control or the production of power.

(c) The United States retains all of its navigational servitude and rights in the powers of regulation and control of the lands conveyed by the first section of this Act, and the navigable waters overlying such lands, for the constitutional purposes of commerce, navigation, national defense, and international affairs, all of which shall be paramount to, but shall not be deemed to include, proprietary rights of ownership, or the rights of management, administration, leasing, use, and development of the lands and natural resources which are specifically conveyed to the government of [Guam, the Virgin Islands] *Guam, the Commonwealth of the Northern Mariana Islands, the Virgin Islands*, or American Samoa, as the case may be, by the first section of this Act.

(d) Nothing in this Act shall affect the status of lands beyond the three-mile limit described in section 1 of this Act.

Section 4 of Public Law 94–241, as amended, is amended as follows:

SEC. 4. (a) Section 704(c) of the foregoing Covenant shall not apply to the Federal financial assistance which is provided to the Government of the Northern Mariana Islands pursuant to section 3 of this Act.

(b) Upon the expiration of the period of Federal financial assistance which is provided to the Government of the Northern Mariana Islands pursuant to section 3 of this Act, payments of direct grant assistance shall continue at the annual level provided for the last fiscal year of the additional period of seven fiscal years [until Congress otherwise provides by law.] *except that, for fiscal years 1996 and thereafter, payments to the Commonwealth of the Northern Mariana Islands pursuant to the multi-year funding agreements contemplated under the Covenant shall be limited to the amounts set forth in the Agreement of the Special Representatives on Future Federal Financial Assistance of the Northern Mariana Islands, executed on December 17, 1992 between the special representative of the President of the United States and special representatives of the Governor of the Northern Mariana Islands and shall be subject to all the requirements of such Agreement with any additional amounts otherwise made available under this section in any fiscal year and not required to meet the schedule of payments set forth in the Agreement to be provided as set forth in subsection (c) until Congress otherwise provides by law.*

(c) The additional amounts referred to in subsection (b) shall be made available to the Secretary for obligation as follows:

(1) for fiscal year 1996, all such amounts shall be provided for capital infrastructure projects in American Samoa;

(2) for fiscal years 1997 and thereafter, all such amounts shall be available solely for capital infrastructure projects in Guam, the Virgin Islands, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of Palau, the Federated States of Micronesia and the Republic of the Marshall Islands: Provided, That, in fiscal year 1997, $3 million of such amounts shall be made available to the College of the Northern Marianas and beginning in fiscal year 1997, and in each year thereafter, not to exceed $3 million may be allocated, as provided in Appropriation Acts, to the Secretary of the Interior for use by Federal agencies or the Commonwealth of the Northern Mariana Islands to address immigration, labor, and law enforcement issues in the Northern Mariana Islands, including, but not limited to detention and corrections needs. The specific projects to be funded shall be set forth in a five-year plan for infrastructure assistance developed by the Secretary of the Interior in consultation with each of the island governments and updated annually and submitted to the Congress concurrent with the budget justifications for the Department of the Interior. In de-

veloping and updating the five year plan for capital infrastructure needs, the Secretary shall indicate the highest priority projects, consider the extent to which particular projects are part of an overall master plan, whether such project has been reviewed by the Corps of Engineers and any recommendations made as a result of such review, the extent to which a set aside for maintenance would enhance the life of the project, the degree to which a local cost-share requirement would be consistent with local economic and fiscal capabilities, and may propose an incremental set aside, not to exceed $2 million per year, to remain available without fiscal year limitation, as an emergency fund in the event of natural or other disasters to supplement other assistance in the repair, replacement, or hardening of essential facilities: Provided, That the cumulative amount set aside for such emergency fund may not exceed $10 million at any time.

(d) Within the amounts allocated for infrastructure pursuant to this section, and subject to the specific allocations made in subsection (c), additional contributions may be made, as set forth in Appropriation Acts, to assist in the resettlement of Rongelap Atoll: Provided, That the total of all contributions from any Federal source after January 1, 1995 may not exceed $32 million and shall be contingent upon an agreement, satisfactory to the President, that such contributions are a full and final settlement of all obligations of the United States to assist in the resettlement of Rongelap Atoll and that such funds will be expended solely on resettlement activities and will be properly audited and accounted for. In order to provide such contributions in a timely manner, each Federal agency providing assistance or services, or conducting activities, in the Republic of the Marshall Islands, is authorized to make funds available, through the Secretary of the Interior, to assist in the resettlement of Rongelap. Nothing in this subsection shall be construed to limit the provision of ex gratia assistance pursuant to section 105(c)(2) of the Compact of Free Association Act of 1985 (P.L. 99–239, 99 Stat. 1770, 1792) including for individuals choosing not to resettle at Rongelap, except that no such assistance for such individuals may be provided until the Secretary notifies the Congress that the full amount of all funds necessary for resettlement at Rongelap has been provided.

Section 501 of Public Law 95–134 is amended as follows:

SEC. 501. In order to minimize the burden caused by existing application and reporting procedures for certain grant-in-aid programs available to the Virgin Islands, Guam, American Samoa, [the Trust Territory of the Pacific Islands,] *the Republic of Palau, the Republic of the Marshall Islands, the Federated States of Micronesia,* and the Government of the Northern Mariana Islands (hereafter referred to as "Insular Areas") it is hereby declared

to be the policy of the Congress, notwithstanding any provision of law to the contrary, that:

Chapter 81, section 8103 of title 46 U.S.C is amended as follows:

§ 8103. Citizenship and Naval Reserve requirements

* * * * * * *

(i)(1) Except as provided in [paragraph (3) of this subsection,] *paragraph (4) of this subsection,* each unlicensed seaman on a fishing, fish processing, or fish tender vessel that is engaged in the fisheries in the navigable waters of the United States or the exclusive economic zone must be—

(A) a citizen of the United States;

(B) an alien lawfully admitted to the United States for permanent residence; or

(C) any other alien allowed to be employed under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(2) Not more than 25 percent of the unlicensed seamen on a vessel subject to paragraph (1) of this subsection may be aliens referred to in clause (C) of that paragraph.

(3) Notwithstanding any other provision of this subsection, any alien allowed to be employed under the immigration laws of the Commonwealth of the Northern Mariana Islands (CNMI) may serve as an unlicensed seaman on a fishing, fish processing, or fish tender vessel that is operated exclusively from a port within the CNMI and within the navigable waters and exclusive economic zone of the United States surrounding the CNMI. Pursuant to 46 U.S.C. 8704, such persons are deemed to be employed in the United States and are considered to have the permission of the Attorney General of the United States to accept such employment: Provided, That paragraph (2) of this subsection shall not apply to persons allowed to be employed under this paragraph.

[(3)] *(4)* This subsection does not apply to a fishing vessel fishing exclusively for highly migratory species (as that term is defined in section 3 of the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1802)).

○