

**House Report 104-625 - DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES  
APPROPRIATIONS BILL, 1997**

---

25-275

**104TH CONGRESS**  
*Report*  
**HOUSE OF REPRESENTATIVES**

2d Session

104-625

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS BILL, 1997

June 18, 1996- Committed to the Committee of the Whole House on the State of the Union and ordered to be printed
Mr. REGULA, from the Committee on Appropriations, submitted the following
REPORT
together with
SUPPLEMENTAL, DISSENTING, AND ADDITIONAL VIEWS
[To accompany H.R. 3662]

The Committee on Appropriations submits the following report in explanation of the accompanying bill making appropriations for the Department of the Interior and Related Agencies for the fiscal year ending September 30, 1997. The bill provides regular annual appropriations for the Department of the Interior (except the Bureau of Reclamation) and for other related agencies, including the Forest Service, the Department of Energy, the Indian Health Service, the Smithsonian Institution, and the National Foundation on the Arts and the Humanities.

	<b>CONTENTS</b>	
		Page number
	Bill	Report
	Department of the Interior:	
Bureau of Land Management	2	8
U.S. Fish and Wildlife Service	16	16
National Park Service	29	24
U.S. Geological Survey	37	35
Minerals Management Service	40	37
Office of Surface Mining Reclamation and Enforcement	43	39
Bureau of Indian Affairs	46	41

Departmental Offices	56	49
General Provisions	67	55
	Related Agencies:	
Forest Service, USDA	75	56
	Department of Energy:	
Clean Coal Technology		73
Fossil Energy Research and Development	91	74
Alternative Fuels Production	92	78
Naval Petroleum and Oil Shale Reserves	93	79
Energy Conservation	94	79
Economic Regulation	95	86
Strategic Petroleum Reserve	96	87
Energy Information Administration	98	88
Indian Health Service, DHHS	102	88
Indian Education, DED	110	92
Office of Navajo and Hopi Indian Relocation	111	93
Institute of American Indian and Alaska Native Culture and Arts Development	112	94
Smithsonian Institution	113	94
National Gallery of Art	118	97
John F. Kennedy Center for the Performing Arts	121	98
Woodrow Wilson International Center for Scholars	123	99
National Foundation on the Arts and the Humanities	124	99
Commission of Fine Arts	130	102
Advisory Council on Historic Preservation	132	103
National Capital Planning Commission	133	103
Franklin Delano Roosevelt Memorial Commission	134	103
United States Holocaust Memorial Council	135	104
Title III--General Provisions	136	105

## COMPARISON WITH BUDGET RESOLUTION

Section 308(a)(1)(A) of the Congressional Budget and Impoundment Control Act of 1974 (Public Law 93-344), as amended, requires that the report accompanying a bill providing new budget authority contain a statement detailing how the authority compares with the reports submitted under section 602 of the Act for the most recently agreed to concurrent resolution on the budget for the fiscal year. This information follows:

[In millions of dollars]

	Sec. 602(b)		This bill--	
	Discretionary	Mandatory	Discretionary	Mandatory
Budget authority	12,118	59	12,118	58
Outlays	12,920	62	12,914	62

The bill provides no new spending authority as described in section 401(c)(2) of the Congressional Budget and Impoundment Control Act of 1974 (Public Law 93-344), as amended.

### SUMMARY OF THE BILL

The Committee has conducted extensive hearings on the programs and projects provided for in the Interior and Related Agencies Appropriations bill for 1997. The hearings are contained in 9 published volumes totaling nearly 9,000 pages.

During the course of the hearings, testimony was taken at 19 hearings on 14 days from nearly 450 witnesses, not only from agencies which come under the jurisdiction of the Interior Subcommittee, but also from Members of Congress, State and local government officials, and private citizens.

The bill which is recommended for 1997 has been developed after careful consideration of all the facts and details available to the Committee.

#### BUDGET AUTHORITY RECOMMENDED IN BILL BY TITLE

Activity	Budget estimates, fiscal year 1997 Committee bill, compared with budget estimates	Budget estimates, fiscal year 1997 Committee bill
----------	-----------------------------------------------------------------------------------	---------------------------------------------------

Title I, Department of the Interior: New Budget (obligational) authority	\$6,598,587,000	\$5,985,022,000	-
	\$613,565,000		
Title II, related agencies: New Budget (obligational) authority	6,326,056,000	6,073,089,000	
	-252,967,000		
Grand total, New Budget (obligational) authority	12,924,643,000	12,058,111,000	
	-866,532,000		

-----  
 -----  
 -----

## TOTAL APPROPRIATIONS FOR THE DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES

In addition to the amounts in the accompanying bill, which are reflected in the table above, permanent legislation authorizes the continuation of certain government activities without consideration by the Congress during the annual appropriations process.

Details of these activities are listed in tables at the end of this report. In fiscal year 1996, these activities are estimated to total \$3,053,416,000. The estimate for fiscal year 1997 is \$2,706,477,000.

The following table reflects the total budget (obligational) authority contained both in this bill and in permanent appropriations for fiscal years 1996 and 1997.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES TOTAL BUDGET AUTHORITY FOR FISCAL YEARS 1996-97

-----  
 -----

Item	Fiscal year 1996	Fiscal year 1997
Change		
-----		
Interior and related agencies appropriations bill	\$12,539,892,000	\$12,058,111,000
-\$481,781,000		
Permanent appropriations, Federal funds	2,086,913,000	1,964,433,000
-122,480,000		
Permanent appropriations, trust funds	1,079,592,000	1,087,142,000
+7,550,000		
Total budget authority	15,706,397,000	15,109,686,000
-596,711,000		

-----  
 -----

## REVENUE GENERATED BY AGENCIES IN BILL

The following tabulation indicates total new obligational authority to date for fiscal years 1995 and 1996, and the amount recommended in the bill for fiscal year 1997. It compares receipts generated by activities in this bill on an actual basis for fiscal year 1995 and on an estimated basis for fiscal years 1996 and 1997.

-----

Item	Fiscal year--
------	---------------

1995

1996

1997

---

New obligational authority \$13,669,502,000 \$12,539,892,000 \$12,058,111,000

Receipts:

Department of the Interior 5,128,071,000 5,494,603,000 6,831,270,000

Forest Service 758,328,000 815,476,000 810,430,000

Naval petroleum reserves 412,144,000 462,955,000 407,202,000

Total receipts 6,298,543,000 6,773,034,000 8,048,902,000

---

## APPLICATION OF GENERAL REDUCTIONS

The level at which sequestration reductions shall be taken pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, if such reductions are required in fiscal year 1997, is defined by the Committee as follows:

As provided for by section 256(l)(2) of Public Law 99-177, as amended, and for the purpose of a Presidential Order issued pursuant to section 254 of said Act, the term 'program, project, and activity' for items under the jurisdiction of the Appropriations Subcommittees on the Department of the Interior and Related Agencies of the House of Representatives and the Senate is defined as (1) any item specifically identified in tables or written material set forth in the Interior and Related Agencies Appropriations Act, or accompanying committee reports or the conference report and accompanying joint explanatory statement of the managers of the committee of conference; (2) any Government-owned or Government-operated facility; and (3) management units, such as national parks, national forests, fish hatcheries, wildlife refuges, research units, regional, state and other administrative units and the like, for which funds are provided in fiscal year 1997.

The Committee emphasizes that any item for which a specific dollar amount is mentioned in any accompanying report, including all increases over the budget estimate approved by the Committee, shall be subject to a percentage reduction no greater or less than the percentage reduction applied to all domestic discretionary accounts.

## LAND AND WATER CONSERVATION FUND

Following is a comparison of the Land and Water Conservation Fund by agency. More specific information can be found in each agency's land acquisition account.

LAND AND WATER CONSERVATION FUND

[In thousands of dollars]

---



---

Enacted fiscal year 1996 Estimated fiscal year 1997

Recommended

-----  
-----

Assistance to States:

Matching grants 0	0	0
----------------------	---	---

Administrative expenses 1,000	1,500	1,500
----------------------------------	-------	-------

Subtotal, assistance to States 1,000	1,500	1,500
-----------------------------------------	-------	-------

Federal programs:

Bureau of Land Management 10,000	12,800	12,800
-------------------------------------	--------	--------

Fish and Wildlife Service 30,000	36,900	36,900
-------------------------------------	--------	--------

National Park Service 29,000	47,600	34,800
---------------------------------	--------	--------

Forest Service 30,000	39,400	41,200
--------------------------	--------	--------

Subtotal, Federal programs 99,000	136,700	125,700
--------------------------------------	---------	---------

Total L&WCF 100,000	138,200	127,200
------------------------	---------	---------

-----  
-----

The Committee has included \$100,000,000 to cover the land acquisition needs of the Bureau of Land Management, Fish and Wildlife Service, National Park Service, and the U.S. Forest Service.

Bill language is included in the General Provisions, Department of the Interior, which allows the Secretary of the Interior to transfer the Interior funds between the Interior agencies. All transfers and final project approval is subject to the Committee's reprogramming guidelines which were published in the Committee report accompanying the fiscal year 1995 appropriations, House Report 103-551, with the understanding that only the highest priority projects involving willing sellers will be considered. The Committee continues to support strongly land exchanges.

## INDIAN PROGRAMS

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

FEDERAL FUNDING OF INDIAN PROGRAMS

[In thousands of dollars]

	Fiscal year 1995, actual	Fiscal year 1996, estimate
Budget authority		
Fiscal year 1997, budget estimate		
Department of Agriculture 132,774	94,619	134,590
Department of Commerce 4,499	6,984	2,683
Department of Defense 0	8,000	8,000
Department of Justice 9,462	9,811	10,261
Department of Education 464,100	436,723	454,000
Department of HHS 2,611,754	2,357,154	2,396,819
Department of HUD 523,868	533,846	479,752
Department of Veterans Affairs 434	218	205
Department of the Interior 2,030,075	1,924,836	1,797,002
Department of Labor 65,840	63,151	63,867
Department of Transportation 201,847	198,955	201,522
Environmental Protection Agency 98,759	51,896	84,539
Smithsonian Institution 22,800	37,200	37,200
Army Corps of Engineers 18,300	17,446	10,569

Other Independent Agencies 30,500	36,101	25,845
Total 6,215,012	5,776,940	5,702,354

-----  
-----

## **IMPROVING MANAGEMENT PRACTICES**

Last year the Committee provided suggestions on improving and streamlining operations in land management agencies and encouraged those agencies to work with each other to consolidate activities and achieve economies. The Committee reiterates that direction this year and expects to see more progress in that regard in fiscal year 1997.

Over the past year the General Accounting Office has been reviewing the accounting records at several of the large agencies in the Interior bill. GAO has identified a large amount of unobligated funds which remain after the expiration of the fiscal year and also a number of uncosted balances which remain in contracts for years after obligation. GAO has discovered that many agencies have difficulty in responding readily with explanations for these balances. The Committee recognizes that there are legitimate reasons in many cases for these balances; however, all such balances should be reviewed regularly and excess funds should be used to offset major requirements, either through the reprogramming process or in future budget requests. It is unacceptable to have large unexplained balances which, in some cases, amount to more than half of the requested new budget authority for a given account. The GAO will continue to monitor these balances for the Committee. Each agency should cooperate fully with the GAO in this effort toward the common goal of sound financial management.

## **PROGRESS ON RECREATIONAL FEE DEMONSTRATION PROGRAM**

Last year the Committee provided the four major federal land management agencies the authority to establish a demonstration program to test the collection, retention, and reinvestment of new admission and user fees. Each agency was allowed to establish 50 sites so that 80 percent of the increase in the fees could be used at the site of collection. This enhances service to the American public and helps reduce the backlog of needed maintenance. The American public has indicated that they are willing to pay reasonable fees if they are given substantial service in return. The Committee is encouraged by some of the actions taken by some agencies, especially the Forest Service, to begin this program in an expeditious and efficient fashion. The Committee is concerned that the National Park Service has taken so little action to date on this important opportunity to increase public service, benefit many sites, and establish an experience and informational background base from which better fee collection legislation can be implemented in the near future. The Committee has learned that the National Park Service has failed to join in interagency coordination and has even refused to participate in joint news and educational releases on this effort. The Committee will take the Park Service performance in this program into account when making future allocations of funds. The Committee strongly urges these agencies to use this demonstration program to enhance their own financial and public service situation. The Committee strongly urges the National Park Service, Fish and Wildlife Service, Bureau of Land Management and the Forest Service to implement rapidly this program and report back to the Committee by December 31, 1996 on the implementation and early lessons of the demonstration program. These agencies should submit individual as well as a joint, integrated report to the

Committee. The Committee also urges the four agencies to work closely together to provide a solid and shared base of understanding on this important effort. The Committee has recommended extending the fee demonstration period by one year because the late signing of the appropriations act made establishment of projects before the summer visitation season difficult.

## **MAKING GOOD GOVERNMENT CHOICES**

This Committee has taken testimony this year from the Administration, environmental groups, Native Americans, cultural organizations, industry and the American public. The consensus opinion is that we should be taking care of our National Parks, public lands and cultural institutions. This means providing increases in operations and reducing the backlog of critical maintenance. In other words, we have been asked to take good care of what we currently have in the public trust.

This Committee has provided increases for the National Parks, Wildlife Refuges and Forests. We have provided special increases for the Everglades Restoration, earthquake program, the new southern California Natural Communities Conservation Planning and Appalachian Clean Streams initiatives, and assured that \$9,000,000 will be available for Sterling Forest land acquisition. We have added funds for the Bureau of Indian Affairs' Tribal Priority Allocations, Indian health and education. Increases are provided for a forest health initiative which includes pest suppression, wildfire management and timber stand improvements.

Priority was given to funding increases in both operations and relieving critical maintenance backlogs for our Nation's major cultural institutions such as the Smithsonian Institution, the National Gallery of Art, the John F. Kennedy Center for the Performing Arts and the Holocaust Museum.

In order to fund these priorities, reductions were taken to Washington and Regional office bureaucracies with a goal toward eliminating duplication and layers of management. Further reductions were made to the Department of Energy, eliminating wasteful and inappropriate government-subsidized programs and channeling all these savings to the high priority programs mentioned above.

By continuing to reduce unnecessary spending and focusing our increases on the core programs contained in this bill, the Committee was able to save the taxpayers of this country \$500 million and fulfill the commitment to the American public to take care of our National treasures.

## **REDUCING LEVELS OF MANAGEMENT**

The Committee's recommendations for fiscal year 1997, in most cases, assume that fixed cost increases will be absorbed by agencies. The Committee expects each agency to reduce levels of review and management in order to cover the costs associated with pay raises and inflation. In particular, the Committee directs each agency to ensure that administrative practices that consume a large amount of staff time are eliminated or greatly reduced and the resulting savings are reflected in the reduction of staff and in budget reductions. For example, chain of review, concurrence and 'sign-offs' for correspondence and for programmatic documents should be limited to no more than four reviewers except in rare cases involving a major policy issue, a complex legal situation or an agency-wide directive. For routine correspondence there should not be more than one level of review. The Committee expects that, as levels of review are reduced and employees are empowered to do their jobs, many positions will be eliminated. These positions should not be converted into additional program staff but should truly result in a reduction of FTEs.

## **INFLATIONARY IMPACT STATEMENT**

Clause 2(l)(4), of rule XI of the House of Representatives, requires that each Committee report on a bill or resolution contain a statement as to whether enactment of such bill or resolution may have an inflationary impact on price and costs in the operation of the national economy. Many of the funds provided in this bill permit increased production, will increase supply and, thus, reduce the inflationary demand that results when a material is in short supply. These programs also generate revenue for the Federal Government which is estimated at \$8 billion for fiscal year 1997. Therefore, the expenditures proposed in this bill will contribute to the economic stability, rather than inflation.

## **TITLE I--DEPARTMENT OF THE INTERIOR**

### **BUREAU OF LAND MANAGEMENT**

The Bureau of Land Management is responsible for the multiple use management, protection, and development of a full range of natural resources, including minerals, timber, rangeland, fish and wildlife habitat, and wilderness on about 270 million acres of the Nation's public lands and for management of 300 million additional acres of federally owned subsurface mineral rights. The Bureau is the second largest supplier of public outdoor recreation in the Western United States, with an estimated 65 million visits totaling 570 million visitor hours of recreation use on the public lands under the Bureau's management.

Under the multiple-use and ecosystem management concept the Bureau administers the grazing of approximately 4.3 million head of livestock on some 164 million acres of public land ranges, and manages over 43,000 wild horses and burros, some 270 million acres of wildlife habitat, and over 150,000 miles of fisheries habitat. Grazing receipts are estimated to be about \$15.5 million in fiscal year 1997, compared to an estimated \$15.6 million in fiscal year 1996 and actual receipts of \$16.8 million in fiscal year 1995. The Bureau also administers about 4 million acres of commercial forest lands through the 'Management of lands and resources' and 'Oregon and California grant lands' appropriations. Timber receipts (including salvage) are estimated to be \$96.9 million in fiscal year 1997 compared to estimated receipts of \$96.2 million in fiscal year 1996 and actual receipts of \$74.4 million in fiscal year 1995. The Bureau has an active program of soil and watershed management on 175 million acres in the lower 48 States and 92 million acres in Alaska. Practices such as revegetation, protective fencing, and water developments are designed to conserve, enhance, and develop public land, soil, and watershed resources. The Bureau is also responsible for fire protection on the public lands and on all Department of the Interior managed lands in Alaska, and for the suppression of wildfires on the public lands in Alaska and the western States.

## **MANAGEMENT OF LANDS AND RESOURCES**

Appropriation enacted, 1996	\$567,453,000
Budget estimate, 1997	575,892,000
Recommended, 1997	566,514,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	-939,000
<b>Budget estimate, 1997</b>	-9,378,000

The Committee recommends an appropriation of \$566,514,000 for management of lands and resources, a decrease of \$9,378,000 below the budget estimate, and \$939,000 below the 1996 enacted level.

The amount recommended by the Committee as compared to the 1996 enacted level by activity is shown on the following table:

Offset Folios 9 to 10 Insert Here

001

*Land resources.*--The Committee recommends \$120,435,000 for land resources, including increases from the 1996 enacted level of \$1,591,000 for soil, water and air management, \$2,269,000 for range management, \$30,000 for forestry management, \$1,578,000 for riparian management, \$1,059,000 for cultural resources, and \$1,080,000 for wild horse and burro management. The Committee supports the Bureau's involvement in the PM-10 Clean Air study in the San Joaquin Valley. The Committee encourages the Bureau to use up to \$500,000 of funds within range management for the Rangelands Ecosystem Group component of the Environmental Monitoring and Assessment Program (EMAP) in cooperation with other agencies. The Committee notes that the Secretary will soon be implementing new standards and guidelines for rangeland health developed by the Resource Advisory Councils. However to assess fully the condition of western rangelands, the Bureau must use new data collection tools, such as remote sensing, to prioritize its field work.

*Wildlife and fisheries.*--The Committee recommends \$28,234,000 for wildlife and fisheries, including increases of \$1,601,000 for wildlife management and \$1,533,000 for fisheries management above the 1996 enacted level.

*Recreation management.*--The Committee recommends \$45,864,000 for recreation management, including increases of \$1,072,000 for wilderness management, and \$1,633,000 for recreation resources management above the 1996 enacted level.

The Committee believes that as a result of the 69 BLM wilderness areas totaling 3.6 million acres created under P.L. 103-433, the Department should increase its BLM desert ranger force in the California desert. The concentration of visitor use has resulted in a number of adverse impacts including more conflicts among users, greater pressure on resources, and a greater need for intensive management and visitor assistance. For these reasons, the Committee believes that the best approach for resolving this problem is to provide an additional \$200,000 in order to fund five additional rangers.-

The Committee directs that \$100,000 be used at the visitor facility at Harper Lake for the installation of interpretive signs, hiking trails, and boardwalks to help make this area an environmental showplace to enhance tourism, and help create an outdoor facility for use by local young people.

*Energy and minerals.*--The Committee recommends \$69,503,000 for energy and minerals, which is an increase of \$342,000 above the 1996 enacted level.

The Committee is greatly concerned about the soda ash royalty rate increase recently imposed by the Department of the Interior. It has come to the Committee's attention that the Department may not have provided adequate support and analysis for this increase. Therefore, the Committee directs the Department to conduct a study in consultation with the Department of Commerce, the United States Trade Representative, and the Office of Management and Budget, that at a minimum addresses (1) what is the best way to set royalty rates when 'comparable' rates are the product of monopoly power, (2) what are the benefits associated with increased revenues to the Treasury, as opposed to the costs to the domestic soda ash industry and U.S. trade objectives, and (3) why is the royalty rate for soda ash significantly higher than the rates charged for other minerals. The Department should submit this report to the Committee no later than 120 days after enactment of this Act. If adequate analysis of this issue is

not forthcoming, the Congress may give serious consideration to repealing this royalty rate increase.

The Committee supports the discussions currently taking place between the Bureau and the States over the transfer of Federal oil and gas inspection and enforcement activities to the States. The Committee believes that it is in everyone's interest to pursue a policy that can lead to reduced costs as well as simplification and consolidation of regulatory programs. The Bureau is directed to report to the Committee on the status of these negotiations within 90 days of enactment of this Act.

*Realty and ownership management.*--The Committee recommends \$69,556,000 for realty and ownership management, which is \$189,000 above the fiscal year 1996 enacted level.

*Resource protection and maintenance.*--The Committee recommends \$58,084,000 for resource protection and maintenance, which includes increases of \$2,654,000 for facilities maintenance, \$53,000 for resource protection, and \$76,000 for hazardous materials management above the fiscal year 1996 enacted level.

The Committee recommends a reduction of \$8,500,000 for resource management planning which eliminates this subactivity. It is the Committee's expectation that the necessary costs of planning will be borne by the programs (which already cover the majority of planning costs), and that funding in this manner will encourage additional streamlining of the planning process. Savings will also be achieved by eliminating the layer of planning staff who have been funded in this subactivity. Funding has been reallocated to program areas to ensure that additional resources are dedicated to on-the-ground field work.

*Automated land and mineral records system.*--The Committee recommends \$42,207,000 for automated land and mineral records system (ALMRS), which is \$8,793,000 below the fiscal year 1996 enacted level. Any additional funding for this activity is contingent upon a successful initial test in New Mexico, and a third party review of the results of this test.

*Mining law administration.*--The Committee recommends \$32,300,000 for mining law administration, which is the same as the request. This activity is supported by offsetting fees equal to the amount made available in the bill.

In Title III--General Provisions, the Committee has continued a limitation on accepting and processing applications for patents and on the patenting of Federal land to claimants until mining law reform legislation is enacted. This language is identical to that carried in 1996.

*Workforce and organizational support.*--The Committee recommends \$116,131,000 for workforce and organizational support, \$574,000 above the 1996 enacted level.

*Bill language-* The Committee has included bill language that permits the collection and use of small fees by the Bureau to cover part of the costs of processing applications and for providing certain services on the public lands. The intent of this language is to use these fees to help address the backlog of operation and maintenance needs on our public lands. This language does not apply to the collection or distribution of receipts from rents, royalties or bonuses from energy and mineral leasing, timber sales, or grazing fees. It also does not affect collections that are already appropriated to the Bureau, such as adoption fees for wild horses and burros, right-of-way application fees, and fees for providing copies of public land records. The Committee directs the Bureau to provide, as part of its annual budget submission, a list of fees established under this authority, the fee rate charged, and the distribution of these fees to program operations.

## WILDLAND FIRE MANAGEMENT

Appropriated enacted, 1996	\$235,924,000
Budget estimate, 1997	247,924,000
Recommended, 1997	247,924,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	+12,000,000
<b>Budget estimate, 1997</b>	.....

The Committee recommends an appropriation of \$247,924,000 for wildland fire management, which is an increase of \$12,000,000 above the fiscal year 1996 enacted level.

The appropriation includes \$140,157,000 for preparedness and fire use and \$107,767,000 for suppression activities. The fire use and management activity is funded at 84% of the 1997 'most efficient level.' Funding for the operations activity is set at about 78% of the ten-year average actual costs for this activity. Should additional funding be required, the Department should first use the \$52,200,000 contingency fund appropriated in 1993. Beyond that, the Secretary's authority under section 102 of this Act should be invoked. The Committee has included language in section 102 which requires a supplemental be submitted as promptly as possible.

The Committee wishes to express its support for the principles and recommendations contained in the 1995 Federal Wildland Management Policy and Review Report. In particular, we encourage the Department to conduct efficient and cost effective preparedness, fire use, and suppression operations. The report provides a blueprint for the improved interagency planning and cooperation necessary to protect life and property from wildfires, manage wildland fuels to reduce the risk of catastrophic wildfire, and reestablish the natural role of wildland fire. The Department of the Interior bureaus and the Forest Service should adopt common approaches to funding and managing preparedness resources, fuels treatments, and the use of prescribed fire in order to accomplish the report recommendations. All phases of wildland fire management must be conducted without compromising either firefighter or public safety.

The funds available in this appropriation should be used to support the implementation of specific Policy Review Report recommendations such as expanding the use of joint or shared resources to accelerate fuels treatments, the use of prescribed fire across administrative boundaries, and taking appropriate responses to naturally occurring fires. Budget requests based on Most-Efficient-Level planning should be designed to reduce the total program cost and resource damage over time. Investments in suppression resources, reducing hazardous fuels, and using fire to achieve land management objectives should be optimized in contrast to the uncontrolled costs of only reacting to immediate crises. Prevention and fuels treatment programs should be targeted to high priority areas to reduce the incidence and cost of large catastrophic wildfires. Preparedness and suppression costs can be restrained by ensuring that the suppression response is commensurate with values to be protected and consistent with resource objectives.

## CENTRAL HAZARDOUS MATERIALS FUND

Appropriation enacted, 1996	\$10,000,000
Budget estimate, 1997	20,500,000

Recommended, 1997	12,000,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	+2,000,000
<b>Budget estimate, 1997</b>	-8,500,000

The Central hazardous materials fund is established to include funding for remedial investigations/feasibility studies and cleanup of hazardous waste sites for which the Department of the Interior is liable pursuant to the Comprehensive Environmental Response, Compensation and Liability Act and includes sums recovered from or paid by a party as reimbursement for remedial action or response activities.

The Committee recommends an appropriation of \$12,000,000 for the Central hazardous materials fund, which is an increase of \$2,000,000 above the fiscal year 1996 enacted level. The Committee expects the Department to fund the highest priority, ongoing, or emergency projects within this funding level.

## CONSTRUCTION

Appropriation enacted, 1996 (excludes emergency)	\$3,115,000
Budget estimate, 1997	3,103,000
Recommended, 1997	3,103,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	-12,000
<b>Budget estimate, 1997</b>	.....

The Committee recommends an appropriation of \$3,103,000 for construction, which is a decrease of \$12,000 from the fiscal year 1996 enacted level and equal to the budget request.

## PAYMENTS IN LIEU OF TAXES

Appropriation enacted, 1996	\$113,500,000
Budget estimate, 1997	101,500,000
Recommended, 1997	113,500,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	.....
<b>Budget estimate, 1997</b>	+12,000,000

Payments in Lieu of Taxes (PILT) provides for payments to local units of government containing certain federally owned lands. These payments are designed to supplement other Federal land receipt sharing payments local governments may be receiving. Payments received may be used by the recipients for any governmental purpose.

The Committee recommends \$113,500,000 for PILT, the same as the fiscal year 1996 enacted level and an increase of \$12,000,000 above the budget request.

## LAND ACQUISITION

Appropriation enacted, 1996	\$12,800,000
Budget estimate, 1997	12,800,000
Recommended, 1997	10,000,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	-2,800,000
<b>Budget estimate, 1997</b>	-2,800,000

The Committee recommends \$10,000,000 for land acquisition, which is a decrease of \$2,800,000 below the fiscal year 1996 enacted level. This includes \$7,500,000 for new acquisitions and \$2,500,000 for acquisition management.

The Committee directs the Secretary of the Interior to identify all BLM lands within the State of New Mexico which are potentially suitable for disposal through sale or exchange and to complete site specific resources evaluations, clearances and appraisals for these parcels. The Secretary is further directed to enter into negotiations with the State of New Mexico, BLM lease holders, and other private landowners for the purpose of exchange or sale of these lands. The Secretary shall set up a timetable and cost estimates for these procedures and keep the Committee apprised of any progress.

## OREGON AND CALIFORNIA GRANT LANDS

Appropriation enacted, 1996 (excludes emergency)	\$97,452,000
Budget estimate, 1997	108,379,000
Recommended, 1997	98,365,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	+913,000
<b>Budget estimate, 1997</b>	-10,014,000

The amount recommended by the Committee as compared to the 1996 enacted level by activity is shown on the following table:

,w318,d96

Insert offset folio 16 here

The Committee recommends \$98,365,000 for the Oregon and California grant lands, including decreases of \$3,073,000 for facilities maintenance, and increases of \$3,986,000 for resources management, from the fiscal year 1996 enacted level. These funds are provided for construction and acquisition, operation and maintenance, and management activities on the revested lands in the 18 Oregon and California land grant counties of western Oregon range improvements.

The Committee urges BLM to make every effort to comply with the statutory requirements of the Oregon and California Grant Lands Act to provide economic benefits to the counties adjacent to O&C forestlands. The Committee has provided \$79,948,000 for the western Oregon resources management subactivity, an increase of \$3,986,000 from the fiscal year 1996 enacted level. This funding level is sufficient for the Bureau to meet its timber sales target of 211 MMBF in fiscal year 1997.

## RANGE IMPROVEMENTS

### (INDEFINITE APPROPRIATION OF RECEIPTS)

Appropriation enacted, 1996	\$9,113,000
Budget estimate, 1997	9,113,000
Recommended, 1997	9,113,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	.....
<b>Budget estimate, 1997</b>	.....

The Committee recommends an indefinite appropriation of not less than \$9,113,000 to be derived from public lands receipts and Bankhead-Jones Farm Tenant Act lands grazing receipts. Receipts are used for construction, purchase, and maintenance of range improvements, such as seeding, fence construction, weed control, water development, fish and wildlife habitat improvement, and planning and design of these projects.

## SERVICE CHARGES, DEPOSITS, AND FORFEITURES

### (INDEFINITE)

Appropriation enacted, 1996	\$8,993,000
Budget estimate, 1997	8,993,000
Recommended, 1997	8,993,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	.....
<b>Budget estimate, 1997</b>	.....

The Committee recommends an indefinite appropriation of \$8,993,000, the budget estimate, for service charges, deposits, and forfeitures. This account uses the revenues collected under specified sections of the Federal Land Policy and Management Act of 1976 and other Acts to pay for reasonable administrative and other costs in connection with rights-of-way applications from the private sector, miscellaneous cost-recoverable realty cases, timber contract expenses, repair of damaged lands, the adopt-a-horse program, and the provision of copies of official public land documents.

## MISCELLANEOUS TRUST FUNDS

### (INDEFINITE)

Appropriation enacted, 1996	\$7,605,000
Budget estimate, 1997	7,605,000

Recommended, 1997	7,605,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	.....
<b>Budget estimate, 1997</b>	.....

The Committee recommends an indefinite appropriation of \$7,605,000, the budget estimate, for miscellaneous trust funds. The Federal Land Policy and Management Act of 1976 provides for the receipt and expenditure of moneys received as donations or gifts (section 307). Funds in this trust fund are derived from the administrative and survey costs paid by applicants for conveyance of omitted lands (lands fraudulently or erroneously omitted from original cadastral surveys), from advances for other types of surveys requested by individuals, and from contributions made by users of Federal rangelands. Amounts received from the sale of Alaska town lots are also available for expenses of sale and maintenance of townsites. Revenue from unsurveyed lands, and surveys of omitted lands, administrative costs of conveyance, and gifts and donations must be appropriated before it can be used.

## UNITED STATES FISH AND WILDLIFE SERVICE

The mission of the Fish and Wildlife Service is to conserve, protect and enhance fish and wildlife and their habitats for the continuing benefit of people. The Service has responsibility for migratory birds, threatened and endangered species, certain marine mammals, and land under Service control.

The Service manages 92 million acres, encompassing a 508 unit National Wildlife Refuge System, and waterfowl production areas in 186 counties. The Service also operates 72 National Fish Hatcheries and nine Fish Health Centers. A network of law enforcement agents and port inspectors enforce Federal laws for the protection of fish and wildlife.

## RESOURCE MANAGEMENT

Appropriation enacted, 1996 (excludes emergency)	\$501,010,000
Budget estimate, 1997	540,372,000
Recommended, 1997	520,519,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	+19,509,000
<b>Budget estimate, 1997</b>	-19,853,000

The Committee recommends \$520,519,000 for Resource Management, a decrease of \$19,853,000 below the budget request and an increase of \$19,509,000 above the fiscal year 1996 level.

The comparisons of the recommendation and the 1996 enacted level by activity are shown in the following table:

,w318,d240

Insert offset folio 20 here

The Committee expects the Service to seek approval from the House and Senate Committees on Appropriations, following the established reprogramming guidelines, before making any base funding reallocations.

*Endangered Species*- The Committee recommends \$66,300,000 for the endangered species program, an increase of \$6,000,000 above the fiscal year 1996 level, including increases of \$1,000,000 for candidate conservation, \$1,000,000 for listing, \$2,000,000 for consultation, and \$2,000,000 for recovery.

The Committee understands that, within the increase provided for the candidate conservation program, \$750,000 will be used for implementation of the Virgin River Integrated Resource Management Recovery program and actions to restore Virgin River spinedace habitat in Utah. The funds are to be matched from other State and local sources.

The Committee expects the U.S. Fish and Wildlife Service to use a portion of the funding made available by this Act for administration of the Endangered Species Act listing program to review the scientific basis for maintaining specific existing listings, to be selected in the discretion of the Service, in order to ensure that they are reflective of the best available scientific and other relevant information.

The Committee encourages the Service to provide the same level of assistance in fiscal year 1997 as was provided in fiscal year 1996 for the Pacific Northwest Forest Plan; for the Upper Colorado River Basin endangered fish recovery program; and to The Peregrine Fund to continue activities related to the California condor and the peregrine falcon.

The Committee urges the Fish and Wildlife Service to provide at least the same level of assistance for the Natural Communities Conservation Planning (NCCP) program in southern California as in 1996. These funds are to be equally matched by private resources.

In pursuing the Mexican wolf reintroduction program, the Committee urges the Service to make every effort to ensure that the risk to livestock and the danger of hybridization with other breeds in the wild are addressed fully prior to the introduction of wolves in the Blue Range Wolf Recovery Area along the New Mexico/Arizona border.

The Committee expects the Service to address the concerns of private landowners with respect to California condor recovery efforts and the release of experimental populations. The Service should consider all options, including serious consideration of designating condors in California as a non-essential experimental population.

The Committee commends the outstanding work of the Puerto Rico Parrot Office and urges the Service to continue to fund the parrot restoration activities at this important station.

The Committee is concerned that some of the money provided for the 'Jobs in the Woods' program has not been used for its intended purpose. The Committee urges FWS to take appropriate actions to use project dollars to hire dislocated timber and forest workers from forest dependent communities and to provide job training in support of those workers.

Bill language has been included in General Provisions, Department of the Interior which prohibits the use of funds to continue or enforce the designation of critical habitat for the marbled murrelet on private property in California. Excluded from this moratorium is the 3,000 acre grove of old growth redwoods known as Headwaters Grove.

The Committee continues to be concerned about the designation of critical habitat for the marbled murrelet. The Committee understands that the Service has made the critical habitat designation for the marbled murrelet and that a portion of that habitat is on private lands. In enforcing the provisions of the Endangered Species Act with respect to the marbled murrelet, the Committee expects the Service to make every effort to ensure that the impact on private landowners is minimized and that the local economy is not adversely impacted by the loss of jobs. The Service should work with the private landowners and local community officials to identify potential adverse impacts and the actions needed

to avoid or ameliorate those adverse impacts. The Service should work with willing, concerned parties to develop a habitat conservation plan which limits regulatory intrusion on private property and clearly delineates permissible activities.

*Habitat Conservation-* The Committee recommends \$54,528,000 for habitat conservation, an increase of \$720,000 above the budget request and \$716,000 above the fiscal year 1996 level.

The increase to the budget request is for two projects under the project planning account. They are \$120,000 for a study of water use in the Upper Carson River area of Nevada, which will be matched with funding from the Carson Water Subconservancy District, and \$600,000 for the Chicago Wetlands Office, Chicago wilderness project.

The Committee understands that \$200,000 will be provided to the organization 'Long Live the Kings' and the Hood Canal Salmon Enhancement Group, through the Service's coastal program, for wild salmon enhancement demonstration activities on the Hamma Hamma River and other rivers in Hood Canal, Washington. Within these funds, the Service should provide for a watershed coordinator for the Hood Canal watershed in Washington State. The coordinator should work to establish cooperative partnerships with Federal, State, and local agencies, gain voluntary watershed protections on privately held streamside lands, and seek to build community support for salmon efforts.

Fish & Wildlife Service watershed restoration activities should proceed in a manner which takes into consideration the condition of an entire watershed, rather than approaching restoration through a piece meal effort. Furthermore, to the extent possible, the agency should work with private landowners and encourage their volunteer efforts in meeting objectives related to watershed restoration and the longterm protection of salmon habitat. Recent GIS mapping data indicate that almost two-thirds of all salmon habitat is on private lands, and therefore nonregulatory approaches to soliciting private landowner support should be encouraged.

The Committee expects the Service, in carrying out the objectives of the Washington State Ecosystems Project, to include as a priority, projects which aid in the restoration and rehabilitation of salmon habitat.

*Environmental Contaminants-* The Committee recommends \$8,821,000 for the contaminants program, which is equal to the budget request and to the fiscal year 1996 level.

*Refuges and Wildlife-* The Committee recommends \$229,075,000 for refuges and wildlife, an increase of \$8,986,000 above the fiscal year 1996 level, including an increase of \$9,000,000 in refuge operations and maintenance to address the backlogs in those areas and a decrease of \$14,000 in law enforcement as proposed in the budget request.

Within the funds provided, the Committee understands that an additional \$533,000 will be used for Everglades restoration.

The Committee expects the Service to refrain from any activity which would facilitate the use of bear viscera or products derived from bear viscera, and from any activity involving the use of steel jaw leghold traps unless essential for law enforcement operations in the public interest.

The Committee expects the Service to work in close consultation with the Laguna Cartagena Interagency Committee on all aspects of the Refuge's restoration and should report annually to the Committee on the progress of the remediation process. Every effort should be made to remove the floating peat mats at the refuge within five years of installation of the water control device which should be completed by May 1997.

*Fisheries-* The Committee recommends \$65,559,000 for fisheries programs, an increase of \$808,000 above the fiscal year 1996 level, including a decrease of \$192,000 for hatchery operations and

maintenance as proposed in the budget request and an increase of \$1,000,000 for fish and wildlife management. The Committee encourages the Service to use a portion of the fisheries increase for whirling disease research.

The Committee agrees with the Administration's original proposal to transfer 11 fish hatcheries to the States. Based on a review by the Fish and Wildlife Service which established criteria to determine the lowest priority hatcheries, these facilities were identified because their production primarily supports resident State programs. The Committee agrees to extend, for one year only, funding which will allow for the transfer of these hatcheries to the States, assuming a gradual decrease of Federal funding over a three-year period. This gives the affected States additional time to prepare for the transfer. The Service should seriously consider closing these facilities if the States are unwilling to initiate the transfers in fiscal year 1997. In fiscal year 1996 the Committee provided a modest amount of funding to cover maintenance requirements for those States that agreed to initiate the transfers in that year. To date, two States have agreed to do so. This additional maintenance funding incentive is not included in fiscal year 1997.

*General Administration-* The Committee recommends \$96,236,000 for general administration, an increase of \$2,999,000 above the fiscal year 1996 level, including a decrease of \$1,000 for international affairs as proposed in the budget request, and increases of \$1,000,000 each for the National Education and Training Center, for Service-wide administrative support, and for the National Fish and Wildlife Foundation which, like 1996, is funded within this account rather than in the land acquisition account as proposed in the budget request.

The Committee notes the work of the National Fish and Wildlife Foundation and endorses the concept of the voluntary partnerships it facilitates. A total of \$5,000,000 is provided for the Foundation which is an increase of \$1,000,000 above the fiscal year 1996 level.

The Committee expects the National Education and Training Center to collect tuition to offset partially administrative operating expenses.

*General-* Language is included under Administrative Provisions, Department of the Interior, which requires that the establishment of new refuges with funds made available in this bill be approved by the Committee through the reprogramming process.

The Committee expects the Service to direct sufficient resources to address the decline of nongame migratory birds in the United States and to identify priority areas for nongame migratory birds.

## CONSTRUCTION

Appropriation enacted, 1996 (excludes emergency)	\$37,655,000
Budget estimate, 1997	37,587,000
Recommended, 1997	38,298,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	+643,000
<b>Budget estimate, 1997</b>	+711,000

The Committee recommends \$38,298,000 for construction, an increase of \$711,000 above the budget request and \$643,000 above the fiscal year 1996 level. The Committee's recommendation includes \$33,393,000 for line item construction, \$4,633,000 for construction management, and \$272,000 for emergency projects.

The Committee agrees to the following distribution of line item construction funds:

---

---

Site, State, Description Committee recommendation	Budget request
Creston Hatchery, MT, Jessup Mill Pond Dam \$850,000	\$850,000
Patuxent Refuge, MD, Cash Lake Dam 485,000	485,000
Witchita Mountains Refuge, OK, Grama Lake & Commanche Dams 700,000	700,000
Crab Orchard Refuge, IL, Little Wolf Creek Bridge 550,000	550,000
Squaw Creek Refuge, MO, Davis Creek Bridge 550,000	550,000
White River Refuge, AR, Big Island Chute Bridge 300,000	300,000
Region 4, FL/LA/NC, Bridge Replacement (5 bridges) 800,000	800,000
Alamosa/Monte Vista Refuge, CO, Chicago Ditch Dam 1,450,000	1,450,000
Wichita Mountains Refuge, OK, Road Rehabilitation 2,048,000	2,048,000
Innoko Refuge, AK, Aircraft Hangar 630,000	630,000
Craig Brook Hatchery, ME, Water Supply/Station Rehabilitation 4,810,000	4,810,000
Sacramento Refuge, CA, Water Delivery System 500,000	500,000
Ennis Hatchery, MT, Spring Water Cover 300,000	300,000
Southwest Fish Technology Center, NM, Construct Mora Hatchery 2,705,000	2,705,000
Southwest Fish Technology Center, NM, Rehabilitate Dexter Hatchery 961,000	961,000

Ouray Hatchery, UT, Ponds/Water Reuse 1,725,000	1,725,000
Stillwater Refuge, NV, Water Rights ,500,000	2,000,000
Stillwater Refuge, NV, Water Gauging Station 300,000	300,000
National Education and Training Center, WV, Complete Construction 10,028,000	10,028,000
Bear River Bird Refuge, UT, Willow Creek Dikes and Canals 611,000	
Mason Neck Refuge, VA, Woodbridge Research Facility Reuse Plan 100,000	
Southeast Louisiana Refuges, LA, Health and Safety (Various) 500,000	
Dam and Bridge Safety Inspections (non-specific) 990,000	990,000
Total, Line item construction 33,393,000	32,682,000

-----  
-----

The Committee has not included funds for completing water supply studies at the Quivera refuge in Kansas. The Committee understands that the Service has yet to obligate its 1996 funds for this important project and that no further funds are needed until fiscal year 1998. The Committee intends to provide additional funds next year to ensure this project remains on schedule.

## NATURAL RESOURCE DAMAGE ASSESSMENT FUND

Appropriation enacted, 1996	\$4,000,000
Budget estimate, 1997	4,000,000
Recommended, 1997	4,000,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	.....
<b>Budget estimate, 1997</b>	.....

The purpose of the Natural Resource Damage Assessment Fund is to provide the basis for claims against responsible parties for the restoration of injured natural resources. Assessments ultimately will lead to the restoration of injured resources, natural resource damages, and reimbursement for reasonable assessment costs from responsible parties through negotiated settlements or other legal actions.

The Committee recommends \$4,000,000 for the Natural Resource Damage Assessment Fund, which is

equal to the budget request and the fiscal year 1996 level.

## LAND ACQUISITION

Appropriation enacted, 1996	\$36,900,000
Budget estimate, 1997	36,900,000
Recommended, 1997	30,000,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	-6,900,000
<b>Budget estimate, 1997</b>	-6,900,000

The Committee recommends \$30,000,000 for land acquisition, a decrease of \$6,900,000 below the Administration's request. The total includes: \$19,500,000 for acquisitions, \$1,000,000 for inholdings, \$1,000,000 for hardships, \$7,500,000 for management, and \$1,000,000 for Exchanges.

## COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

Appropriation enacted, 1996	\$8,085,000
Budget estimate, 1997	16,085,000
Recommended, 1997	13,085,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	+5,000,000
<b>Budget estimate, 1997</b>	-3,000,000

The Committee recommends \$13,085,000 for the Cooperative Endangered Species Conservation Fund, a decrease of \$3,000,000 below the budget request and an increase of \$5,000,000 above the fiscal year 1996 level. The \$5,000,000 increase above the 1996 enacted level is for a new activity to purchase lands for habitat conservation planning. The Committee does not object to the use of up to \$1,000,000 of this increase for non-land acquisition grants, if the Service, in consultation with the States, determines it is appropriate to do so.

The Committee urges the Service to work with the Natural Communities Conservation Planning program in Southern California to support implementation of those community plans.

## NATIONAL WILDLIFE REFUGE FUND

Appropriation enacted, 1996	\$10,779,000
Budget estimate, 1997	10,779,000
Recommended, 1997	10,779,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	.....

<b>Budget estimate, 1997</b>	.....
------------------------------	-------

The Committee recommends \$10,779,000 for the National Wildlife Refuge Fund, which is equal to the budget request and to the fiscal year 1996 level.

Through this program the Service makes payments to counties in which Service lands are located based on their fair market value. Payments to counties will be \$14,983,000 in fiscal year 1997 with \$10,779,000 derived from this appropriation and \$4,204,000 from net refuge receipts estimated to be collected in fiscal year 1996.

## REWARDS AND OPERATIONS

Appropriation enacted, 1996	\$600,000
Budget estimate, 1997	600,000
Recommended, 1997	1,000,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	+400,000
<b>Budget estimate, 1997</b>	+400,000

The Committee recommends \$1,000,000 for Rewards and Operations for African elephant conservation, which is \$400,000 above both the budget request and the fiscal year 1996 level.

The African Elephant Conservation Act of 1988 established a fund for assisting nations and organizations involved with conservation of African elephants. With this funding, the Service will provide grants to African nations with elephants and to qualified organizations and individuals with proposals to protect and manage critical populations of African elephants.

The African elephant's 60% population decline in the 1980s, from 1.3 million to less than 600,000 animals, has been stabilized by a successful international effort led by the United States to stop the ivory trade and provide antipoaching assistance through this fund. The modest support provided through this appropriation is critical for assisting rangers to fight poaching and for maintaining current population levels of the species. The Committee expects these funds to be matched by non-Federal funding to leverage private contributions to the maximum extent possible.

## NORTH AMERICAN WETLANDS CONSERVATION FUND

Appropriation enacted, 1996	\$6,750,000
Budget estimate, 1997	11,750,000
Recommended, 1997	7,750,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	+1,000,000
<b>Budget estimate, 1997</b>	-4,000,000

The Committee recommends \$7,750,000 for the North American Wetlands Conservation Fund, a decrease of \$4,000,000 below the budget request and \$1,000,000 above the fiscal year 1996 level. Of the amount recommended by the Committee \$7,280,000 is for habitat management and \$470,000 is for administration.

## RHINOCEROS AND TIGER CONSERVATION FUND

Appropriation enacted, 1996	\$200,000
Budget estimate, 1997	200,000
Recommended, 1997	400,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	+200,000
<b>Budget estimate, 1997</b>	+200,000

The Committee recommends \$400,000 for the Rhinoceros and Tiger Conservation Fund, which is \$200,000 above both the budget request and the fiscal year 1996 level. The Rhinoceros and Tiger Conservation Act authorized the establishment of this fund to encourage conservation programs that enhance compliance with CITES and U.S. or foreign laws prohibiting the taking or trade of rhinoceros, tigers, or their habitat.

Rhino and tiger populations have declined by more than 90% since 1970, and experts now predict the extinction of several species in the wild before the turn of the century unless there is greatly increased international assistance for antipoaching and conservation programs. The Committee expects this fund to be managed so as to emphasize assistance to countries which have a proven conservation record and which have the greatest chance of producing immediate results. The Committee further expects these funds to be matched by non-Federal funding to leverage private contributions to the maximum extent possible.

## WILDLIFE CONSERVATION AND APPRECIATION FUND

Appropriation enacted, 1996	\$800,000
Budget estimate, 1997	800,000
Recommended, 1997	800,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	.....
<b>Budget estimate, 1997</b>	.....

The Committee recommends \$800,000 for the Wildlife Conservation and Appreciation Fund, which is equal to the budget request and to the fiscal year 1996 level.

The Partnerships for Wildlife Act authorizes the establishment of the Wildlife Conservation and Appreciation Fund account to provide grants to State fish and wildlife agencies for wildlife and conservation appreciation projects. The Act aims to conserve the entire array of diverse fish and wildlife species in the United States and to provide opportunities for the public to use and enjoy these fish and wildlife species through non-consumptive activities.

## NATIONAL PARK SERVICE

The world has witnessed a staggering level and pace of change since the first national park was created at Yellowstone over 100 years ago. But the parks endure and continue to grow in importance, especially for the contrast they provide to that change. Noting this rapid change, Frederick Law Olmsted long ago

observed that were there no place like national parks, there would be nothing against which to measure change. Today the complexity and speed of this change is mirrored in the National Park System which is now comprised of 369 areas, encompassing more than 80 million acres, in 49 States and the District of Columbia. The areas range in size and character from the immense roadless wilderness of Gates of the Arctic National Park in Alaska to the small Federal Hall National Memorial in lower Manhattan. Visitation is expected to exceed 270 million in 1996.

## OPERATION OF THE NATIONAL PARK SYSTEM

Appropriation enacted, 1996	\$1,082,481,000
Budget estimate, 1997	1,173,304,000
Recommended, 1997	1,135,139,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	+52,658,000
<b>Budget estimate, 1997</b>	-38,165,000

The amount recommended by the Committee for fiscal year 1997 compared with the 1996 enacted level by activity is shown in the following table:

,w318,d108

Insert offset folio 28 here

The Committee recommends an increase of \$52,658,000 over the fiscal year 1996 enacted level for the Operations of the National Park System. The Committee has included an additional \$33.5 million, specifically for the parks, which provides a 3% across the board increase to every unit in the National Park System, funding for all uncontrollable expenses, and \$8.5 million for special park needs identified in the 1997 budget. It should be noted that the National Park Service was the only major Interior bureau that received fixed costs, reflecting the importance of the National Park Service to the American public.

In addition, the Committee, recognizing the national importance of the South Florida Restoration Project, included an additional \$12.8 million to continue the critical science work associated with restoring the Everglades. The Committee further encourages the department to submit a reprogramming request should additional dollars be required.

Unless otherwise noted in the report, all other programs should be funded at the fiscal year 1996 level and the Committee expects that funds will not be realigned to initiate new programs or program expansions which have not been agreed to by the Committee. The Committee strongly encourages the Park Service to consider the direction contained in the fiscal year 1996 report which is restated in the front of this report regarding reducing levels of management and review and seeking opportunities to collocate facilities, functions, programs, or field locations with other federal land management agencies.

The Committee recognizes that visitation to the parks continues to increase as does the backlog of serious maintenance needs. The Park Service has repeatedly testified to Congress and commented in the media that the critical backlog needs are in excess of several hundreds of millions of dollars and that a partial solution to this condition is passage of fee legislation. The Committee reminds the Service that in an effort to be responsive to this need, a provision was included in the fiscal year 1996 bill which provided the authority to establish a pilot fee program at 50 units in the system designed solely to improve the condition of the parks by allowing 80% of the recreational fees collected to remain in

the parks that collect the fees. The Committee is concerned that the National Park Service has taken little action to implement this new funding source and strongly encourages the Service to aggressively take advantage of this new authority provided last year by the Congress.

The fiscal year 1997 budget request included additional funds to provide professional training for Park employees. The Committee understands this need and regrets that additional funds could not be made available. However, the Committee would consider a formal reprogramming request up to \$2 million which redirects funds from travel, savings from buyout and downsizing initiatives, and further reductions from headquarters management and administrative overhead to fund some of these training initiatives.

The Service should note that there is a provision in Title III of the bill which states that none of the funds appropriated in this bill may be used to implement the Americorps program. Specifically, the Committee has denied the \$1,750,000 request for funding Americorps projects at National Park Service sites. Given the size of the federal deficit and the recent mandate from the American people to downsize the government, the Committee believes that all activities not central to visitor services and backlog of maintenance of the National Parks should be discontinued at this time.

The General Provisions, Department of the Interior section contains a provision relating to the Presidio. The language states that any funds appropriated in this bill for the Presidio which are not obligated as of the date on which the Presidio Trust is established by an Act of Congress shall be transferred immediately to and available only for the Presidio Trust.

The Committee continues to be concerned about reports of fee inequities charged to users of the Blue Ridge Parkway and encourages the Superintendent to resolve any bias in this area. The Committee expects fees charged to be distributed fairly and equitably among all users of the Parkway.

The Committee encourages the National Park Service to continue providing assistance to the Museum of the Cherokee Indian in Cherokee, North Carolina and the Cherokee Heritage Center in Tahlequah, Oklahoma as they revise their exhibits interpreting the history of the Cherokee people and the story of the Trail of Tears.

The Committee is concerned about reports of the number of days Highway 441, the Newfound Gap road in the Great Smoky Mountains National Park remains closed. This road is the vital transportation link between North Carolina and Tennessee, and the two most heavily visited areas within the Park (Cherokee Indian Reservation and Gatlinburg, Tennessee). Closure of the road causes financial hardship on the business community in Cherokee and the surrounding community. The Committee encourages the National Park Service to commit the necessary resources to ensure Highway 441 is not closed unnecessarily.

The Committee directs the Secretary of the Interior to review and recommend changes to the National Park Service's policy for ordering the closure of private businesses during a government shutdown, specifically those operating along National Parkways. The Committee expects the Secretary to report back within 60 days on any changes to the policy that would reduce the impact on the business community.

The Committee understands the historical significance and supports the preservation of Plum Orchard Mansion, in Cumberland Island, Georgia. The Committee supports the Park Service's plan to enter into an agreement with a private non-profit entity to preserve and maintain the Mansion and encourages the Park Service to do so in a timely manner. The Committee is concerned with the length of time that is included in the draft Memorandum of Agreement that a private non-profit entity may hold the Mansion and urges the Service to reconsider the 50 years with a 25-year option provision.

The Committee is concerned with the Park Service's yearly estimates of a 15% increase in the feral

horse population on Cumberland Island. The Park Service places the horse population at 230 in 1996. In the 1984 General Management Plan for the Island, it was estimated that there were 250 horses which means that horse population has actually decreased in 12 years. Because the Service's overall funding is limited, the Committee directs the Service not to implement its plan of controlling the 230 feral horses and recommends that this funding be used for other initiatives such as protecting the threatened and endangered Loggerhead sea turtle nests on the Island.

While recognizing the special and unique role solitude offers to the overall experience of visiting Grand Canyon National Park, the Committee is concerned about the potential economic impact that could result from the National Park Service's joint rulemaking with the Federal Aviation Administration to overhaul current regulations governing flights in the vicinity of the Grand Canyon National Park. Air tourism is essential to the economic vitality of southern Nevada and northern Arizona. The Committee expects that the economic impact on air tour operators and the tourism industries will be addressed fairly and adequately during the rulemaking process and recommends a 90 days public comment period be held prior to the final rule being implemented.

The Committee has provided funding for the National Council on the Traditional Arts at the 1996 level of \$175,000.

The Committee has provided no funding for crowd counting activities associated with gatherings held on federal property in Washington, D.C. If event organizers wish to have an estimate on the number of people participating in their event, then those organizers should hire a private sector firm to conduct the count.

The Committee expects the Park Police stationed in Rock Creek Park to devote a majority of their resources to combating violent crimes.

The Committee expects the Service to provide \$133,000 annually to the Garfield NHS which represents the one-third Federal share required to operate the historic site and protect the Government assets.

In view of the important public recreational need provided by the Belle Haven Marina to residents of the entire Washington Metropolitan Area, it is the Committee's desire that the National Park Service enter into an appropriate agreement with State and/or local government officials to insure the rehabilitation and continued operation of that marina. The Committee further instructs the National Park Service to continue the operation of the marina, until such time as a suitable agreement with local government is concluded for the future operations of the marina and to provide \$200,000 toward the partnership effort of rehabilitating the marina.

While the Committee was unable to earmark funds for the Little River Canyon Field School, the Committee notes that significant long-term savings, projected at \$4 million over 20 years, can be achieved through an innovative cooperative agreement between the National Park Service and the Little Canyon Field School to share facilities and personnel. The Committee encourages the National Park Service to actively seek such an arrangement.

The Committee has provided \$100,000 to implement the original cooperative agreement to operate the German-American Cultural Center including full time staff support and support services.

The Committee has given permanent authority to the Service to enter into cooperative agreements with non-federal partners. This provision was included in the fiscal year 1996 bill.

The Committee directs the Park Service to establish dog runs at Meridian Hill and Military Field in Rock Creek Park as expeditiously as possible.

*Resources stewardship.*--The Committee recommends an appropriation of \$188,482,000, an increase of

\$17,123,000 from the current fiscal year. Funds are included for a 3% across the board increase for all units and an additional \$12.8 million increase for research to advance the South Florida Restoration project and a portion of the \$8,500,000 special parks initiative. The Committee would also consider a reprogramming of funds should additional funds for research be required. All other programs should be continued at the current 1996 levels. No new program initiatives are funded.

*Visitor Services.*--The Committee recommends an appropriation of \$260,843,000 an increase of \$9,288,000 from the current fiscal year. Funds are included for a 3% across the board increase for all units and a portion of the \$8,500,000 special parks initiative. All other programs should be continued at the current 1996 levels. No new program initiatives are funded with the exception of the \$600,000 which is included for the Presidential Inaugural activities.

*Maintenance.*--The Committee recommends an appropriation of \$369,565,000 an increase of \$20,285,000 from the current fiscal year. This includes funds for a 3% across the board increase for all units and a portion of the \$8,500,000 special parks initiative. No new program initiatives are funded with the exception of the \$400,000 provided for the Presidential Inaugural activities. The Committee is deeply concerned about the backlog of maintenance needs. Any reprogramming request to add funds to this account will be seriously considered. The Committee has denied the Administration's request, as part of their Rego II initiative regarding the divestiture of local Parkways. These units of the National Park System are to remain in the system and funding is provided for their maintenance. Funding emphasis should be placed on addressing critical backlog maintenance needs.

*Park support.*--The Committee recommends an appropriation of \$223,590,000 an increase of \$2,915,000 from the current fiscal year. This includes funds for a 3% across the board increase for all units and a portion of the \$8,500,000 special parks initiative. The Committee continues to support the \$600,000 earmark for the NPS Challenge Cost-Share program for the National Trails System. These funds continue to leverage projects 2-1 by non-federal partners. No new program initiatives are funded.

Bill language is included in administrative provisions that limits the administrative accounts in the National Park Service for the following offices: not more than \$1.7 million for the Office of the Director, not more than \$2 million for the Office of Public Affairs and not more than \$951,000 for the Office of Congressional Affairs. These limitations apply to the program totals, but reductions should be taken from headquarters functions.

*External administrative costs.*--The Committee provides \$92,659,000, an increase of \$3,047,000 from the current fiscal year. This increase is for uncontrollable costs.

## NATIONAL RECREATION AND PRESERVATION

Appropriation enacted, 1996	\$37,649,000
Budget estimate, 1997	40,218,000
Recommended, 1997	36,476,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	-1,173,000
<b>Budget estimate, 1997</b>	-3,742,000

The National Recreation and Preservation appropriation within the National Park Service provides for the outdoor recreation planning, preservation of cultural and national heritage resources, technical assistance to Federal, State and local agencies, administration of Historic Preservation Fund grants and statutory and contractual aid.

The amount recommended by the Committee for fiscal year 1997 compared with the 1996 enacted level by activity is shown in the following table:

,w318,d216

Insert offset folio 34 here

*Statutory or contractual aid.*--The Committee recommends \$4,901,000, a reduction of \$1,000,000 below the current fiscal year for the Native Hawaiian culture and arts program. All increases and decreases recommended in the budget request are included in the Committee's recommendation.

*Natural Programs-* The Committee continues to support strongly the activities of the River and Trails Conservation Assistance Program and regrets that it is unable to provide the additional \$500,000 requested for fiscal year 1997. The Committee does provide \$200,000 of the \$1 million request for the Chesapeake Bay Initiative. These funds are specifically for the NPS Chesapeake Bay Program Office in Maryland to be used to continue work with federal, state, local and private entities throughout the watershed and the Southern Maryland Heritage Partnership to implement their heritage protection watershed plans. The Committee has not included \$1.373 million for the new Heritage Partnership Program. The Committee strongly supports passage of a separate Heritage Partnership Bill and should this occur prior to the House/Senate Conference, the Committee will seriously consider additional funds. The Committee notes that in fiscal year 1996 two programs related to the Recreation and Preservation account were eliminated including the Urban Parks and State land and water conservation fund programs. As a temporary measure, the Park Service should utilize staff available from these former grants programs for the Heritage Program until such time as the Congress addresses the permanent legislation. The Committee recognizes the \$110,000 reduction reflects reductions to central office personnel as part of the overall restructuring initiative.

The Committee recognizes the effort and leadership provided by the Rivers, Trails and Conservation Assistance Program in conducting urban initiatives in the midwest region and expects continued involvement to serve as a national model for enhancing highly degraded urban waterways and ensuring the availability of quality natural resources for all people. The Committee expects the Service to continue these important assistance programs in the midwest region.

*Cultural Programs-* The Committee accepts the \$50,000 reduction which reflects efforts to downsize the central offices and applies those funds to the National Center for Preservation Technology. The reduction to central offices is associated with the National Register Programs. All other programs are funded at the current fiscal year levels. The Committee notes that base funds are included for review and monitoring of ongoing urban parks programs. The Committee has agreed to this need for this fiscal year, however the Service should not anticipate these funds continuing in future years.

*International Park Affairs.*--The Committee does not support the additional funds requested for this program, funding should remain at the current fiscal year level. The Committee accepts the reduction of \$41,000 attributable to the downsizing initiatives.

## HISTORIC PRESERVATION FUND

Appropriation enacted, 1996	\$36,212,000
Budget estimate, 1997	38,290,000
Recommended, 1997	36,212,000
<b>Comparison:</b>	

<b>Appropriation, 1996</b>	.....
<b>Budget estimate, 1997</b>	-2,078,000

The Historic Preservation Fund supports the State historic preservation offices to perform a variety of functions, including: State management and administration of existing grant obligations, review and advice on Federal projects and actions, determinations, and nominations to the National Register, Tax Act certifications and technical preservation services. The States also review properties within States to develop data for planning use.

The amount recommended by the Committee as compared to the 1996 enacted level by activity is shown on the following table:

,w318,d72

Insert offset folio 36 here

The Committee recommends an appropriation of \$36,212,000, which is the same as the current fiscal year. The Committee continues the Grants-in-aid program to the states, the Grants-in-aid to Indian Tribes and Grants-in-aid to Historically Black Colleges and Universities at the current fiscal year levels. The National Trust continues to be funded at \$3.5 million and will become completely self-supporting in fiscal year 1999. The Trust continues to perform an important function. The Committee felt the Trust, which raises over \$30 million in private funds annually, is better prepared to seek alternative sources of funds to replace federal funds than the other grant programs.

## CONSTRUCTION

Appropriation enacted, 1996 (excludes emergency)	\$143,225,000
Budget estimate, 1997	143,225,000
Recommended, 1997	119,745,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	-23,480,000
<b>Budget estimate, 1997</b>	-23,480,000

The recommendation is \$119,745,000. This is \$23,480,000 below both the Administration's request and the enacted level. The recommendation includes the following areas and activities:

-----		
-----		
	---	Budget request
Park unit, State, and description Committee recommendation		
-----		
-----		
Acadia NP, MA (restore roads) 0		\$1,700,000
Amistad NRA, TX (water & sewer)		1,100,000

0

Blackstone River Valley NHC, MA (interpretative/signs/exhibits)  
\$460,000

Blue Ridge Parkway, NC (Headquarters)  
4,400,000

Blue Ridge Parkway, VA (Fisher Peak) 4,000,000  
0

Carlsbad Caverns NP, NM (replace elevators)  
1,400,000

Chamizal NM, TX (rehab)  
200,000

Cuyahoga NRA, OH (site and structure rehab)  
3,000,000

Delaware Gap NRA, PA (Dingman's Trails)  
1,200,000

Everglades NP, FL (water delivery) 5,000,000  
2,800,000

Florissant Fossil Beds NM, CO (shelters)  
37,000

Fort McHenry NM, MD (rehab) 2,500,000  
0

Fort Necessity, PA (design)  
400,000

Gateway NRA, NM, NY (Jacob Riis) 4,300,000  
0

General Grant, NY (restoration) 1,200,000  
1,200,000

Glen Echo Park, DC (utilities) 2,100,000  
2,100,000

Grand Canyon NP, AZ (transportation system) 4,900,000  
2,000,000

Hot Springs NP, AR (lead paint removal)  
500,000

Independence NHP, PA (utilities) 13,300,000  
13,300,000

Indiana Dunes NL, IN (demolition)  
500,000

Jefferson Memorial, DC (preservation) 1,300,000	4,500,000
Kings Canyon NP, CA (waste water treatment) 2,900,000	2,900,000
Lackawanna Valley, PA (technical asst) 650,000	
Lake Mead NRA, NV (water & sewer) 5,000,000	5,000,000
Little River Canyon NP, AL (health & safety) 550,000	
Minute Man NHP, MA (road) 0	2,000,000
President's Park, DC (electrical system) 1,000,000	5,000,000
President's Park, DC (replace HVAC) 5,000,000	5,000,000
Rock Creek, Meridian Park, DC (rehab) 100,000	
Roosevelt/Vanderbilt NHS, NY (rehab) 1,700,000	
Saint-Gaudens NHS, NH (maintenance facility) 0	900,000
Saratoga NM, NY (complete rehab) 1,000,000	
Saugus Iron Works NHS, MA (rehab) 200,000	
Sequoia NP, CA (replace facilities) 3,000,000	5,200,000
Sequoia NP, CA (utilities) 3,000,000	3,000,000
Southwestern Pennsylvania Commission, PA (various projects) 2,000,000	
Stones River NB, TN (Redoubt Brannan) 190,000	
Stones River NB, TN (trail construction) 300,000	
Thomas Stone NHS, MD (rehab)	

250,000	
Ulysses S. Grant NHS, MO (rehab) 670,000	0
Washington Monument, DC (replace elevator) 1,900,000	1,900,000
Wind Cave NP, SD (replace elevators) 1,300,000	1,300,000
Zion NP, UT 0	5,100,000
Line Item Total 65,507,000	82,200,000
Emergency, unscheduled, housing 14,973,000	14,600,000
Planning 17,000,000	18,760,000
Equipment Replacement 14,365,000	19,940,000
General Management Plan 6,600,000	6,600,000
Special Resource Studies 1,000,000	825,000
Strategic Planning Office 300,000	300,000
Grand Total, Construction 119,745,000	143,225,000

-----

The Committee has provided funding for all of the agencies highest priority-one projects with the exception of a maintenance facility at Saint-Gaudens National Historic Site, which the Committee understands can be delayed for one year. Most of these projects involve health and safety issues which the Committee strongly supports.

The Committee is aware of the White House directive to the National Park Service to redesign Pennsylvania Avenue in front of the White House. No funds have been requested by the Administration and none are provided in this bill for this purpose. The Secret Service has informed the Committee that the action taken in conjunction with the Park Service this past fiscal year to address security inadequacies has been accomplished. The Committee notes that the Park Service has not been reimbursed the \$500,000 it contributed out of other construction accounts for this purpose, despite the fact that the White House staff assured them that the funds would be restored. Since the immediate threat to the President's safety has been remedied by last year's actions, the Committee directs the Park

Service not to spend any additional dollars, from any account, for this redesign project unless they follow the normal budget process, including reprogramming procedures. Further, the NPS is directed not to seek or use any private funds for the redesign of Pennsylvania Avenue until the Committee has made an affirmative commitment to redesign the Avenue. The NPS should report on the safety and feasibility of reopening Pennsylvania Avenue to vehicular traffic. Bill language prohibiting the unauthorized use of federal funds for this purpose without prior Committee approval is contained in the General Provisions, U.S. Department of the Interior section of this bill.

The Committee has provided \$1.2 million for the Delaware Water Gap National Recreation Area, Dingmans Falls trails rehabilitation which will include accessibility for the handicapped, wayside exhibits and new restroom facilities. A total of \$1.4 million is provided for an elevator replacement at Carlsbad Caverns. Funding in the amount of \$4.4 million is provided for the next phase of construction of an administration building on the Blue Ridge Parkway in North Carolina.

A total of \$2 million is provided for continuing ongoing activities associated with the Southwestern Pennsylvania Heritage Preservation Commission. The Committee has approved \$400,000 for final design work on an Education Center at Fort Necessity Battlefield. The State will provide the construction funds. The Committee is aware of several health and safety projects at the Little River Canyon National Preserve and has provided the \$550,000 necessary to make these improvements.

\$3 million is available to the Cuyahoga National Recreation Area for site and structure rehabilitation.

The Committee has provided \$2 million to continue the purchase of buses for the new transportation system at Grand Canyon National Park. In addition, the Committee expects that at least \$1 million out of the emergency housing line item be expended at Grand Canyon to replace trailers and seriously deteriorated housing.

The construction budget for fiscal year 1997 included \$5.1 million to continue to implement a visitor transportation center at Zion National Park. The Park Service has informed the Committee that the funds appropriated in fiscal year 1996 for a parking area have not been obligated because the land is not currently in federal ownership. The Committee continues to support strongly this initiative and will appropriate funds for the next phase once the parking area conflict has been resolved.

Funds are provided to update the General Management Plan for the Homestead National Monument in Nebraska.

The Committee has provided \$200,000 to conduct a special resources study of the Robert Russa Morton High School in Prince Edward County, Virginia. This does not commit the Committee to provide additional funds in the future.

The Committee has included \$100,000 for facility rehabilitation and security enhancements at Meridian Hill Park, which is part of Rock Creek Park.

The Committee has been supporting critical stabilization work at Stones River National Battlefield, specifically the Redoubt Brannan and Fortress Rosecrans. The Committee has provided \$190,000 to complete this important work. In addition, \$300,000 is provided to continue construction on the historic river trail near Murfreesboro, Tennessee.

A total of \$37,000 is made available to the Florissant Fossil Beds National Monument to provide shelters to protect two petrified stumps which have shown signs of serious deterioration. The Committee commends the local Friends organization which has raised over \$23,000 for this purpose.

The Thomas Stone National Historic site in Maryland has received the support of the Committee for several years to renovate the inside of the historic structure. The Committee has provided an additional \$250,000 to be matched by State and private funds to complete this restoration. Again, the Committee

applauds the non-federal entities who continue to act in partnership with the Federal government to accomplish this important preservation project.

The Blackstone River Valley National Heritage Corridor is a successful and historically important cooperative project. The Committee supports an additional onetime appropriation of \$460,000 to complete exhibits, signage and interpretive materials.

The Committee has provided \$200,000 for repair and rehabilitation of the Dock and Bulkheads at the Saugus Iron Works National Historic Site.

A total of \$200,000 is provided to the Chamizal National Memorial to complete the final phase of the landscape improvement plan.

The Committee includes \$500,000 for the Indiana Dunes National Lakeshore to remove abandoned buildings.

The Committee has included \$500,000 to remove lead paint at the Hot Springs bathhouses and \$670,000 for repairs to the Ulysses S. Grant NHS in Missouri.

The Committee has provided \$1,000,000 to complete the ongoing rehabilitation at the Saratoga NM in New York and \$1,700,000 for improvements to the heating, alarm and HVAC equipment at the Roosevelt-Vanderbilt NHS.

The Committee has agreed to the \$460,000 included in the budget to complete the Elwha Dam Environmental Impact Statement. The Committee has not agreed to the additional \$5 million requested to replace outdated radio equipment with narrow band radios. The Committee understands that this needs to be accomplished over the next several years and encourages the Service to begin replacing this equipment as necessary out of existing funds.

The Committee is aware of a potential access problem at the Sandy Hook Unit of the Gateway National Recreation Area. The Park Service should review this problem and if funding is needed to provide adequate protection for the causeway within the 'critical zone' of the Sandy Hook Unit and to ensure visitor access, such funding should be requested.

## **EVERGLADES RESTORATION FUND**

The Committee has not included the \$100 million requested by the Administration for a special Everglades Restoration Fund. The Congress provided \$200 million last year solely for land acquisition projects. These funds were contained in P.L. 104-127, Section 390 of the Farm bill. The Department should utilize these funds prior to seeking additional appropriations. The Committee did not include the new Everglades Restoration Fund Receipts account because it requires passage of authorizing legislation. The Committee remains committed to the South Florida Restoration Project and has provided an additional \$12.8 million for research projects in the Park Service operational budget.

## **LAND AND WATER CONSERVATION FUND**

### **(RESCISSION OF CONTRACT AUTHORITY)**

Appropriation enacted, 1996	-\$30,000,000
Budget estimate, 1997	-30,000,000

Recommended, 1997	-30,000,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	.....
<b>Budget estimate, 1997</b>	.....

The Committee recommends rescission of \$30,000,000 in annual contract authority provided by 16 U.S.C. 460l-10a. This authority has not been used in years and there are no plans to use it in fiscal year 1997.

## LAND ACQUISITION AND STATE ASSISTANCE

Appropriation enacted, 1996	\$49,100,000
Budget estimate, 1997	36,300,000
Recommended, 1997	30,000,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	-19,100,000
<b>Budget estimate, 1997</b>	-6,300,000

The Committee recommends \$30,000,000 for land acquisition, a decrease of \$6,300,000 below the Administration's budget. The amount includes: \$16,800,000 for acquisitions, \$3,000,000 for emergencies and hardships, \$7,200,000 for acquisition management, \$2,000,000 for inholdings and \$1,000,000 for administering the close-out of the State grant program.

Although the Committee has chosen not to earmark land acquisition projects at this time, it is the Committee's understanding that the Sterling Forest acquisition project has a first year cost of \$9 million. It is the Committee's intent to fund this project subject to authorization. The Committee considers this and the Everglades Restoration effort to be two of the highest priority projects in this bill.

The Committee believes that the Elwha River in Washington State may represent a unique opportunity for salmon restoration in a fiscally responsible and effective manner. Unlike other rivers in the Pacific Northwest, almost all of the Elwha, from Mt. Olympus to the Strait of Juan de Fuca, is in Olympic National Park. The Committee considers the acquisition of the Elwha dams to be a high priority, and fully expects the Administration to make monies available for acquisition through funds available for National Park Service land acquisition activities. This activity should not be considered a precedent for other dam acquisition or removal proposals in the Pacific Northwest or elsewhere.

The Committee has included bill language in the General Provisions section which gives the Secretary authority to transfer the limited acquisition funds between Interior agencies.

## UNITED STATES GEOLOGICAL SURVEY

The United States Geological Survey was established by an act of Congress on March 3, 1879 to provide a permanent Federal agency to conduct the systematic and scientific 'classification of the public lands, and examination of the geological structure, mineral resources, and products of the National domain'. The USGS is the Federal Government's largest earth-science research agency, the Nation's largest civilian mapmaking agency, and the primary source of data on the Nation's surface and ground water resources. Its activities include conducting detailed assessments of the energy and mineral potential of the Nation's land and offshore areas; investigating and issuing of warnings of

earthquakes, volcanic eruptions, landslides, and other geologic and hydrologic hazards; research on the geologic structure of the Nation; studies of the geologic features, structure, processes, and history of other planets of our solar system; topographic surveys of the Nation and preparation of topographic and thematic maps and related cartographic products; development and production of digital cartographic data bases and products; collection on a routine basis of data on the quantity, quality, and use of surface and ground water; research in hydraulics and hydrology; the coordination of all Federal water data acquisition; the scientific understanding and technologies needed to support the sound management and conservation of our Nation's biological resources; and the application of remotely sensed data to the development of new cartographic, geologic, and hydrologic research techniques for natural resources planning and management.

## SURVEYS, INVESTIGATIONS, AND RESEARCH

Appropriation enacted, 1996 (excludes emergency)	\$730,163,000
Budget estimate, 1997	746,380,000
Recommended, 1997	730,163,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	.....
<b>Budget estimate, 1997</b>	-16,217,000

The amount recommended by the Committee as compared to the 1007 enacted level by activity is shown in the following table:

,w318,d180

Insert offset folio 43 here

The Committee recommends an appropriation of \$730,163,000 for surveys, investigations, and research, which is \$16,217,000 below the budget request and the same as the 1996 enacted level.

The Committee recommends the following changes from the 1996 level. Decreases of \$2,160,000 for information dissemination services, \$1,189,000 for volcano hazards, and \$1,080,000 for data collection and analysis, and increases of \$2,000,000 for university research in the national earthquake hazards reduction program and \$2,429,000 for the Federal/State cooperative water resources research. The Committee has also included \$4,553,000 for the water resources research institutes.

The Committee places a high-priority on providing an adequate funding level for the national earthquake hazards reduction program to ensure a strong commitment between Federal and university-based earthquake research.

The Committee has recommended continued funding for the water resources research institutes to continue efforts to address important State and regional water resources issues and problems.

The Committee believes that the Survey should maintain and expand its relationship with States through the cooperative Federal/State water resources research program which provides water quality and quantity information needed by Federal, State, and local communities in managing their water resources.

The Committee expects the Survey to continue to increase contracting of map and digital data production, with the goal of no less than 50 percent contracting by the end of fiscal year 1997 and no less than 60 percent contracting by the end of fiscal year 1999. The Survey should not be competing

with the private sector for map production contracts. When services of equal quality and cost are available from the private sector, the Survey should use the private sector.

The Committee also expects the Survey to provide 20 percent of funds available for the national cooperative geologic mapping program to the States and these funds should be matched on at least a one-for-one basis by the States and used for geologic mapping by the States.

The Committee provided specific direction on the operation of the biological research functions of the Survey's budget in last years report, and expects that direction to be honored.

The Biological Research Division is funded at the 1996 enacted level. Hence, there should be no further closures or reductions in resources to field stations without advance approval by the Appropriations Committees in accordance with reprogramming procedures. Within the funds provided for the Biological Research Division the Tunison field station should be funded at the 1995 enacted level of \$488,000.

The USGS should continue to work with regional initiatives such as the Transboundary Resource Inventory project (TRIP) and seek input from state and local governments, universities, private businesses, non-governmental organizations and other data users regarding the use of aerial photography of the border region to develop a base map and binational information system.

As they continue to grow, communities along the U.S.-Mexico border must drawn upon aquifers to meet their demands, but there is an unfortunate lack of information on their dimensions and sustainability. A groundwater geology survey team has been proposed by the Transboundary Resource Inventory Project to include USGS, the border State Geologists, federal, state and local water authorities, the International Boundary and Water Commission, the Border Environmental Cooperation Commission and the North American Development Bank. Through the appropriate bilateral channels, this group can work jointly with the Mexican authorities to prepare a work plan, including the order of priorities budgets and timelines, for a comprehensive survey, characterization and map of each transboundary aquifer along the extension of the U.S.-Mexico border.

The Committee did not provide any funding related to residual costs associated with the former Bureau of Mines. The Committee directs that such funds be provided by Departmental Management and not allocated from operational accounts within the Geological Survey or any other bureau.

## **MINERALS MANAGEMENT SERVICE**

The Minerals Management Service is responsible for collecting, distributing, accounting and auditing revenues from mineral leases on Federal and Indian lands. In fiscal year 1997, MMS expects to collect and distribute about \$5.1 billion from over 107,000 Federal and Indian leases. In addition, about \$172 million in unpaid and underpaid royalties are expected to be collected through the MMS audit and negotiated settlement programs.

The MMS also manages the offshore energy and mineral resources on the Nation's Outer Continental Shelf. To date, the OCS program has been focused primarily on oil and gas leasing. Over the past few years, MMS has begun exploring the possible development of other marine mineral resources, especially sand and gravel.

With the passage of the Oil Pollution Act of 1990, MMS assumed increased responsibility for oil spill research, including the promotion of increased oil spill response capabilities, and for oil spill financial responsibility certifications of offshore platforms and pipelines.

## ROYALTY AND OFFSHORE MINERALS MANAGEMENT

Appropriation enacted, 1996	\$182,555,000
Budget estimate, 1997	182,994,000
Recommended, 1997	186,555,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	+4,000,000
<b>Budget estimate, 1997</b>	+3,561,000

The amount recommended by the Committee as compared to the 1996 enacted level by activity is shown on the following table:

,w318,d180

Insert offset folio 46 here

The Committee recommends \$186,555,000 for royalty and offshore minerals management, an increase of \$3,561,000 above the budget request and \$4,000,000 above the fiscal year 1996 level. The amount recommended by the Committee includes an increase of \$4,000,000 for the audit compliance program and decreases of \$300,000 in the OCS lands program for the office of management support, \$42,000 in the royalty management program for the program services office, and \$97,000 as a general reduction to headquarters administration.

The Committee continues to be concerned about the proportion of Service funding which is devoted to administration. The general administration account in combination with the offshore management support office and the program services office comprises 21 percent of the royalty and offshore minerals management appropriation in fiscal year 1996. The Committee encourages the Service to examine closely opportunities for further streamlining these functions in future budget requests.

The Committee has had a long-standing concern with respect to the MMS royalty audit program and the adequacy of the funding and staffing for that program. In fiscal year 1990 the MMS initiated a three-year initiative to place the royalty audit program on a more timely cycle. At the Committee's direction, and as a part of that initiative, the MMS developed an annual audit plan for fiscal year 1990 and each succeeding year outlining the audits to be conducted in each of those fiscal years. The Committee expects the MMS to continue to develop an annual audit plan, and to report quarterly on actual audit activity, including completed audits by category compared with the audit plan, the status of staffing and hiring for the audit program, and any key areas of concern.

The Committee understands that the Interior, Energy and Commerce Departments have been investigating possible underpayment of royalties for minerals produced from Federal lands, and expects the Service to take aggressive action to secure full recoupment of any and all amounts owed. The Committee should be kept informed of all actions taken toward that end.

The Committee expects the Service to consider conducting additional pilot projects for taking oil and/or gas in-kind. The Service should coordinate with the legislative committees of jurisdiction in doing so.

*Bill Language-* Bill language has been included under General Provisions, Department of the Interior to prohibit the use of funds for Outer Continental Shelf (OCS) leasing activities in several areas. In those areas where the Committee has recommended restrictions on preleasing activities, those restrictions apply to the formal steps identified by the Department of the Interior as part of the actual lease sale process. These formal steps include such activities as the publication of sale-specific environmental

impact statements, the conduct of public hearings directly associated with the EIS process, issuance of notices of sale, and receipt of bids.

The leasing restrictions included for fiscal year 1997 are the same as those in fiscal year 1996. The Administration has supported continuing these provisions for another year. The areas covered by the Committee's recommendation include those identified by President Bush in his June 26, 1990 statement--namely, Northern, Central and Southern California, the North Atlantic, Washington-Oregon, and Florida south of 26 degrees north latitude--as well as the Mid and South Atlantic, the Eastern Gulf of Mexico north of 26 degrees, and the North Aleutian Basin in Alaska.

## OIL SPILL RESEARCH

Appropriation enacted, 1996	\$6,440,000
Budget estimate, 1997	6,440,000
Recommended, 1997	6,440,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	.....
<b>Budget estimate, 1997</b>	.....

The Committee recommends \$6,440,000, to be derived from the Oil Spill Liability Trust Fund, to conduct oil spill research and financial responsibility and inspection activities associated with the Oil Pollution Act of 1990, Public Law 101-380. The Committee recommendation is equal to the budget request and to the fiscal year 1996 level.

## OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

The Office of Surface Mining Reclamation and Enforcement (OSM), through its regulation and technology account, regulates surface coal mining operations to ensure that the environment is protected during those operations and that the land is adequately reclaimed once mining is completed. The OSM accomplishes this mission by providing grants to those States that maintain their own regulatory and reclamation programs and by conducting oversight of State programs. Further, the OSM administers the regulatory programs in the States that do not have their own programs and on Federal and tribal lands.

Through its abandoned mine reclamation fund account, the OSM provides environmental restoration at abandoned coal mines using tonnage-based fees collected from current coal production operations. In their unreclaimed condition these abandoned sites may endanger public health and safety or prevent the beneficial use of land and water resources.

## REGULATION AND TECHNOLOGY

Appropriation enacted, 1996	\$95,470,000
Budget estimate, 1997	94,272,000
Recommended, 1997	94,272,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	-1,198,000

<b>Budget estimate, 1997</b>	.....
------------------------------	-------

The Committee recommends an appropriation of \$94,272,000 for regulation and technology, the budget request, and \$1,198,000 below the 1996 funding level. The comparisons of the recommendation and the 1996 enacted level by activity is shown in the following table:

,w318,d168

Insert offset folio 49 here

The Committee is encouraged by the success with which the OSM has dramatically downsized. Although performance has suffered somewhat, the overall accomplishments indicate that this year should be a year for level funding in which past reductions can be accommodated and in which future restructuring can be considered. The Committee is encouraged by the new business lines budget structure which will be proposed before the submission of a fiscal year 1998 budget request.

## **ABANDONED MINE RECLAMATION FUND**

Appropriation enacted, 1996	\$173,887,000
Budget estimate, 1997	179,385,000
Recommended, 1997	175,887,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	+2,000,000
<b>Budget estimate, 1997</b>	-3,498,000

The Committee recommends an appropriation of \$175,887,000 for the Abandoned Mine Reclamation Fund, a decrease of \$3,498,000 below the budget request and an increase of \$2,000,000 above the 1996 funding level. The comparisons of the recommendation and the 1996 enacted level by activity is shown in the following table:

,w318,d156

Insert offset folio 051 here

The Committee has included \$4,000,000 to initiate the Appalachian Clean Streams Initiative to address acid mine drainage problems which have destroyed over 7,000 miles of streams. The Administration requested \$4,300,000 for this purpose. The Committee is encouraged by the efforts of bringing various governmental and non-governmental organizations together to tackle this problem in a full partnership. Other federal agencies, especially the federal land management agencies, are encouraged to participate in this program where projects should be completed on the lands they manage.

*Bill Language-* The Committee has recommended continuing bill language, carried in previous years, maintaining the Federal emergency reclamation program and limiting expenditures in any one State to 25 percent of the total appropriated for Federal and State-run emergency programs. The total recommended for fiscal year 1996 is \$18 million. Bill language also is included to permit States to use prior year carryover funds from the emergency program without being subject to the 25 percent statutory limitation per State. The Committee also has recommended bill language which would fund minimum program State grants at \$1,500,000 per State and bill language which provides \$4,000,000 to be used for projects in the Appalachian Clean Streams Initiative.

## BUREAU OF INDIAN AFFAIRS

### OPERATION OF INDIAN PROGRAMS

Appropriation enacted, 1996 (excludes emergency)	\$1,384,434,000
Budget estimate, 1997	1,579,423,000
Recommended, 1997	1,381,623,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	-2,811,000
<b>Budget estimate, 1997</b>	-197,800,000

The Bureau of Indian Affairs was created in 1824, its mission is founded on a government-to-government relationship and trust responsibility that results from treaties with Native groups. The Bureau delivers services to over one million Native Americans through 12 area offices and 83 agency offices. In addition, the Bureau provides education programs to Native Americans through the operation of 117 day schools, 56 boarding schools, and 14 dormitories. Lastly the Bureau administers more than 46 million acres of tribally owned land.

The Committee recommends a total of \$1,381,623,000 for fiscal year 1997 for Operation of Indian Programs, which is \$197,800,000 below the budget request, and \$2,811,000 below the 1996 enacted level.

The amounts recommended by the Committee as compared to the 1996 enacted level by activity is shown in the following table:

Offset Folios 053 to 055 Insert here

001

*Tribal priority allocations-* The Committee recommends \$664,152,000 for tribal priority allocations, which is \$10,000,000 above the 1996 enacted level. Because of the high-priority the Committee places on the tribal priority allocation portion of the Bureau's budget the Committee has included a general increase of \$10,000,000 over the 1996 enacted level. The Bureau is directed to study and report to this Committee by February 1, 1997 on additional programs for inclusion in tribal priority allocations, including education programs. Within the funds provided for water resources, \$399,000 is for the Seminole and Miccosukee tribes water studies in support of the Everglades initiative.

*Other recurring programs-* The Committee recommends \$498,058,000 for other recurring programs, which is \$4,561,000 over the 1996 enacted level.

The Committee recommends \$445,858,000 for education programs within other recurring programs. This funding level includes \$339,709,000 for forward-funded school operations. Other school operations are funded at \$78,738,000, and continuing education is funded at \$27,411,000 same as the 1996 enacted level.

Within resources management, the Committee recommends \$100,000 to be made available to the Lake Roosevelt Water Quality Control Council, a partner in the Lake Roosevelt Forum. These funds will be used for continued work on measuring heavy metal and dioxin contamination of the water, sediments, and fishery resources of Lake Roosevelt.

Within the funds provided for resources management, \$600,000 is to be made available to the Bering Sea Fisherman's Association, and \$69,000 is available to the Alaska Sea Otter Commission.

Given the limited resources available to the Committee in fiscal year 1997 and for the foreseeable future, the Committee is concerned about maintaining an adequate educational system for the students currently in the Bureau's school system. An increasing demand on already scarce resources could result in diminishing the educational services available to the approximately 50,000 children that are now served by Bureau schools. Accordingly, the Committee has continued the fiscal year 1996 bill language which limits the number of schools to be funded to those in the Bureau of Indian Affairs school system as of September 1, 1995. Bill language is also continued which prohibits using Bureau funds for any additional grades beyond the grade structure in place at each school as of October 1, 1995. The intent is to preclude expansions such as when a school which currently enrolls students in the primary grades (K through grade 6) expands its grade structure by adding a junior high (grades 7 and 8) or high school (grades 9 through 12).

The Committee remains concerned that BIA operated schools should be able to adopt their own salary schedules in the same manner as contract and grant schools, particularly since school operations funds are distributed equally to all schools. Bill language is included which would allow BIA operated schools to adjust the salaries of all education positions, including teachers and counselors as well as non-teaching staff. The authority applies only to staff appointed after June 30, 1997. This grandfathering provision will protect current BIA employees who remain at the same position at the same school from salary adjustments below their base level.

The Committee recognizes that the recommended funding levels will place constraints on Bureau funded schools. However, the funds available in this bill apply to the 1997-98 school year, therefore, the Bureau and schools have over a year to develop a plan for making the most efficient use of appropriated funds.

Within resource management, funding for the Native American Fish and Wildlife Society (NAFWS) is continued at the 1996 enacted level. The funding level will ensure that NAFWS will be able to support development and protection of tribal fish and wildlife resources.

*Non-recurring programs-* The Committee recommends \$62,499,000 for non-recurring programs, which is \$3,722,000 below the 1996 enacted level. Decreases include \$1,500,000 for community and reservation economic development and \$250,000 for technical assistance as proposed by the Administration, and \$1,972,000 for water rights negotiations/litigation.

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.

*Central office operations.*--The Committee recommends \$44,818,000 for central office operations. The Committee recommendation includes a transfer of \$3,500,000 to the construction account, a transfer into central office operations of \$1,207,000 for personnel services and \$1,935,000 for education personnel management, and a general decrease of \$5,052,000. A total of \$218,000 from central office financial management and \$75,000 from ADP central program management is transferred to the Office of Special Trustee for administrative accounting and budget support and certain information resource management functions. No funds are transferred to the Office of Special Trustee for information resource management systems and other contractual costs to support mainframe computers, licenses, and other similar costs. The Bureau shall continue to pay for and provide these types of IRM support to the Office of Special Trustee in 1997. To the extent the Office of Special Trustee is unable to establish mechanisms to secure required administrative support, funding transferred should be used to reimburse the Bureau for continued provision of services.

The Committee recommended that additional resources be allocated to tribal priority allocations and education programs, however, significant budgetary constraints and the need to move towards a balanced budget remain. Consistent with the direction for reorganization and consolidation, the

Committee believes that additional savings are available within central office operations and provides a general reduction of \$5,052,000.

*Area office operations.*--The Committee recommends \$36,693,000 for area office operations. This funding level includes a transfer of \$3,650,000 for personnel services and a general decrease of \$3,671,000. A total of \$166,000 from area office personnel services is transferred to the Office of Special Trustee for personnel and EEO services. No funds are transferred to the Office of Special Trustee that support activities of the Bureau's information management centers (IMC's). The IMC's shall continue to support the Office of Special Trustee in 1997. To the extent the Office of Special Trustee is unable to establish mechanisms to secure required administrative support, funding transferred should be used to reimburse the Bureau for continued provision of services.

As is the case with central office and consistent with the direction for reorganization and consolidation, the Committee believes that additional savings are available within area office operations and provides a general reduction of \$3,671,000.

The Committee has denied the Bureau's request to move funding for the Navajo area office operations into tribal priority allocation. However, the Committee will have no objection to a reprogramming proposal once the Committee has been provided with assurance that the Navajo area office is being closed and an explanation of how those functions and activities deemed to be inherently Federal and trust responsibilities related to the Navajo Nation will be handled.

*Special programs and pooled overhead.*--The Committee recommends \$70,403,000 for special programs and pooled overhead. This funding level includes decreases of \$962,000 for the Indian arts and crafts board, \$150,000 for the intertribal agriculture council as proposed by the Administration, \$1,000,000 for employee displacement costs as proposed by the Administration, \$866,000 for the Indian Child Welfare Act as proposed by the Administration, and a transfer of \$8,619,000 for personnel services to central and area office operations.

A total of \$1,329,000 from General Administration-Pooled Overhead is transferred to the Office of Special Trustee for FFS (\$78,000), PAY/PERS (\$62,000), postage (\$347,000), FTS 2000 (\$110,000), Departmental Billings (\$23,000), Unemployment Compensation (\$209,000), and GSA Rentals (\$500,000). Amounts included for Postage, FTS 2000, and GSA Rentals include amounts related to operations of the Albuquerque Headquarters of the Office of Trust Funds Management and postage costs relating to issuance of IIM checks and quarterly trust account statements. No funds are transferred to the Office of Special Trustee for Postage, FTS 2000, and GSA Rentals of field operations (Area and Agency) of the Office of Special Trustee. The Bureau of Indian Affairs shall continue to support these costs in 1997. To the extent the Office of Special Trustee is unable to establish mechanisms to secure required administrative support, funding transferred should be used to reimburse the Bureau of Indian Affairs for continued provision of services.

The Bureau requested an account consolidation for personnel services in fiscal year 1995. The Committee is not aware of any progress made by the Bureau in the consolidation or reduction of personnel services. For fiscal year 1997, the Bureau has requested that the consolidated account be reversed and funds be appropriated in central and area offices. The Committee accepts this proposal. However, the Committee also expects that the Bureau will achieve savings in personnel because of the reduction in Bureau staff and increased automation in the personnel area. The Committee is reducing personnel funding by 20 percent in the appropriate areas with the expectation that the Bureau will achieve savings in 1997.

The Committee notes that the Bureau of Indian Affairs has undergone significant downsizing during the past two years due both to the Vice-President's National Performance Review efforts and to reductions in personnel and funding. Little of this downsizing has been consistent with the BIA

reorganization plan issued in 1994 by the joint Federal-Tribal Reorganization Taskforce. Given the substantial hearing records developed on BIA reorganization by the authorizing Committees, the Committee directs the Bureau to proceed with reorganization and consolidation of central, area, and agency offices in a manner that is consistent with the procedures set forth by the Taskforce. In particular, the Bureau may find opportunities for consolidation and/or closure where significant progress has been made by Indian tribes to compact or contract Bureau operations. It is the intent of this Committee that such consolidation and/or closure should be conducted in a manner consistent with the Taskforce's recommendations, including direct and active negotiation with the affected Indian tribal governments. Any savings in resources made by these efforts should be made available for transfer to tribes subject to Committee approval. The Committee further directs the Bureau to report on its reorganization within 120 days of enactment of this Act.

Language is included under Administrative Provisions, Department of the Interior, which limits the Secretary of the Interior from taking land into trust unless there is an agreement between Indian tribes, States, and local communities requiring tribes to pay State and local taxes on purchases by non-Indians in retail establishments on said lands.

## CONSTRUCTION

Appropriation enacted, 1996 (excludes emergency)	\$100,833,000
Budget estimate, 1997	122,824,000
Recommended, 1997	85,831,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	-15,002,000
<b>Budget estimate, 1997</b>	-36,993,000

The amounts recommended by the Committee as compared to the 1996 enacted level by activity is shown in the following table:

,w318,d84

Insert offset folio 60 here

*Education.*--The Committee recommends \$28,039,000 for education construction. This funding level includes \$4,000,000 to complete construction of the Chief Leschi school complex, \$3,000,000 for employee housing, and \$21,039,000 for FI&R. The Committee recommendation assumes that this is the only project funded in fiscal year 1997.

The Committee notes that the Bureau of Indian Affairs has been well informed about the need to replace the existing portable classroom buildings at the Lac Courte Oreilles Ojibwe School in Hayward, Wisconsin because of ongoing health and safety hazards in the existing structures, including vermin proliferation and the resultant problems associated with infestation. The Committee is aware that consideration is being given to a temporary fix to address the most serious aspects of this problem. The Committee further understands that the long-term solution is in the planning process and expects that the BIA and the Department will not change the long-term priorities for the school due to a short-term, temporary fix.

The Committee has continued the fiscal year 1995 bill language related to implementing the process to award grants for construction of new schools or facilities improvement and repair projects in excess of \$100,000. The language ensures that the Department can continue to implement the grant process while

the permanent implementation process is under development in fiscal year 1997. The Committee expects the Department and the Bureau of Indian Affairs to continue to work cooperatively with the tribes in the development of a final implementation process. Given that the language is clear concerning negotiating the schedule of payments, the Committee has not continued the language limiting payments to two per year.

*Public safety and justice.*--The committee recommends \$4,400,000 for public safety and justice. No new law enforcement projects are proposed for funding in fiscal year 1997. The Committee has included \$4,000,000 for the Bureau's fire program and \$400,000 for FI&R, same as the request.

*General Administration.*--The Committee recommends \$7,146,000 for general administration including decreases of \$2,000 for telecommunications improvement and repair, \$1,401,000 for FI&R, and increases of \$3,500,000 for construction management from the 1996 enacted level.

*Resources management.*--The Committee recommends \$46,246,000 for resources management. Included in this amount is \$25,500,000 for the Navajo Indian Irrigation Project which is the same as the 1996 enacted level.

The Committee is aware of the Pueblo of Laguna's efforts to complete its New Mexico-Paguete dam restoration project. The Committee urges the Bureau to examine safety concerns at this dam. If conditions warrant, funding for this project should be given priority consideration.

## INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

Appropriation enacted, 1996	\$80,645,000
Budget estimate, 1997	69,241,000
Recommended, 1997	65,241,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	-15,404,000
<b>Budget estimate, 1997</b>	-4,000,000

The Committee recommends an appropriation of \$65,241,000 for Indian land and water claim settlements and miscellaneous payments to Indians.

The Committee recommends a decrease of \$4,000,000 for the Pyramid Lake Water Rights Settlement. All other settlements are funded at the budget estimate.

The Committee understands that legislation authorizing the Torres-Martinez land settlement has been introduced and, because of bipartisan support, likely to be enacted into law before the end of the 104th Congress. Once authorized, the Committee will look favorably on funding the settlement. Assuming it is authorized, the Committee expects the Department of the Interior to include funding for the Torres-Martinez settlement as part of its fiscal year 1998 budget request.

## TECHNICAL ASSISTANCE OF INDIAN ENTERPRISES

Appropriation enacted, 1996	\$500,000
Budget estimate, 1997	.....

Recommended, 1997	.....
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	-500,000
<b>Budget estimate, 1997</b>	.....

The Committee recommends no appropriation for Technical Assistance of Indian Enterprises, the same as the budget estimate.

## INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

Appropriation enacted, 1996	\$5,000,000
Budget estimate, 1997	5,002,000
Recommended, 1997	5,000,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	.....
<b>Budget estimate, 1997</b>	-2,000

The Committee recommends an appropriation of \$5,000,000 for the Indian Guaranteed Loan Program, same as the 1996 enacted level.

## DEPARTMENTAL OFFICES

### INSULAR AFFAIRS

## ASSISTANCE TO TERRITORIES

Appropriation enacted, 1996 (excludes emergency)	\$65,188,000
Budget estimate, 1997	65,188,000
Recommended, 1997	65,088,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	-100,000
<b>Budget estimate, 1997</b>	-100,000

The Office of Insular Affairs (OIA) was established on August 4, 1995 through Secretarial Order No. 3191 which also abolished the former Office of Territorial and International Affairs. The OIA has important responsibilities to help the United States government fulfill its responsibilities to the four U.S. territories (Guam, American Samoa, U.S. Virgin Islands and the Commonwealth of the Northern Mariana Islands (CNMI)) and the three freely associated states: the Federated States of Micronesia (FSM), the Republic of the Marshall Islands and the Republic of Palau. The permanent and trust fund payments to the territories and the compact nations provide substantial financial resources to these governments. With the signing of the fiscal year 1996 Interior and Related Agencies Appropriations Act a large re-allocation of CNMI covenant grants was achieved. This reallocation: helps the Government of Guam with the impact of Micronesian immigrants on social and education programs; meets

significant capital improvement needs in American Samoa; helps rehabilitate and resettle Rongelap Atoll; and helps with a variety of other problems in the Northern Marianas.

The amounts recommended by the Committee for fiscal year 1997, compared to the 1996 enacted level by activity, are shown in the following table:

,w318,d144

Insert offset folio 64 here

*Territorial Assistance.*--The Committee recommends funding of \$14,322,000, which is \$100,000 below the requested level. The Committee is encouraged by the successful implementation of a headquarters downsizing and reorganization that has occurred as a result of abolishing the former Office of Territorial and International Affairs. Given the large reductions taken last year, the Committee recommends a relatively stable appropriation for 1997. The Committee expects the OIA to work closely with the insular governments to ensure that technical assistance funding is used efficiently and high priority needs are identified and met. The Committee remains concerned about the menace of the brown tree snake and supports continued research into this problem so that it is not spread further in the Pacific.

*CNMI/Covenant grants.*--The Committee recommends the mandatory grants as requested, \$27,720,000. This includes the requests of: \$11,000,000 for CNMI construction, \$4,580,000 for impact aid to Guam, \$6,140,000 for American Samoa construction, \$3,000,000 for CNMI College construction, and \$3,000,000 for the CNMI immigration, labor and law enforcement initiative. The Committee expects the grant to the College to be used to help fund the College's capital improvement plan. The Committee is concerned about the lack of financial commitment by other Federal agencies to the immigration, labor and law enforcement initiative and the Committee will closely watch this with respect to future funding decisions on the initiative.

*American Samoa.*--The Committee recommends \$23,046,000, the same as the request and the 1996 funding level, for operations grants. Last year the Committee expressed its concerns over the slow progress of the American Samoa Government in addressing its financial situation. The Committee has not received evidence that meaningful financial controls and reforms are being implemented, including the imposition of reasonable user fees, reduction in size of government, and implementation of other improvements incorporated in the Financial Recovery Plan prepared by the Joint Working Group. The Committee hopes such evidence is forthcoming and will take this into account in determining future allocations of construction and operations funding. Note that \$6,140,000 has been included from covenant grants for American Samoa construction as recommended by the OIA. The Committee is anxious to see a final five-year capital improvement plan and expects future updates concurrent with submission of the Department's budget justifications.

*Guam.*--The Committee included language in the fiscal year 1996 appropriations act that commits \$4,580,000 annually in construction grants for a six-year period to assist Guam in addressing the impacts resulting from implementation of the Compact of Free Association Act. The Committee expects the Department to augment this funding by working with the Government of Guam to identify other Federal programs or control efforts to address this problem. The Committee anticipates the combination of direct financial assistance and other Federal efforts will fully resolve this impact issue.

*Virgin Islands.*--The Committee recommends no special funding for the Virgin Islands. Technical assistance needs for the Virgin Islands should be covered within the allocation for technical assistance. The Committee expects to receive a copy of the Secretary's report on Hurricane Marilyn recovery and would like that report to include a specific description of the uses of the fiscal year 1996 emergency supplemental appropriation.

# TRUST TERRITORY OF THE PACIFIC ISLANDS

The Committee does not recommend any funding. The implementation of the Compact of Free Association with the Republic of Palau, the final entity of the Trust Territory, precludes the need for any additional budget authority in this appropriation.

## COMPACT OF FREE ASSOCIATION

Appropriation enacted, 1996	\$24,938,000
Budget estimate, 1997	23,538,000
Recommended, 1997	23,638,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	-1,300,000
<b>Budget estimate, 1997</b>	+100,000

The Committee recommends an increase of \$100,000 for the Compact of Free Association. The amounts recommended by the Committee for fiscal year 1997, compared with the 1996 enacted level by activity, follow:

,w318,d84

Insert offset folio 66 here

*Federal services assistance.*--The Committee recommends \$6,964,000, the same as the 1996 enacted level.

*Program grant assistance.*--The Committee recommends \$13,500,000 for program grant assistance, the same as the request.

*Enewetak support.*--The Committee recommends \$1,191,000 for the Enewetak agricultural and food support program, an increase of \$100,000 from the 1996 level. This funding includes a temporary increase due to increased costs. This should be considered to be temporary support until the Enewetak community is able to establish self-supporting food programs. The Committee understands that the OIA is conducting a review of this program, including a comparison of existing conditions at Enewetak Atoll and other atolls in the Marshall Islands. The Committee expects the results to be discussed and incorporated in the next budget justification.

*Rongelap Atoll.*--The Committee recommends \$1,983,000, the same as the budget estimate. Despite budgetary constraints, the Committee recognizes the responsibility of the Federal government to provide a reasonable contribution to the resettlement of Rongelap Atoll. The Committee urges the Department to develop a program that ensures an expeditious resettlement. Caution should be used in any approach using trust funds that impose a considerable additional cost to the United States Treasury.

*Federal States of Micronesia.* The Committee urges the Department to conduct a rigorous audit of funds sent to the Federated States of Micronesia, and especially, the use of funds in Chuuk, and report back to the Committee by December 31, 1996; the report should evaluate if there has been any misuse of U.S. funds that might constitute a violation of the Compact.

## DEPARTMENTAL MANAGEMENT

### SALARIES AND EXPENSES

Appropriation enacted, 1996	\$56,912,000
Budget estimate, 1997	59,196,000
Recommended, 1997	53,691,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	-3,221,000
<b>Budget estimate, 1997</b>	-5,505,000

The amounts recommended by the Committee for Departmental Management, compared with the 1996 enacted level by activity follow:

,w318,d84

Insert offset folio 68 here

The Committee recommends an appropriation of \$53,691,000, a decrease of \$3,221,000 below the fiscal year 1996 level. The Committee has attempted to reduce headquarters overhead and channel limited increases in this bill to some of the Department's highest priority agencies and programs such as the National Parks, the U.S. Fish and Wildlife Service, the Bureau of Indian Affairs' Tribal Priority Allocations and to some of the other bureaus in the bill like the Indian Health Service. The Committee is confident that the Administration would agree that these programs, so important to the American public, should be funded at higher levels and that reducing levels of non program management in headquarters offices is appropriate to accomplish this goal.

The Committee directs that the following reductions below the 1996 level be made to the offices under Departmental Direction: -\$700,000 Congressional and intergovernmental affairs, -\$400,000 Communications, -\$100,000 Assistant Secretary Water and Science, -\$100,000 Assistant Secretary Land and Minerals Management, -\$100,000 Assistant Secretary Indian Affairs, and -\$375,000 Assistant Secretary Policy, Management and Budget.

The following reductions are to be made to the offices under management and coordination: -\$300,000 policy analysis, -\$200,000 information resources management, and -\$946,000 from central services.

The Committee notes that the Department did not follow the Committee's directions regarding a \$884,000 reduction for headquarters administration in the departmental direction activity. Instead the Department chose to disregard the specific instruction of the managers of the conference and made reductions to the Management and Coordination activity. The Committee has identified specific offices for reductions in fiscal year 1997 to avoid any misinterpretation of Committee intent.

## OFFICE OF THE SOLICITOR

### SALARIES AND EXPENSES

Appropriation enacted, 1996	\$34,427,000
Budget estimate, 1997	35,208,000

Recommended, 1997	35,208,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	+781,000
<b>Budget estimate, 1997</b>	.....

The Committee recommends an appropriation of \$35,208,000, an increase of \$781,000 over the current fiscal year. This increase represents uncontrollable expenses, including mandatory pay increases. The Committee understands that the office provides essential legal services to the Department's bureaus and has experienced a steady growth in workload in recent years. While this increase is not programmatic, it will help protect the office against inflationary and pay increases.

The Committee seriously considered reinstating the Solicitor's Honors Program but due to budgetary restraints, felt that any program increases should be channeled to the National Parks, the U.S. Fish and Wildlife Service, the BIA's Tribal Priority Allocation and the Indian Health Service. Should the Senate receive a more generous allocation, the Committee will seriously consider the addition of this very worthwhile program.

## OFFICE OF INSPECTOR GENERAL

### SALARIES AND EXPENSES

Appropriation enacted, 1996	\$23,939,000
Budget estimate, 1997	24,439,000
Recommended, 1997	24,439,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	+500,000
<b>Budget estimate, 1997</b>	.....

The Committee recommends \$24,439,000, an increase of \$500,000 over the current fiscal year. The Committee has also included bill language in the General Provisions, U.S. Department of the Interior section which would permit the Office of the Inspector General to participate, as do other federal agencies, in the asset forfeiture program and to receive and use an equitable share of forfeited assets resulting from an investigation in which they have actively participated. The Committee hopes this will be helpful in defraying uncontrollable expenses and for minor equipment purchases.

## NATIONAL INDIAN GAMING COMMISSION

### SALARIES AND EXPENSES

Appropriation enacted, 1996	\$1,000,000
Budget estimate, 1997	1,000,000
Recommended, 1997	1,000,000
<b>Comparison:</b>	

<b>Appropriation, 1996</b>	.....
<b>Budget estimate, 1997</b>	.....

The Committee recommends an appropriation of \$1,000,000, the budget request, for the National Indian Gaming Commission.

## **OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN INDIANS**

Appropriation enacted, 1996	\$16,338,000
Budget estimate, 1997	36,338,000
Recommended, 1997	19,126,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	+2,788,000
<b>Budget estimate, 1997</b>	-17,212,000

The Committee recommends an appropriation of \$19,126,000 for the Office of the Special Trustee for American Indians, which is \$2,788,000 above the fiscal year 1996 enacted level.

The Committee has transferred \$1,788,000 from the Operation of Indian Program account to the Office of Special Trustee account to cover certain administrative and overhead costs of the Office of Special Trustee, currently provided by the Bureau of Indian Affairs. To the extent the Office of Special Trustee is unable to establish mechanisms to secure required administrative support, funding provided to the Special Trustee should be used to reimburse the Bureau of Indian Affairs for continued provision of services.

The Committee has provided \$1,000,000 to conduct a requirements analysis and user needs assessment which is necessary to complete the Special Trustee's comprehensive strategic plan. The Special Trustee should ensure that this analysis is conducted in the most economical manner. To the extent that the cost of the analysis is less than the resources provided, any remaining funds can be allocated to other high-priority needs. Upon completion of the strategic plan, if the Administration believes there is a compelling need for additional resources, the Committee would consider a request for a supplemental appropriation.

Within funds provided for executive direction, the Special Trustee should prioritize funding between staffing, the Special Trustee's Advisory Board, and 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.

Bill language has been included under the Office of Special Trustee that would discontinue funding of trust fund losses, including claims, judgments, and settlements, through either the Bureau of Indian Affairs or the Office of Special Trustee appropriations.

## **GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR**

The Committee recommends continuing several provisions carried in previous bills as follows. Sections 101 and 102 provide for emergency transfer authority with the approval of the Secretary. Section 103 provides for warehouse and garage operations and for reimbursement for those services. Section 104 provides for vehicle and other services. Section 105 provides for uniform allowances.

Section 106 provides for twelve month contracts with the General Services Administration for services and rentals.

Section 107 provides the Secretary with transfer authority between and among the land acquisition accounts in the Bureau of Land Management, the U.S. Fish and Wildlife Service and the National Park Service, and makes the use of land acquisition funds subject to the reprogramming guidelines of the House and Senate Committees on Appropriations.

Section 108 provides for the transfer of funds to the Presidio Trust upon its establishment.

Section 109 prohibits the use of funds for developing, promulgating and implementing a rule concerning rights-of-way under section 2477 of the Revised Statutes. Section 110 is intended to allow time for Congress to adopt legislation clarifying the terms and scope of grants for highway rights-of-way across federal land pursuant to section 2477 of the Revised Statutes. Historically, the Department took the position that the validity of these grants was governed by state property law because there was no general federal law of property and no delegation of authority by Congress to interpret the terms of the statute by regulation. The Department established an administrative process for the non-adjudicatory acknowledgment of valid grants. Then as now, the courts were available to resolve disputed claims. The present contention that FLPMA, or other land management statutes enacted after the vesting of these property rights, now permits the Department to look back and re-interpret the basic terms of the grant is doubtful as a matter of law and questionable as a matter of public policy. The implications are enormous; if such a contention were valid, virtually every transfer of interest or title in federal lands back to the founding of the Republic could be compromised. The Committee believes that the public interest will be better served if these grants to States and their political subdivisions are not put in jeopardy by the Department pending Congressional clarification of these issues. Section 109 does not limit the ability of the Department to acknowledge or deny the validity of claims under RS 2477 or limit the right of grantees to litigate their claims in any court.

Sections 110 through 113 prohibit the expenditure of funds for Outer Continental Shelf leasing activities in certain areas as proposed in the budget. These provisions are addressed under the Minerals Management Service in this report.

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

Section 115 prohibits expenditures for redesign of Pennsylvania Avenue without the advance approval of the Appropriations Committees.

Section 116 limits the use of funds for continuing or enforcing the designation of critical habitat for the marble murrelet on private property in the State of California, except the old growth redwoods in the 'Headwaters Grove'.

Section 117 limits the use of funds by the Bureau of Indian Affairs with respect to the transfer of property into trust unless there is an agreement in place between the tribe and the State and local government on the collection and payment of sales and excise taxes by any retail establishments located on the property.

Although the Committee has not recommended continuing a legislative provision, carried in previous years, requiring that employee details conform to Office of Personnel Management regulations, the Department is to report monthly to the Committee on employee details.

## TITLE II--RELATED AGENCIES

### DEPARTMENT OF AGRICULTURE

#### FOREST SERVICE

The U.S. Forest Service manages over 191 million acres of public lands for multiple use nationwide, including lands in 44 states, Puerto Rico and the Virgin Islands. The Forest Service administers a wide variety of programs, including forest and rangeland research, state and private forestry assistance, wildfire suppression and presuppression, cooperative forest health programs, and human resource programs. The National Forest System (NFS) includes 156 national forests, 20 national grasslands, 4 national monuments, 9 land utilization projects, and the nation's first national tallgrass prairie established in 1996. The NFS is managed for multiple use, including timber production, recreation, grazing, fish and wildlife habitat management, and soil and water conservation. The NFS includes about 47% of the nation's softwood inventory and supplies about 10% of the nation's softwood timber. More than 9,000 farmers and ranchers pay for permits to graze cattle, horses, sheep and goats on 74 million acres of grassland, open forests, and other forage-producing acres of the National Forest System. Recreational use of national forest land amounted to approximately 295.5 million visitor days in 1993. The NFS includes over 125,000 miles of trails and 23,000 developed facilities, including 4,389 campgrounds, 58 major visitor centers, and about one-half of the nation's ski-lift capacity. Recreation facilities on NFS lands had a combined capacity of 2.1 million people-at-one-time in 1995. There are 51 Congressionally designated areas, including 19 national recreation areas, and 7 national scenic areas. Wilderness areas cover 35 million acres, nearly two-thirds of the wilderness in the contiguous 48 states. The Forest Service also has major habitat management responsibilities for more than 3,000 species of wildlife and fish, and 10,000 plant species and provides important habitat and open space for over 284 threatened or endangered species. Half of the big game and coldwater fish habitat in the nation is located on National Forest System lands and waters. In addition, in the 16 western States, where the water supply is sometimes critically short, about 55 percent of the total annual yield of water is from National Forest System lands.

The Committee is extremely concerned about the problem of forest and rangeland health. There is a great need for a comprehensive approach, including: (1) insect and disease suppression and science, (2) fire management through prescribed burning and biomass management, and (3) forest and rangeland improvements through thinning, salvage, and native and noxious vegetation manipulation. The Committee recommends enhancing the nation's forest health program and has provided increased funding above that enacted last year, including: (1) \$18.5 million for the forest health management accounts in State and Private Forestry; (2) \$26 million for the prescribed burning program in the wildfire presuppression account; and (3) \$10 million for NFS timber management. Increases of \$2 million are also recommended for timber roads and road maintenance and \$1 million is added for forest health research.

#### FOREST AND RANGELAND RESEARCH

Appropriation enacted, 1996	\$178,000,000
Budget estimate, 1997	179,786,000
Recommended, 1997	179,000,000
<b>Comparison:</b>	

<b>Appropriation, 1996</b>	+1,000,000
<b>Budget estimate, 1997</b>	-786,000

The Committee recommends an appropriation of \$179,000,000 for forest and rangeland research, a decrease of \$786,000 below the budget request and an increase of \$1,000,000 above the 1996 funding level.

The Committee has recently agreed to the reorganization of the headquarters office for forest and rangeland research but expects that the field organization will remain unchanged at the Station level. The Committee is especially concerned about forest and rangeland health research, and has included a \$1,000,000 increase to enhance the insect, disease and noxious plant programs. The Committee is concerned at the loss of entomologists and pathologists from the Service. These specialized scientific skills are generally unavailable elsewhere, so the Committee feels that it is imperative that the research branch maintain expertise in these fields so that forest and rangeland health problems can be dealt with in efficient, economic, and scientific manners.

The Committee is encouraged by research with adaptive management techniques. Within the increase provided, \$200,000 is to provide research support for adaptive management activities which implement and evaluate controlled silvicultural treatment in designated fire-generated, overstocked, small-diameter, stagnated forest 'CROP' stands or other stands designated by the Secretary as having 'CROP' characteristics on the Colville National Forest. The Forest Service should prepare and submit to Congress, not later than September 30, 1997, a research plan and supporting environmental documents that provide for implementing this program. This plan is referenced in the NFS account and should be a coordinated effort.

The Committee has included funding to continue the International Institute of Tropical Forestry and the Institute of Pacific Islands Forestry in the research program, due to the elimination of the international forestry activity. Within the funding provided, \$300,000 is for the landscape management project at the University of Washington and \$200,000 is to support the research activities of the Olympic Natural Resources Center. Within the funds provided, \$500,000 is included for the Evanston Research Office, Lincoln Park restoration project. The Committee urges the Forest Service to maintain the 1996 funding levels for the Urban Forestry Research Stations at Syracuse, NY and UC Davis, CA. Research support to the Pacific Northwest forest plan should be at or above the 1996 level, including adaptive management areas and monitoring. The Committee recognizes the valuable work of the International Arid Lands Consortium and encourages the U.S. Forest Service to provide funds to the Arid Lands program from the research account.

The Committee recognizes the benefits of cooperative forestry research arrangements in leveraging the effectiveness of Forest Service research funding. In the face of reduced funding and staffing, the Committee urges the agency to maintain and employ cooperative agreements whenever possible in order to obtain the greatest benefit in research investment. Additionally, the Committee encourages the Forest Service to develop a more detailed system of tracking the research areas in which appropriated research dollars are being utilized.

The Committee recognizes the importance of timely forest inventory data as a basis for natural resources policy decisions. The information obtained from the Forest Inventory and Analysis program directed at forest health conditions on both public and private lands has been extremely important in recent years to land managers and policymakers. The Committee urges the Forest Service to continue its efforts to maintain a ten-year minimum inventory cycle in all parts of the country outside of the South, where a five-year cycle is desired.

## STATE AND PRIVATE FORESTRY

Appropriation enacted, 1996	\$136,884,000
Budget estimate, 1997	164,000,000
Recommended, 1997	148,884,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	+12,000,000
<b>Budget estimate, 1997</b>	-15,116,000

The Committee recommends an appropriation of \$148,884,000 for state and private forestry, a decrease of \$15,116,000 below the budget request and \$12,000,000 above the 1996 funding level. Through cooperative programs with State and local governments, forest industry and private landowners, the Forest Service helps to protect and manage 805 million acres of forest and associated watershed land. Technical and financial assistance is offered to improve fire, insect and disease control; improve harvesting, processing and monitoring of forest products; and stimulate reforestation and timber stand improvement. The Committee is especially concerned about the forest health management activities. The Forest Service provides special expertise and disease suppression for all Federal and tribal lands, as well as cooperative assistance with the States for State and private lands. The stewardship program affects over 3.5 million acres of private forests and assists over 200,000 woodland owners. The urban forestry program assists over 13,000 urban areas.

The comparisons of the recommendation and the 1996 enacted level by activity is shown in the following table:

,w318,d144

INSERT OFFSET FOLIO 76 HERE

*Forest health management.*--The Committee recommends \$68,501,000 for forest health management, which is \$11,501,000 above the request, and \$18,529,000 above the 1996 funding level. This overall increase of 37% reflects the high priority the Committee has placed on these activities. Previously, the critical forest pest suppression activities were conducted using emergency appropriations. It is now the House policy to prohibit emergency spending authority in general appropriations bills. However, much of this insect and disease suppression activity is predictable, and because it is so critically important to the health of the nation's forests and economy, these funding needs should be covered with general appropriations to the extent that funding is available.

The Federal lands forest health management account provides the forest health science and suppression service for all Federal lands (BLM, NPS, FWS, and DOD) and tribal lands, and funds science and survey work for the states. The President's budget provided only 23% of the 5 year average funding needed for insect and disease suppression on Federal lands and 60% of the 5 year average for cooperative lands. This recommendation fully funds suppression needs and provides vital expertise for all the nation's forest lands. The Committee has included an increase above the 1996 level of \$8,000,000 for the federal lands forest health program, \$8,529,000 for the cooperative lands forest health management program, and \$2,000,000 for cooperative lands fire management. The Committee suggests that the forest health efforts should take a comprehensive view and include substantial efforts to manage and control noxious, exotic, and alien weeds on NFS lands.

Massive wildfires and extensive forest health problems caused by overstocked stands and pests such as the Southern Pine Beetle and Gypsy Moth have resulted in large volumes of dead and dying timber on

both public and private lands. The Committee encourages the Forest Service to utilize the full breadth of silvicultural prescriptions available to land managers, including the use of salvage harvesting, prescriptive fire and integrated pest management, where appropriate, to improve the health and productivity of the National Forest System.

*Cooperative forestry.*--The Committee recommends \$80,383,000 for Cooperative forestry, which is \$26,617,000 below the request, and \$6,529,000 below the 1996 funding level. Due to funding constraints imposed by the budget resolution, the Committee has eliminated the forest legacy program and restricted the funding level for the stewardship incentives program and the forest stewardship programs at the fiscal year 1996 levels. The Committee recommends a \$1,000,000 increase above the request for the Pacific Northwest assistance programs, and a \$2,000,000 decrease below the request for the economic action programs. The Committee expects that the old-growth diversification program will be funded at the 1996 level. Within the Economic Action Program, the Committee has provided \$5,000,000 to continue the Rural Development Through Forestry program of which \$3,000,000 is included for the Northeast and Midwest. The Committee has included \$500,000 for Lake Tahoe Basin erosion control. The urban forestry program also includes funding for the urban resources partnerships program. The Chesapeake Bay program and the National Agroforestry Center should be funded at the 1996 level; Northeastern area forest specialists should consult with and aid the Sterling Forest effort. The Committee supports the Northeastern Pennsylvania community forestry program and provides \$500,000 from the forest stewardship account and \$1,000,000 from the Urban forestry account for these activities; from these joint funds a sum not to exceed \$500,000 shall be made available for a demonstration arboretum in northeastern Pennsylvania. Due to the limited funds in the Stewardship Incentive Program, the Committee expects the Forest Service to adopt an appropriate policy which would not allow cost-share monies to be used for tree planting before or after a timber harvest that generates enough revenue for reforestation of the same acreage. The Committee feels that it is the responsibility of the landowner who makes a profit from the harvest of trees to immediately reforest that same land and that this is not the responsibility of the Federal government.

## INTERNATIONAL FORESTRY

The Committee has not provided specific funding for international forestry activities, similar to fiscal year 1996. The Committee recommends that the Forest Service may, with appropriate reprogramming approval of the Committee, spend up to \$2,000,000 from benefiting functions to cover vital international activities of benefit to those programs.

## NATIONAL FOREST SYSTEM

Appropriation enacted, 1996 (excludes emergency)	\$1,257,057,000
Budget estimate, 1997	1,291,553,000
Recommended, 1997	1,259,057,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	+2,000,000
<b>Budget estimate, 1997</b>	-32,496,000

The Committee recommends an appropriation of \$1,259,057,000 for the National Forest System, a decrease of \$32,496,000 below the budget request and \$2,000,000 above the 1996 funding level. The comparisons of the recommendation and the 1996 enacted level by activity is shown in the following

table:

OFFSET FOLIOS 79 TO 80 INSERT HERE

001

*Land Management Planning-* The Committee recommends \$77,088,000 for land management planning, which is \$67,912,000 below the request for the former ecosystem management activity, and \$53,000,000 below the 1996 funding level. The Committee has returned the inventory and monitoring funds back to the multiple use activity from which they were taken in fiscal year 1994. This results in a 41% decrease in the newly named land management planning activity, but it results in apparent increases to the recreation, wildlife, rangeland, timber, and soil, water and air activities. These apparent increases are really just a redistribution of funds and not real increases, although more has been allocated to the timber and range activities than the recreation activity. This leaves the core land management planning activities and watershed assessments, thereby providing a more manageable manner for the Committee to control and limit the costs of forest planning. Within the recommended amount, no less than \$19,400,000 is for watershed assessments for the President's Pacific Northwest plan. The Committee expects its actions will not affect ongoing ecosystem planning under the President's Pacific Northwest Forest plan, and the agency is urged to fulfill the timber and other multiple-use program goals of the Pacific Northwest Forest plan. The Committee expects the Forest Service to carry out watershed analysis and watershed restoration activities in a manner that carefully considers the overall circumstances of the entire watershed. The agency should also work with concerned interests with lands adjacent to Forest Service lands. Watershed analysis should conclude by listing watershed restoration and protection priorities. Such prescriptions should target degraded habitat, the restoration of which will positively affect the condition of a river or stream, and areas of high quality habitat that should be protected. The prescriptions that stem from watershed analysis should then be followed by watershed restoration efforts. As was the case last year, the Committee remains concerned about the proliferation of ecoregion assessments and urges the Forest Service to weigh carefully the economic benefits to the Service of continuing such planning efforts before starting new assessments.

*Recreation-* The Committee recommends \$219,151,000 for recreation use, which is \$8,151,000 above the request, and \$8,000,000 above the 1996 funding level. The apparent increase is due to the Committee restoring some of the funds removed in fiscal year 1994 for the ecosystem management activity. The Committee recognizes increasing public demand for recreation services. The Committee is encouraged by the potential for the recreation fee demonstration program in the Forest Service to improve services and reduce the backlog of maintenance at up to 50 pilot sites. The Committee recommends that \$750,000 be used to manage properly the national scenic and historic trails fully under the jurisdiction of the Forest Service, including the Pacific Crest, Continental Divide, and Florida National Scenic Trails and the Nez Perce National Historic Trail. At least \$250,000 should be used to manage other National Scenic and Historic Trails. In addition, the Committee recommends that \$10,400,000 be allocated to the challenge cost share program and that the Forest Service aggressively pursue this fine partnership effort with the private sector which returns so much private investment and good will to further land management needs.

The Committee is concerned about the methodology used by the Forest Service for counting visitor days. It is desirable for the Forest Service to standardize methods and provide this visitation information to the Committee and the American public in a reliable manner.

*Wildlife and fish management.--*The Committee recommends \$96,561,000 for the wildlife and fish habitat management program, which is \$5,561,000 above the request, and \$11,000,000 above the 1996 funding level. The apparent increase is due to the Committee restoring some of the funds removed in

fiscal year 1994 for the ecosystem management activity. The Committee commends the Forest Service for its efforts in developing an effective and aggressive challenge cost share program, and designates that \$15,000,000 be allocated to challenge cost share partnership efforts. These efforts bring in non-federal money to accomplish on-the-ground tasks for the general benefit of the public and the long-term benefit of the land. These efforts should be considered a key part of the program on national forests, grasslands and other units.

*Rangeland management.*--The Committee recommends \$44,012,000 for rangeland management, which is \$13,012,000 above the request, and \$17,000,000 above the 1996 funding level. The apparent increase is due to the Committee restoring some of the funds removed in fiscal year 1994 for the ecosystem management activity. The Committee recognizes that the range program has suffered more than others with the migration of funds to the former ecosystem management activity and this has now been rectified. The Committee also commends the Sharing Common Ground program and designates \$500,000 to this program. At the same time, the Committee is concerned at the lack of progress in addressing noxious, alien and invasive weeds on national forest system lands, and accordingly designated that no less than \$4,000,000 from the vegetation management activity be used for treatment and management of this problem.

*Forestland management.*--The Committee recommends \$260,409,000 for forestland management, which is \$18,409,000 above the request, and \$20,000,000 above the 1996 funding level. The Committee has restored funds removed in fiscal year 1994 for the ecosystem management activity. The Committee remains concerned about forest health and timber supply. The increased funds for the subactivity should be used to rebuild a timber supply pipeline and maximize timber stand improvement and commercial thinning. The \$10,000,000 increase to vegetation management should be used to fund commercial and pre-commercial thinning and forest stand improvement activities that can then be followed by prescribed burns, where appropriate, to ensure healthier forests. These activities also create jobs and support rural industries.

The Committee is encouraged by use of adaptive management techniques. Within the increase provided, \$300,000 is for implementing and evaluating controlled silvicultural treatment in designated fire-generated, overstocked, small-diameter, stagnated forest 'CROP' stands or other stands designated by the Secretary as having 'CROP' characteristics on the Colville National Forest. The Forest Service should prepare and submit to Congress, not later than September 30, 1997, a research plan, prepared by the forest and rangeland research branch, and supporting environmental documents that provide for implementing this program. This report is referenced in the forest and rangeland research account and should be a coordinated effort. The Committee recommends that the Service begin one or more initial demonstration projects based on a preliminary draft of the research plan as soon as practicable in an area of approximately 10,000 acres.

*Timber sales.*--To facilitate the fiscal year 1997 timber sale program and to ensure the most efficient expenditure of federal appropriations, the Committee has funded the program to produce a total sale offer of 4.29 bbf, consisting of 2.86 bbf of 'green' sales, with an additional 1.43 bbf of salvage sales. The Committee expects the Forest Service to allocate funding in a manner which will optimize forest plan outputs, taking full advantage of green and salvage sale preparation capacity agency-wide. Funding should be allocated to those forests which have the highest likelihood of attaining current forest plan goals, objectives, and targets. The Committee remains extremely concerned with accomplishment of the Forest Service timber sale program and has provided significant resources to allow the agency to move forward aggressively with the national timber program for both green and salvage sales. To ensure that Congress is adequately informed and notified of progress and delays in implementing the fiscal year 1997 program, the Committee requests the agency continue its regular, quarterly reporting of timber sale preparation, offer, sale and harvest accomplishment--including a

region by region status report. The Committee expects the reports to include detailed information on the status of the timber sales pipeline and an identification of the volumes offered, sold, and harvested categorized as net merchantable sawtimber. Timber program accomplishments should report timber actually sold and transferred to purchasers, and on the volume offered. The reports are to be as comprehensive as possible and provide information on both green and salvage sales. Any additional salvage opportunities that may arise during fiscal year 1997 should not impact green sale targets. The Committee notes that House Report 103-551 specifically allows Forest Service managers to use scaling when selling salvage sales or thinnings. The Committee expects the Forest Service to use fully the flexibility authorized in House Report 103-551 for rapidly deteriorating timber.

The Committee is also concerned about the Forest Service's inability to meet the timber harvest goals that were laid out as part of the President's Forest Plan for the Pacific Northwest even though sufficient funding has been provided to reach those goals. The Forest Service should take every action possible to reach the harvest levels promised by the President for the regions in the Option 9 plan.

The Committee is aware of the widespread forest health problems in the national forests across the country. In this regard, the committee understands that the agency can use the timber sale program as a cost-efficient tool to thin and restructure forest stands. Funds within the timber sales management account should be used for this purpose, and the agency is encouraged to make every effort to include preventive forest health treatments as part of timber salvage efforts. The Committee encourages the Forest Service to complete inventories of NFS old-growth forests and to exercise care to avoid inadvertently including unidentified old-growth timber in new timber sales.

*Soil, water and air management.*--The Committee recommends \$49,014,000 for soil, water and air management, which is \$1,014,000 above the request, and \$7,000,000 above the 1996 funding level. The apparent increase is due to the Committee restoring some of the funds removed in fiscal year 1994 for the ecosystem management activity. The Committee urges the use of non-Federal partnerships wherever possible, and in this light designates \$500,000 for a challenge cost share program to be administered similar to other NFS efforts.

*Minerals and geology management.*--The Committee recommends \$35,017,000 for minerals and geology management, which is \$17,000 above the request, and the same as the 1996 funding level.

*Land ownership management.*--The Committee recommends \$57,053,000 for land ownership management, which is \$53,000 above the request, and the same as the the 1996 funding level.

*Infrastructure management.*--The Committee recommends \$106,027,000 for infrastructure management, which is \$973,000 below the request, and \$2,000,000 above the 1996 funding level. The \$2,000,000 increase is for timber road maintenance to assist the forest health timber stand improvement and thinning program. The Committee urges the use of non-Federal partnerships wherever possible, and in this light encourages the engineering staff to start a challenge cost share program to be administered similar to other NFS efforts.

*Law enforcement operations.*--The Committee recommends \$59,637,000 for law enforcement, the same as the 1996 funding level. The Committee remains concerned about Forest Service law enforcement, including the problem of timber theft. The Committee remains very interested in the new independent law enforcement office and will carefully watch its ability to carry out its program in association with other NFS needs and legal mandates. The Committee urges the Forest Service to provide national attention to the timber theft issue and aggressively pursue a full program of protection and enforcement. The Committee expects the Forest Service to complete the study required by Senate Report 104-125 on law enforcement and submit the report to the House and Senate Committees on Appropriations no later than March 1, 1997. The Committee is concerned about the increasing use of Forest Service law enforcement resources in activities more appropriately handled by other law

enforcement agencies. The Committee is aware of law enforcement personnel engaged in border patrol and illegal immigration enforcement activities in California, on the Cleveland National Forest, and Arizona, on the Coronado National Forest. With the limited resources available for law enforcement, the Committee recommends the Forest Service turn these responsibilities over to the U.S. Border Patrol and Immigration and Naturalization Service, the agencies with jurisdiction over these matters. Law enforcement personnel should focus on crimes that relate more directly to the natural resources and facilities within the National Forest System, collaborating with other law enforcement agencies as the need arises. Cooperative agreements with States and local agencies for law enforcement activities should be utilized to the greatest extent possible.

*General administration.*--The Committee recommends \$255,088,000 for general administration, which is \$9,465,000 below the request, and \$10,000,000 below the 1996 funding level. Any personnel reductions made in fiscal year 1997 should have a negligible impact on the Forest Service's ability to meet the volume targets in the timber sale program. The Committee urges the Forest Service to utilize its contracting authority to meet the goals outlined. The Committee remains concerned about the large investment in new computer equipment and information management. The Forest Service should collaborate as much as possible with fellow federal land management agencies funded in this bill when implementing computer systems, geographic information systems and software, and geographic and analytical data and procedures. The Committee does not have the resources to support duplicative systems covering the same geographic areas that may be implemented by different agencies. Due to intermingled lands, close collaboration with the Bureau of Land Management and the National Park System is especially warranted.

*General.*--The Committee is concerned about accountability for the Congressionally designated use of funds. Whereas the Committee has supported substantial simplification of Forest Service budget structures recently, there is an unacceptable tendency for the Forest Service to reprogram funds without advance Congressional notice and approval. As discussed by the Committee last year, the Forest Service is to maintain all specific Congressional designations, in any amount, and to submit a reprogramming request if any such designation is proposed for a change. There also is a lack of accountability for certain large programs. Because of this the Committee has included bill language requiring the Forest Service to submit reprogramming requests. Because of the lack of clarity on the past use of funds, the Committee has returned the inventory and monitoring funds within the former NFS ecosystem planning, inventory and monitoring activity to those activities from which the funds were moved in fiscal year 1994. The Committee is renaming the activity the land management planning activity. This puts funds back into multiple use programs where there is greater accountability for programs. This also will help the Committee more closely monitor and limit land management planning costs which have consumed all too much of the scarce management resources available to the Service.

The Committee remains concerned about restructuring and reorganizations and, as last year, considers such proposals to be subject to the Committee's review pursuant to the reprogramming guidelines. The Committee expects the Forest Service to maintain the North Central and Northeastern research station headquarters in St. Paul, MN and Radnor, PA. The Committee remains concerned about the methodology used for allocating funds among regions, especially the treatment of recreation funds for region 2 and other high-use regions. The Committee expects the Forest Service to be prepared to submit a detailed explanation of its assumptions and methodology on regional allocations in connection with its fiscal year 1998 budget submission.

The Committee urges the Forest Service to maintain at least the 1996 funding level for the Pacific Northwest Forest plan and urges the Service to see that the 'Jobs in the Woods' program is used to hire dislocated timber and forest workers from forest dependent communities and to provide job training in

support of those workers.

The Committee is concerned about the destruction of habitat for the endangered Indiana bat and other bats on the Shawnee NF and urges the Service to protect bat habitat on the Shawnee. The Committee expects the Shawnee NF not to engage in any below-cost timber sales. The Committee has provided \$1,600,000 for operations at the Midewin National Tallgrass Prairie (NTP) and expects the Service to recognize the Midewin NTP as an important and independent unit of the forest system. Administrative services should be provided by the Milwaukee regional office, which is far closer than the Shawnee NF office.

The Committee remains concerned that the Southern Appalachian Assessment not be used to supersede management direction outlines within existing forest plans. The Committee expects that areas identified in the Southern Appalachian Assessment as potential roadless areas and currently classified as suitable for timber harvest under existing forest plans continue to support timber harvest objectives, proportionate to the area so designated.

*Administrative provisions.*--Bill language is included which prevents reprogramming without the advance approval of the House and Senate Committees on appropriations in compliance with the reprogramming procedures contained in House Report 103-551. The Committee expects the Forest Service to obey this law and to seek approval for desired changes to Congressionally designated allocations to accounts, activities, and projects. The Committee is concerned that the Forest Service is not realizing all of the funds possible through right-of-way agreements and encourages the Service to implement a market value approach to right-of-way processing to the extent feasible under existing law. The Committee has continued language limiting clearcutting in the Wayne NF, OH and the Shawnee NF, IL and continued language regarding 'Jobs in the Woods' grants in the state of Washington.

The Committee has retained language requiring advance submission of proposals to change boundaries, close offices, change the appropriations structure, or use transfer authority. The Committee considers that this bill language prevents any preparation or planning for a move, or the move itself, of the Atlanta regional office to a new location without the advance notice and approval of the Committees. The Committee remains concerned that the Forest Service is being required to move the Regional Office in Atlanta, Georgia from its present location to a new Federal Center in downtown Atlanta at greatly increased costs. Accessibility for both the public and employees will be made more difficult. The Committee does not want the Forest Service to move into more costly space with no apparent increase in effectiveness or efficiency.

The Committee has included funding of \$1,000,000 for the National Forest Foundation which is to be used for matching funds to further the multiple use and public service mission of the Forest Service.

## WILDLAND FIRE MANAGEMENT

Appropriation enacted, 1996 (excludes emergency)	\$385,485,000
Budget estimate, 1997	385,485,000
Recommended, 1997	411,485,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	+26,000,000
<b>Budget estimate, 1997</b>	+26,000,000

The Committee recommends \$411,485,000, an increase of \$26,000,000, for Forest Service fire

protection and suppression. This includes \$321,315,000 for preparedness and fire use, an increase of \$24,015,000 above the request and an increase of \$26,000,000 above the 1996 enacted level. This increase is for forest health activities and to increase the presuppression funding to about 94% of the most efficient level. This increase should decrease the funding needed for wildfire suppression activities during emergencies by increasing preparedness, and especially, by increasing prescribed burns and biomass treatments. The funding also includes \$90,170,000 for wildfire suppression activities. The Committee is especially concerned about the wildfire preparedness in region 5 and encourages the Forest Service to fund fully presuppression and suppression efforts in this region.

The Committee supports the principles and recommendations contained in the 1995 Federal Wildland Management Policy and Review Report. The Committee has added substantial resources to aid wildfire preparedness. The report provides a blueprint for the improved interagency planning and cooperation necessary to protect life and property from wildfires, manage wildland fuels to reduce the risk of catastrophic wildfire, and reestablish the natural role of wildland fire in sustaining natural ecosystems. The Forest Service should work with the Department of the Interior bureaus to adopt common approaches to funding and managing preparedness resources, fuels treatments and the use of prescribed fire. Funds should be used to support the implementation of the policy review, such as expanding the use of joint or shared resources to accelerate fuels treatments, the use of prescribed fire across administrative boundaries, and taking appropriate responses (including monitoring or confinement) to naturally occurring fires. Prevention and fuels treatment programs should be targeted to high priority areas to reduce the incidence and cost of large catastrophic wildfires. Preparedness and suppression costs can be restrained by ensuring that the suppression response is commensurate with values to be protected and consistent with resource objectives.

The recommended level includes \$9,300,000 for forest health and natural fuels treatments for region 5 and the national forests in Nevada. The Committee recognizes that timber stand and forest health activities, like prescribed burning, forest thinning, brush clearing and pruning are important tools for reducing the overaccumulation of natural fuels, a principle cause of catastrophic wildfire.

The Committee is concerned about the expansion of the urban/forest interface and its effects on wildfire suppression efforts. Fire suppression efforts which emphasize protection of life and property will be increasingly stressed as this interface broadens, further burdening appropriations. The Committee believes that the costs of these efforts should not be wholly borne by appropriated funds, and that the landowners and their insurance carriers should participate cooperatively. With regard to this issue the Committee is further concerned about the increased opportunity for starting fires in this interface. The Committee would like the Forest Service to provide a report by December 1, 1996, detailing the efforts, either those in place, or planned, for educating homeowners in this interface in fire prevention and fire suppression responsibilities.

## RECONSTRUCTION AND CONSTRUCTION

Appropriation enacted, 1996 (excludes emergency)	\$163,600,000
Budget estimate, 1997	169,662,000
Recommended, 1997	164,100,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	+500,000
<b>Budget estimate, 1997</b>	-5,562,000

The Committee recommends \$164,100,000, a decrease of \$5,562,000 from the budget estimate, for the construction and reconstruction of roads and trails, and the reconstruction and construction of facilities. The amounts recommended by the Committee for fiscal year 1997, compared to the budget estimates by activity, are shown in the following table:

,w318,d144

INSERT OFFSET FOLIO 89 HERE

*Facilities construction and reconstruction.*--The Committee recommends \$47,029,000 for facilities construction, a reduction of \$1,500,000 from 1996 and \$5,633,000 below the request. The Committee urges the use of non-federal partnerships wherever possible, and in this light designates \$500,000 for a challenge cost share program for service-wide facilities construction, to be administered similar to NFS challenge cost share efforts. The overall facilities construction funding includes:

Fire, administrative, and other (FAO)	\$9,000,000
Recreation	36,000,000
Research	2,029,000

*Fire, Administrative, Other (FAO).*--The Committee has provided facilities funds according to the following table:-

[Dollars in thousands]

Region NF		Project	Request	Committee recomm
1	Custer	Ashland RD office	\$475	\$475
2	Arap/Roos	Boulder WC	485	485
3	Kaibab	Chalender RS	476	476
4	Payette	McCall RD office	200	200
5	Lake Tahoe	LTBMU SO phase II	470	470
8	Oconee	Oconee RD office	393	393
8	Pisgah	Pisgah office expans	19	19
9	Wayne	Wayne SO w ODOT	0	2,200
9	Midewin	Midewin Prairie admin	0	250
Subtotal			2,518	4,968
PA	Grey Towers	Grey Towers reconst	5	1,000
All	All	Planning and design	1,706	1,000

WO	All	Program supervison	280	240
All	All	Misc construc	1,491	1,792
All	All	Total FAO	6,000	9,000

-----

*Recreation Facilities construction.*--The committee has provided funds for recreation construction according to the following regional table:

[Dollars in thousands]

Region	Request	Recommended
1	\$2,171	\$2,000
2	5,427	4,700
3	6,078	4,700
4	4,558	3,600
5	3,907	3,800
6	5,047	4,100
8	6,512	5,900
9	3,907	4,100
10	5,861	2,000
Sub-total	43,468	34,900
Administration	1,194	1,100
Total	44,662	36,000

-----

Within the amounts above, the Committee has provided for the following earmarks:

Region 3 includes \$851,000 for the Sitting Bull Falls complex on the Lincoln NF and \$232,000 for the Sabino Canyon VIC exhibits; Region 5 includes \$508,000 to complete the Applewhite Picnic area phase II; Region 8 includes \$400,000 for Badin Lake project on the Uwharrie NF and \$560,000 for the Davidson River sanitation rehabilitation on the NF's of NC, and \$300,000 to complete site utilities rehabilitation at the Cradle of Forestry Discovery Center; Region 9 includes \$251,000 for Willow Bay phase 3, \$100,000 for Hearts Content campground rehabilitation, and \$150,000 for Rimrock recreation

area on the Allegheny NF, and \$1.5 million for Midewin National Tallgrass Prairie facilities.

*Research facilities construction and reconstruction.*--The Committee recommends \$2,029,000 for forest and rangeland research facilities construction and reconstruction. This is \$471,000 below the 1996 level and \$29,000 above the request.

*Road construction.*--The Committee recommends \$97,062,000 for road construction, an increase of \$2,000,000 above the 1996 enacted level. This includes \$59,000,000 for timber roads, \$26,000,000 for recreation roads, and \$12,062,000 for general purpose roads. The Committee recommendation includes a \$2,000,000 increase above the 1996 enacted level for timber roads that are needed for forest health related timber stand improvement and thinning activities.

*Timber purchaser road credits.*--The Committee continues the policy of last year of designating up to \$50,000,000 for timber purchaser road credits.

*Trails.*--The committee recommends \$20,009,000 for trails construction and reconstruction, the same as fiscal year 1996, and \$5,991,000 below the request. The Committee recommends that the Forest Service utilize \$500,000 in trail construction funds for challenge cost share efforts with non-Federal partners in a manner similar to the recreation and wildlife programs. The Committee also suggests that the Forest Service highlight the national scenic and historic trail system on the National Forest System lands.

## LAND ACQUISITION

Appropriation enacted, 1996	\$39,400,000
Budget estimate, 1997	41,200,000
Recommended, 1997	30,000,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	-9,400,000
<b>Budget estimate, 1997</b>	-11,200,000

The Committee recommends \$30,000,000 for land acquisition, a decrease of \$9,400,000 below fiscal year 1996 and \$11,200,000 below the request. The amount recommended includes \$18,875,000 for acquisitions, \$1,725,000 for cash equalization, \$1,500,000 for emergencies, \$7,400,000 for management and \$500,000 for wilderness.

## ACQUISITION OF LANDS FOR NATIONAL FORESTS, SPECIAL ACTS

Appropriation enacted, 1996	\$1,069,000
Budget estimate, 1997	1,069,000
Recommended, 1997	1,069,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	.....
<b>Budget estimate, 1997</b>	.....

The Committee recommends \$1,069,000 for acquisition of lands for national forests, special acts,

which is the same as the 1996 funding level and the request. These funds are used pursuant to several special acts 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.

## ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

Appropriation enacted, 1996	\$210,000
Budget estimate, 1997	210,000
Recommended, 1997	210,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	.....
<b>Budget estimate, 1997</b>	.....

The Committee recommends an appropriation of \$210,000, the budget estimate, 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

Appropriation enacted, 1996	\$3,976,000
Budget estimate, 1997	3,995,000
Recommended, 1997	3,995,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	+19,000
<b>Budget estimate, 1997</b>	.....

The Committee recommends an appropriation of \$3,995,000, the budget estimate, to be derived from grazing receipts from the National Forests (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

Appropriation enacted, 1996	\$92,000
Budget estimate, 1997	92,000
Recommended, 1997	92,000
<b>Comparison:</b>	

<b>Appropriation, 1996</b>	.....
<b>Budget estimate, 1997</b>	.....

The Committee recommends an appropriation of \$92,000, the budget estimate. The appropriation will make available to the Forest Service deposits in the form of gifts, donations, and bequests for forest and rangeland research. Authority for the program is contained in Public Law 95-307 (16 U.S.C. 1643, section 4(b)). Amounts appropriated and not needed for current operations may be invested in public debt securities. Both the principal and earnings from the receipts are available to the Forest Service.

## **DEPARTMENT OF ENERGY**

### **CLEAN COAL TECHNOLOGY**

The Committee has recommended no new budget authority for clean coal technology programs. An additional \$137,879,000 in funding for ongoing clean coal projects will be available for obligation in fiscal year 1997. That amount consists of \$287,879,000 made available in advance appropriations from prior appropriations acts less \$150,000,000 of the total funds available for obligation in fiscal year 1997 as a result of a rescission in fiscal year 1995. The Committee does not object to the use of up to \$16,000,000 in available funds for administration of the clean coal program in fiscal year 1997.

### **FOSSIL ENERGY RESEARCH AND DEVELOPMENT**

Appropriation enacted, 1996	\$417,018,000
Budget estimate, 1997	348,508,000
Recommended, 1997	358,754,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	-58,264,000
<b>Budget estimate, 1997</b>	+10,246,000

The Committee recommends \$358,754,000 for fossil energy research and development, an increase of \$10,246,000 above the budget request and a decrease of \$58,264,000 below the 1996 level.

The amount recommended by the Committee for fiscal year 1997 compared to the 1996 enacted level by activity is shown in the following table:

OFFSET FOLIOS 94 TO 95 INSERT HERE

001

The Committee recommendation reduces fossil energy research and development funding about 14 percent below the fiscal year 1996 level. The Committee commends the agency for complying with the Committee's direction of last year to continue to reduce fossil energy research and development programs. Unfortunately, the budget request short funded several important programs and the Committee has attempted to realign the request to ensure that the multi-million dollar Federal investment, to date, in promising research and new technology, which promotes the economic viability of domestically-developed energy technology and provides energy-related jobs and economic benefits to all the States across this nation, is not lost.

The Committee expects the agency to continue to terminate projects which become infeasible rather

than continuing to support such projects through to completion because of some predetermined schedule. The Committee also encourages the agency to review carefully each of its research programs with the goal of increasing private cost sharing and of reducing the scope and timing of projects to the greatest extent practicable.

*Coal-* The Committee recommends \$104,879,000 for coal research, an increase of \$2,250,000 above the budget request and a decrease of \$16,386,000 below the fiscal year 1996 level. Changes to the budget request are shown in the following table:

<b>Advanced Clean Fuels Research:</b>	
<b>Direct Liquefaction/innovative process concepts</b>	(\$800,000)
<b>Advanced Clean/Efficient Power Systems:</b>	
<b>Advanced Pulverized Coal-Fired Powerplant/low emission boilers</b>	5,000,000
<b>Advanced Research and Environmental Technology/super clean systems</b>	(400,000)
<b>Subtotal, Advanced Clean Efficient Power Systems</b>	4,600,000
<b>Advanced Research and Technology Development:</b>	
<b>University Coal Research</b>	(1,000,000)
<b>International Program Studies</b>	(150,000)
<b>International Energy Agency Coal Research</b>	(200,000)
<b>Historically Black Colleges and Universities, Education and Training</b>	(200,000)
<b>Subtotal, Advanced Research and Technology Development</b>	(1,550,000)
<b>Total, Coal Research</b>	2,250,000

The agency should consider incorporating the HBCU program into the university coal research program.

*Oil Technology.*--The Committee recommends \$42,437,000 for oil technology research, a decrease of \$10,100,000 below the budget request and \$13,277,000 below the fiscal year 1996 level. Changes to the budget request are shown in the following table.

<b>Exploration and Production Supporting Research:</b>	
<b>Reservoir Characterization</b>	(2,000,000)
<b>Technology Transfer</b>	(500,000)
<b>Exploration and Drilling</b>	(1,500,000)
<b>Industry/Laboratory Partnerships</b>	(4,000,000)
<b>Subtotal, Exploration and Production Supporting Research</b>	(8,000,000)
<b>Recovery Field Demonstrations:</b>	
<b>Production from Marginal Wells</b>	(500,000)
<b>Exploration and Production Environmental Research:</b>	
<b>Research on Produced Water</b>	(1,000,000)
<b>Processing Research and Downstream Operations:</b>	
<b>Environmental Compliance</b>	(300,000)

<b>Upgrading Technology Development</b>	(300,000)
<b>Subtotal, Processing Research and Downstream Operations</b>	(600,000)
<b>Total, Oil Technology</b>	(10,100,000)

The Committee is encouraged by the Department's efforts toward privatizing its oil technology operations and programs in order to reduce long-term reliance on Federal appropriations, and recommends that it remain a top priority.

*Natural Gas.*--The Committee recommends \$126,108,000 for natural gas and fuel cell research, an increase of \$22,400,000 above the budget request and \$13,922,000 above the fiscal year 1996 level. Changes to the budget request are shown in the following table:

Exploration and Production/Coal Mine Methane Demonstration	(\$1,000,000)
Advanced Turbine Systems	19,000,000
<b>Utilization:</b>	
<b>Ion Transport Membranes</b>	1,000,000
<b>Methyl Chloride Production</b>	900,000
<b>Subtotal, Utilization</b>	1,900,000
<b>Environmental Research and Regulatory Analysis:</b>	
<b>Technology Development</b>	(2,000,000)
<b>Fuel Cells:</b>	
<b>Molten Carbonate Systems</b>	3,500,000
<b>Advanced Concepts/tubular solid oxide fuel cell</b>	1,000,000
<b>Subtotal, Fuel Cells</b>	4,500,000
<b>Total, Natural Gas</b>	22,400,000

*Cooperative Research and Development.*--The Committee recommends \$4,000,000 for cooperative research and development, which is equal to the budget request and \$2,295,000 below the fiscal year 1996 level.

*Fuels Program.*--The Committee recommends \$2,188,000 for the fuels conversion program, which is equal to the budget request and \$499,000 below the fiscal year 1996 level.

*Environmental Restoration, Program Direction and Capital Projects.*--The Committee recommends \$13,027,000 for environmental restoration, a decrease of \$2,000,000 below the budget request and \$1,892,000 below the fiscal year 1996 level. The Committee recommends \$13,901,000 for headquarters program direction (\$1,000,000 below the budget request), and \$45,214,000 for energy technology center program direction, which is equal to the budget request and \$10,062,000 below the fiscal year 1996 level. The Committee recommends no funding for equipment not related to construction and \$2,000,000 for general plant projects; collectively these accounts are \$1,304,000 below the budget request and \$2,005,000 below the fiscal year 1996 level. Changes to the budget request for these accounts are shown in the following table:

<b>Environmental Restoration, Program Direction and Capital Projects:</b>	
<b>Environmental Restoration</b>	(\$2,000,000)

Headquarters Program Direction:	
<b>Salaries and benefits</b>	(500,000)
<b>Travel</b>	(100,000)
<b>Contract services</b>	(400,000)
Energy Technology Center Program Direction:	
<b>Contract services, Morgantown and Pittsburgh</b>	6,000,000
<b>Contract services, Bartlesville</b>	(6,000,000)
<b>Equipment Not Related to Construction</b>	(1,000,000)
<b>General Plant Projects</b>	(304,000)
<b>Total, Program Direction and Environmental Restoration</b>	(4,304,000)

*General.*--No funding has been provided for capital equipment. Any such needs may be funded within project operating costs, subject to the Committee's established reprogramming guidelines.

The Committee expects that reductions at Argonne National Laboratory in fiscal year 1997 will be no greater than the reductions to the other National Laboratories.

The Department should make every effort to use fully the expertise of the Federal Energy Technology Center by encouraging its use by other Departmental elements, other governmental entities, and the private sector on a reimbursable basis.

The Committee expects all biotechnology and materials activities to be implemented through the field and not by Headquarters.

The Committee notes that the Department has established a working capital fund for administrative expenses formerly paid within the Departmental Administration budget. The Committee has agreed that the fossil energy program should pay its fair share of these costs.

## **ALTERNATIVE FUELS PRODUCTION**

### **(INCLUDING TRANSFER AND RESCISSION OF FUNDS)**

Appropriation enacted, 1996	-\$2,400,000
Budget estimate, 1997	-4,000,000
Recommended, 1997	-4,000,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	-1,600,000
<b>Budget estimate, 1997</b>	.....

The Committee recommends the deposit of investment income earned as of October 1, 1996 on principal amounts in a trust fund established as part of the sale of the Great Plains Gasification Plant in Beulah, ND, into this account and immediate transfer of the funds to the General Fund of the Treasury. The amount available as of October 1, 1996, is estimated to be \$1,500,000. In addition, \$2,500,000 in unobligated balances are rescinded.

## NAVAL PETROLEUM AND OIL SHALE RESERVES

Appropriation enacted, 1996	\$148,786,000
Budget estimate, 1997	149,500,000
Recommended, 1997	143,786,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	-5,000,000
<b>Budget estimate, 1997</b>	-5,714,000

Naval Petroleum and Oil Shale reserves include petroleum reserves Nos. 1 and 2 located at Elks Hills, California, petroleum reserve No. 3 northeast of Casper, Wyoming, Naval Oil Shale Reserves Nos. 1 and 3 in Colorado, and Naval Oil Shale No. 2 in Utah. The Government's share of oil, natural gas, and liquid product production available for sale from the Naval Petroleum Reserves is expected to average 57,600 oil equivalent barrels per day in fiscal year 1997. Total receipts in fiscal years 1996 and 1997 are estimated to be about \$463 million and \$407 million respectively.

The amount recommended by the Committee for fiscal year 1997 compared with the 1996 enacted level by activity is shown in the following table:

,w318,d108

INSERT OFFSET FOLIO 100 HERE

The Committee recommends \$143,786,000 for the Naval Petroleum and Oil Shale Reserves, a decrease of \$5,714,000 below the budget request and \$5,000,000 below the fiscal year 1996 level. The decrease includes reductions of \$5,000,000 for operations at NPRs 1 and 2 and \$714,000 for headquarters program direction.

The amount recommended by the Committee, in combination with uncosted balances available in the operational contract for Elk Hills, should be sufficient for operations in fiscal year 1997. The Committee expects the Department to continue to improve and streamline the operations at Elk Hills and to achieve cost savings by using good business practices.

*Bill Language.*--Since sufficient funds and outlay authority are not being recommended in the SPR petroleum account to purchase oil, the Committee recommends waiving the statutory requirement for selling NPR-1 oil at prices equivalent to Strategic Petroleum Reserve purchase prices.

## ENERGY CONSERVATION

Appropriation enacted, 1996	\$553,189,000
Budget estimate, 1997	735,363,000
Recommended, 1997	499,680,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	-53,509,000
<b>Budget estimate, 1997</b>	-235,683,000

The amount recommended by the Committee for fiscal year 1997 compared with the 1996 enacted level by activity is shown in the following table:

OFFSET FOLIOS 102 TO 103 INSERT HERE

001

The Committee recommends \$499,680,000 for energy conservation, a decrease of \$235,683,000 below the budget request and \$53,509,000 below the fiscal year 1996 level. Of this amount, an indefinite portion is to be derived from the excess amount for fiscal year 1996, under the provisions of the Budget Reconciliation Act of 1987, Public Law 99-509. This amount, which is applied to State and local conservation programs and which originates from oil overcharge funds, is estimated to be \$20,000,000.

The Committee recommendation reduces energy conservation activities by 10 percent below the fiscal year 1996 level. The Committee's recommendation will protect the multi-million dollar Federal investment, to date, in promising research and new technology which promotes the economic viability of domestically-developed energy technology and provides energy-related jobs and economic benefits to all the States across this nation. The agency is expected to terminate projects which become infeasible rather than continuing to support such projects through to completion because of some predetermined schedule. The Committee also expects the agency to review carefully each of its research programs with the goal of increasing private cost sharing and of reducing the scope and timing of projects to the greatest extent practicable.

*Buildings.*--The Committee recommends \$190,538,000 for building technology, a decrease of \$128,533,000 below the budget request and \$24,988,000 below the fiscal year 1996 level. Within the amount recommended by the Committee \$100,000,000 is for low income weatherization assistance grants and \$25,000,000 is for State energy program grants. Changes to the budget request are shown in the following table:

<b>Building Systems Design:</b>	
Residential Buildings:	
Building America	
Advanced housing technology (terminate program)	
Industrialized housing	
Residential energy efficiency	
Commercial Buildings:	
Rebuild America	
Affordable homes for low income housing (no new starts)	
Commercial/multifamily research and development	
Best Practices:	
Indoor air quality guidelines/standards	
Technology transfer information and outreach	
Advanced architectural design (no new starts)	<b>Subtotal, Building Systems Design</b>
<b>Building Equipment and Materials:</b>	
Space Conditioning:	
Hi-cool heat pump	

Large commercial chiller	
Computer model development	
Refrigeration technology	
Refrigerants, materials and lubricants	
Lighting and Appliances:	
Very high frequency light sources	
Electronics	
Fixtures/distribution systems	
New concepts in lighting	
Lighting collaboratives (no new starts)	
Emerging technology introduction (terminate program)	
Technology marketing partnerships (terminate program)	
Volume purchases (terminate program)	
Materials and Structures:	
Urban heat islands (terminate program)	
Reflectivity/technology partnerships (no new starts)	
Windows and Glazings:	
Electrochromic research	
Superwindow collaboratives	
Advanced glazing	<b>Subtotal, Building Equipment and Materials</b>
<b>Codes and Standards:</b>	
Building Standards and Guidelines:	
State codes	
Home energy rating systems (terminate program)	
Lighting and Appliance Standards:	
Residential	
Commercial	<b>Subtotal, Codes and Standards</b>
<b>State and Community Grants:</b>	
Weatherization	
State Energy Conservation Program	<b>Subtotal, State and Community Grants</b>
<b>Management and Planning:</b>	
Evaluation and Planning:	
Technology and sector data	

Analytical studies and planning support	
State and local grant program management	
Program Direction/salaries, benefits, travel	
Capital Equipment	<b>Subtotal, Management and Planning</b>
	<b>Total, Building Technology</b>

The Committee continues to be concerned about the codes and standards program. Last year the Committee included a moratorium on the issuance of new standards which was primarily directed at the appliance standards program. As a result of that moratorium the Department of Energy has attempted to change the focus of the program by involving all interested parties in a discussion of how to reform the standards program. The Committee expects the Department to achieve consensus on product standards before promulgating new or amended product standards in fiscal year 1997. This direction applies to non-federal building standards, including the model energy code for residential construction, as well as appliances standards and product determinations, including those products added by the Energy Policy Act of 1992. In addition, no action to further the development of any individual product standard rulemaking should be taken until the Department completes a rulemaking which provides a conceptual framework for the standards program. The budget has been reduced greatly across-the-board for the codes and standards program with the expectation that the Department will continue to rethink its approach and substantially revamp the program. The Committee will not hesitate to reinstate a legislative moratorium on the issuance of standards if the Department does not comply with this direction.

*Federal Energy Management Program.*--The Committee recommends \$14,800,000 for the Federal energy management program, a decrease of \$17,100,000 below the budget request and \$3,723,000 below the fiscal year 1996 level. Changes to the budget request are shown in the following table:

-----	
Budget Activity/Subactivity/project	Amount
-----	
Program Activities:	
Project Financing:	
Energy saving performance contracts	(\$5,700,000)
Technology introduction (no new starts)	(4,000,000)
Technical Guidance and Assistance:	
Technology introduction (no new starts)	(3,000,000)
Planning, Reporting and Evaluation:	
Regional action project	(3,000,000)
Subtotal, Program Activities	(15,700,000)
Program Direction	(1,300,000)

Capital Equipment (100,000)

Total, Federal Energy Management Program (17,100,000)

-----  
**Industry-** The Committee recommends \$109,539,000 for industry sector programs, a decrease of \$49,895,000 below the budget request and \$6,116,000 below the fiscal year 1996 level. Changes to the budget request are shown in the following table:

-----  
Budget Activity/Subactivity/project Amount

-----  
Industries of the Future (Specific):

Forest and Paper Products (\$2,140,000)

Steel (1,000,000)

Aluminum (5,587,000)

Metal Casting (2,500,000)

Glass (2,182,000)

Chemicals (3,000,000)

Petroleum Refining (4,000,000)

Textiles Partnerships (12,000,000)

Subtotal, Industries of the Future (Specific) (32,409,000)

Industries of the Future (Crosscutting):

Cogeneration (Advanced Turbine Systems) (2,000,000)

Technology Access:

Industrial Assessment Centers (750,000)

Technology Transfer/partnerships (936,000)

Technology Transfer/outreach programs (500,000)

Motor Challenge (2,200,000)

NICE3 (6,200,000)

Climate Wise (2,400,000)

Inventions and Innovation (eliminate grant portion)	(1,700,000)
Subtotal, Technology Access	(14,686,000)
Management and Planning:	
Evaluation and Planning	(100,000)
Program Direction	(700,000)
Subtotal, Management and Planning	(800,000)
Total, Industry Sector	(49,895,000)

-----

*Transportation-* The Committee recommends \$159,453,000 for transportation programs, a decrease of \$61,855,000 below the budget request and \$17,115,000 below the fiscal year 1996 level. Changes to the budget request are shown in the following table:

-----

Budget activity/subactivity/project	Amount
-------------------------------------	--------

-----

-----

Alternative Fueled Vehicles:

Alternative Fueled Vehicle Research and Development/systems optimization:

On-board storage for natural gas vehicles  
\$1,000,000

Engine optimization for natural gas vehicles  
700,000

Alternative Fueled Vehicle Research and Development: Student competitions  
(terminate program) (930,000)

Alternatively Fueled Vehicle Deployment:

Energy Policy Act, titles III, IV, V implementation  
(1,000,000)

Energy Policy Act, title VI implementation/electric vehicle field operations  
(500,000)

Technical information and outreach  
(500,000)

Subtotal, Alternative Fueled Vehicles

(1,230,000)

Electric Drive Vehicle Technologies:

Electric Vehicle R&D/exploratory technology research  
(1,000,000)

Hybrid Vehicle Research and Development  
(31,000,000)

Fuel Cell Research and Development  
(11,000,000)

Capital Equipment  
(750,000)

Subtotal, Electric Drive Vehicle Technologies  
(43,750,000)

Transportation Materials Technologies:

Lightweight Vehicle Materials  
(8,000,000)

Heavy Vehicle Materials Technology  
(700,000)

Capital Equipment  
(1,000,000)

Subtotal, Transportation Materials Technologies  
(9,700,000)

Combustion Engine Research and Development:

Light Duty Engine Research and Development  
(4,000,000)

Heavy Duty Engine Research and Development  
(1,000,000)

Capital Equipment  
(375,000)

Subtotal, Combustion Engine Research and Development  
(5,375,000)

Implementation and Program Management:

Evaluation, Planning and Analysis  
(600,000)

Program Direction  
(1,200,000)

Subtotal, Implementation and Program Management  
(1,800,000)

Total, Transportation  
(61,855,000)

-----  
-----  
The Committee encourages the agency to work with the Southern California Economic Partnership to assist its member groups accomplish their objectives with respect to alternative fueled vehicles and zero emission vehicles.

*Policy and Management-* The Committee recommends \$25,350,000 for policy and management, a decrease of \$3,000,000 below the budget request and \$1,567,000 below the fiscal year 1996 level. Changes to the budget request are shown in the following table:

-----

Budget activity/subactivity/project	Amount
-----	
Policy and Management:	
Golden Field Office:	
Salaries and expenses	(\$600,000)
Contract services	(600,000)
Subtotal, Golden Field Office	(1,200,000)
International Market Development	(300,000)
Information and Communications Program	(1,500,000)
Total, Policy and Management, Energy Conservation	(3,000,000)

-----

*General-* No funding has been provided for capital equipment. Any such needs may be funded within project operating costs, subject to the Committee's established reprogramming guidelines.

The Committee notes that the Department has established a working capital fund for administrative expenses formerly paid within the Departmental Administration budget. The Committee has agreed that the energy conservation program should pay its fair share of these costs. The Committee expects that the activities of the Energy Information Administration that are funded under the Energy Conservation appropriation will be funded at the level identified in the budget request.

## ECONOMIC REGULATION

Appropriation enacted, 1996	\$6,297,000
Budget estimate, 1997	2,725,000
Recommended, 1997	2,725,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	-3,572,000
<b>Budget estimate, 1997</b>	.....

The economic regulation account funds the independent Office of Hearings and Appeals which is responsible for all of the Department's adjudication processes except those that are the responsibility of the Federal Energy Regulatory Commission. The amount funded by this Committee is for those activities specific to this bill, mainly those related to petroleum overcharge cases. All other activities are to be funded on a reimbursable basis from the other elements of the Department of Energy. Prior to fiscal year 1997, this account also funded the Economic Regulatory Administration.

The Committee recommends \$2,725,000 for economic regulation, which is equal to the budget request and \$3,572,000 below the fiscal year 1996 level. The decrease is entirely attributable to the elimination of funding for the Economic Regulatory Administration as agreed in fiscal year 1996. The remaining functions of that organization have been incorporated into the Department's Office of General Counsel which is funded in the Energy and Water Appropriations Act.

## STRATEGIC PETROLEUM RESERVE

Appropriation enacted, 1996	\$287,000,000
Budget estimate, 1997	221,300,000
Recommended, 1997	220,000,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	-67,000,000
<b>Budget estimate, 1997</b>	-1,300,000

The amount recommended by the Committee for fiscal year 1997 compared with the 1996 enacted level by activity is shown in the following table:

,w318,d96

INSERT OFFSET FOLIO 110 HERE

The Committee recommends \$220,000,000 for construction and operation of the Strategic Petroleum Reserve, which is to be repaid from the SPR Fund which is established to receive the proceeds from the sale of SPR oil. The recommendation is a decrease of \$1,300,000 below the budget request and \$67,000,000 below the fiscal year 1996 level. Decreases recommended from the budget request include \$711,000 from facilities development and operation and \$589,000 from management.

Most surface facilities of the Reserve are reaching the end of their useful life and require upgrading and modernization. A life extension program was begun in fiscal year 1994 and will continue through fiscal year 1999.

Bill language has been recommended to provide for the sale of a portion of the oil from the SPR and

for the use of \$220,000,000 in proceeds from the sale of that oil for operational expenses of the SPR. The Committee regrets that a further sale of oil is required to pay for operations of the SPR in fiscal year 1997. The alternative of funding SPR operations through direct appropriations was not feasible within the 602(b) allocation.

The Committee expects that sales of SPR oil in fiscal years 1996 and 1997 will not result in selling oil at distressed prices. The Secretary should award only contracts at fair market value.

## SPR PETROLEUM ACCOUNT

The Committee does not recommend additional appropriations for the purchase of petroleum for the Strategic Petroleum Reserve.

The Committee recommends an outlay limitation of \$5,000,000 for this account. The limitation caps outlays from all sources in the account, and is required to reduce expenditures chargeable to the appropriations bill.

The Committee recommends retaining bill language, included for the past eight fiscal years, that allows continued normal operations at Naval Petroleum Reserve Numbered 1 (Elk Hills) even though the fill rate of the Strategic Petroleum Reserve is less than 75,000 barrels a day.

## ENERGY INFORMATION ADMINISTRATION

Appropriation enacted, 1996	\$72,266,000
Budget estimate, 1997	66,120,000
Recommended, 1997	66,120,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	-6,146,000
<b>Budget estimate, 1997</b>	.....

The Energy Information Administration is a quasi-independent agency within the Department of Energy established to provide timely, objective, and accurate energy related information to the Congress, executive branch, State governments, industry, and the public. The information and analysis prepared by the EIA is widely disseminated and the agency is recognized as an unbiased source of energy information by government organizations, industry, professional statistical organizations and the public.

The Committee recommends \$66,120,000 for the Energy Information Administration, which is equal to the budget request and \$6,146,000 below the fiscal year 1996 level. The Committee commends the EIA for a fiscally responsible budget request.

## ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY

Bill language has been included to permit programs to accept fees and contributions from public and private sources to be deposited in a contributed funds account for use in executing cooperative projects. This authority is needed to permit the Department to comply with Committee direction on the Federal Energy Technology Center which is being established under the auspices of the Fossil Energy program

and for those materials partnerships transferred to Fossil Energy from the former Bureau of Mines. The Committee has no objection to its use in other programs to the extent that it is needed to facilitate cooperative efforts.

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### INDIAN HEALTH SERVICE

### INDIAN HEALTH SERVICES

Appropriation enacted, 1996	\$1,747,842,000
Budget estimate, 1997	1,898,941,000
Recommended, 1997	1,779,561,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	+31,719,000
<b>Budget estimate, 1997</b>	-119,380,000

The provision of Federal health services to Indians is based on a special relationship between Indian tribes and the U.S. Government first set forth in the 1830's by the U.S. Supreme Court under Chief Justice John Marshall. This relationship has been reconfirmed by numerous treaties, statutes, constitutional provisions, and international law. Principal among these is the Snyder Act of 1921 which provides the basic authority for most Indian health services provided by the Federal Government to American Indians and Alaska Natives. The Indian Health Service (IHS) provides direct health care services in 41 hospitals, 66 health centers, 4 school health centers, and 44 health stations. Tribes and tribal groups, through contracts with the IHS, operate 8 hospitals, 110 health centers, 4 school health centers, 62 health stations, and 171 Alaska village clinics. The IHS, tribes and tribal groups also operate 7 regional youth substance abuse treatment centers and more than 2,000 units of staff quarters.

The Committee recommends \$1,779,561,000 for Indian Health Services, an increase of \$31,719,000 above the fiscal year 1996 enacted level and \$119,380,000 below the budget estimate. The Committee's recommendation for the Indian Health Service assumes that no new initiatives will be funded in fiscal year 1997. However, the Committee is providing an increase to accommodate staffing at four new facilities: Kotzebue, AK; Alaska Native Medical Center, AK; Shiprock Hospital, NM; and Hays Health Center, MT, and increases for personnel costs.

It is the Committee's intent that all tribes, including those compacting or contracting under Indian self determination or Indian self governance, should share equitably as a result of any reductions from the budget request.

The amount recommended by the Committee as compared to the 1996 enacted level by activity is shown in the following table:

,w318,d198

Insert offset folio 113 here

*Hospitals and Health Clinics.*--The Committee recommends \$878,168,000 for hospitals and health clinics which includes increases of \$16,633,000 for staffing and operations at new facilities, and \$9,100,000 for personnel related costs above the fiscal year 1996 enacted level.

*Dental Health.*--The Committee recommends \$62,134,000 for dental health services, including increases of \$1,544,000 for staffing and operations at new facilities, and \$910,000 for personnel related costs above the fiscal year 1996 enacted level.

*Mental Health.*--The Committee recommends \$38,500,000 for mental health services, including increases of \$549,000 for staffing and operations at new facilities, and \$390,000 for personnel related costs above the fiscal year 1996 enacted level.

*Alcohol and Substance Abuse.*--The Committee recommends \$91,796,000 for the alcohol and substance abuse treatment and prevention services including an increase of \$130,000 for personnel related costs above the fiscal year 1996 enacted level.

The Committee recommends that the fetal alcohol syndrome project at the University of Washington be funded at the fiscal year 1996 level. This project is providing important insight into early identification of fetal alcohol syndrome. Early identification and intervention by health care professionals results in significantly improved lives for those afflicted by fetal alcohol syndrome.

*Contract Health Services.*--The Committee recommends \$365,125,000 in contract health services including an increase of \$26,000 for personnel related costs above the fiscal year 1996 enacted level.

The Committee does not object to continuing the California contract health demonstration project as long as the tribes in California choose to participate and elect to provide funding for this program.

*Public Health Nursing.*--The Committee recommends \$25,493,000 for public health nursing, including increases of \$792,000 for staffing and operations at new facilities, and \$390,000 for personnel related costs above the fiscal year 1996 enacted level.

*Health Education.*--The Committee recommends \$8,590,000 for health education including increases above the fiscal year 1996 enacted level of \$104,000 for staffing and operations at new facilities, and \$65,000 for personnel related costs.

*Community Health Representatives.*--The Committee recommends \$43,958,000 for community health representatives the same as the fiscal year 1996 enacted level.

*Alaska Immunization.*--The Committee recommends \$1,328,000 for the Alaska immunization program the same as the fiscal year 1996 enacted level.

*Urban Health.*--The Committee recommends \$23,360,000 for urban health the same as the fiscal year 1996 enacted level.

*Indian Health Professions.*--The Committee recommends \$26,297,000 for Indian health professions including an increase of \$26,000 for personnel related costs above the fiscal year 1996 enacted level.

*Tribal Management.*--The Committee recommends \$2,348,000 for Indian health professions the same as the fiscal year 1996 enacted level.

*Direct Operations.*--The Committee recommends \$50,260,000 for direct operations including an increase of \$1,000,000 for personnel related costs above the fiscal year 1996 enacted level.

*Self-Governance.*--The Committee recommends \$9,104,000 for self-governance the same as the fiscal year 1996 enacted level.

While the Committee strongly supports the self-governance program and expects the IHS to expand the program to accommodate additional compacts with tribes in fiscal year 1997, the Committee believes that new self-governance compacts should not be negotiated at the expense of program funding for other tribes. To the extent that funds cannot be made available for a new compact without negatively affecting services available to other tribes, IHS should not enter into the compact.

*Contract Support Costs.*--The Committee recommends \$153,100,000 for contract support including an increase of \$60,000 above the fiscal year 1996 enacted level.

The Committee has provided \$7,500,000 for the Indian Self Determination Fund. These funds are to be used for new and expanded contracts.

The Committee again expects IHS to work with the tribes, the BIA and the Inspector General at the Department of the Interior to contain the cost escalation in contract support costs. In today's constrained budget climate the contract support cost activity must receive its fair share of administrative streamlining and procurement reform funding reductions as well as the lower inflation allowances provided for all other programs within IHS.

The Committee has provided bill language to allow funds 'to remain available until expended.' for Medicare and Medicaid payments. This will increase the flexibility of the IHS in managing its funds.

## INDIAN HEALTH FACILITIES

Appropriation enacted, 1996	\$238,958,000
Budget estimate, 1997	275,251,000
Recommended, 1997	227,701,000
Comparison:	
<b>Appropriation, 1996</b>	-11,257,000
<b>Budget estimate, 1997</b>	-47,550,000

The need for new Indian health care facilities has not been fully quantified but it is safe to say that many billions of dollars would be required to renovate existing facilities and construct all the needed new hospitals and clinics. Safe and sanitary water and sewer systems for existing homes and solid waste disposal needs currently are estimated to amount to over \$600 million for those projects that are considered to be economically feasible.

The amount recommended by the Committee as compared to the 1996 enacted level by activity is shown on the following table:

,w318,d96

Insert offset folio 116 here

The Committee recommends \$227,701,000 for Indian health facilities, a decrease of \$11,257,000 below the fiscal year 1996 appropriation and a decrease of \$47,550,000 below the budget estimate.

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

*New and Replacement Hospitals.*--Given current budgetary constraints and the need to move towards a balanced budget the Committee has not provided any resources for constructing new facilities.

*Sanitation Facilities.*--The Committee recommends \$84,889,000 for sanitation facilities the same as the fiscal year 1996 enacted level.

The Committee has not specified the amount of sanitation funds to be used for new and renovated homes or for addressing the backlog of needs for existing homes. Funds for sanitation facilities for new and renovated homes should be limited to projects serving the Bureau of Indian Affairs housing improvement program, homes new to the site during the funding year or the previous fiscal year and

existing homes renovated during the funding year or the previous fiscal year. A renovation should include at least a bedroom or bathroom addition. All other needs should be included in the sanitation deficiency system and addressed in priority order. IHS project funds should not be used to provide sanitation facilities for new homes funded by the housing program of the Department of Housing and Urban Development.

*Equipment.*--The Committee recommends \$12,975,000 for equipment the same as the fiscal year 1996 enacted level.

*Facilities and Environmental Health Support.*--The Committee recommends \$91,021,000 for facilities and environmental health support including an increase of \$1,040,000 for personnel related costs above the fiscal year 1996 enacted level.

*Contract Support Costs.*--The Committee recommends \$482,000 for contract support costs, which is equal to the budget request and to the 1996 level.

The Committee again recommends that funds provided for the facilities program should be distributed in accordance with a methodology that addresses the fluctuating annual workload and maintains parity among IHS areas and the tribes as the workload shifts.

Bill language is included under Administrative Provisions allowing IHS to accept reimbursements from any source, including tribal contractors and compactors, for goods, services, and technical assistance. This language covers both Indian health services and Indian health facilities.

## **DEPARTMENT OF EDUCATION**

### **OFFICE OF ELEMENTARY AND SECONDARY EDUCATION**

#### **INDIAN EDUCATION**

Appropriation enacted, 1996	\$52,500,000
Budget estimate, 1997	81,500,000
Recommended, 1997	52,500,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	.....
<b>Budget estimate, 1997</b>	-29,000,000

The Committee recommends an appropriation of \$52,500,000, the same as the 1996 enacted level. The Committee directs that funds provided for Indian education are for grants to local educational agencies only. The office of Indian education is directed to keep the costs of administering this grant program to a minimum.

## OTHER RELATED AGENCIES

### OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

#### SALARIES AND EXPENSES

Appropriation enacted, 1996	\$20,345,000
Budget estimate, 1997	25,000,000
Recommended, 1997	20,345,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	.....
<b>Budget estimate, 1997</b>	-4,655,000

The dispute between the Hopi and Navajo tribes is centuries-old. The Hopi were the original occupants of the land with their origin tracking back to the Anasazi race whose presence is recorded back to 1150 A.D. Later in the 16th century the Navajo tribe began settling in this area. The continuous occupation of this land by the Navajo led to the isolation of the Hopi Reservation as an island within the area occupied by the Navajo. In 1882, President Arthur issued an Executive Order which granted the Hopi a 2.5 million acre reservation to be occupied by the Hopi and such other Indians as the Secretary of the Interior saw fit to resettle there. Intertribal problems arose between the larger Navajo tribe and the smaller Hopi tribe revolving around the question of the ownership of the land as well as cultural differences between the two tribes. Efforts to resolve these conflicts were not successful and led Congress to pass legislation in 1958 which authorized a lawsuit to determine ownership of the land. When attempts at mediation of the dispute as specified in an Act passed in 1974 failed, the district court in Arizona partitioned the Joint Use Area equally between the Navajo and Hopi tribes under a decree that has required the relocation of members of both tribes. Most of those to be relocated are Navajo living on the Hopi Partitioned Land.

At this time approximately 692 households remain to be relocated, of which 92 are full-time residents on the Hopi Partitioned Land. A total of 2,540 Navajo families had been relocated from the Hopi Partitioned lands, 1,591 to on-reservation homesites and 960 to off-reservation homesites. Six hundred seventy-nine Navajo families remain to be relocated. To date a total of 2,629 families have been relocated.

The Committee recommends an appropriation of \$20,345,000 for salaries and expenses of the Office of Navajo and Hopi Relocation, which is \$4,655,000 below the budget request.

The Committee expects the Office to stop further development on the New Lands beyond that required to meet expressed interest by relocatees in relocation to that area.

The Committee continues to be concerned by the slow pace of relocation and the extraordinarily large number of appeals which are adding to the total number of families eligible for relocation. The Office should continue to work with the legislative committees of jurisdiction to provide for the orderly termination of the relocation program over the next few years and the transfer of the New lands to the Navajo Nation.

# INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

## PAYMENT TO THE INSTITUTE

Appropriation enacted, 1996	\$5,500,000
Budget estimate, 1997	5,500,000
Recommended, 1997	5,500,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	.....
<b>Budget estimate, 1997</b>	.....

The Committee has provided an appropriation of \$5,500,000 for the Institute of American Indian and Alaska Native Culture and Arts Development, with the understanding that this will be the last year Federal funding will be provided.

## SMITHSONIAN INSTITUTION

The Smithsonian Institution is unique in the Federal establishment. Established by the Congress in 1846 to carry out the trust included in James Smithson's will, it has been engaged for nearly 150 years in the 'increase and diffusion of knowledge among men' in accordance with the donor's instructions. For some years, it utilized only the funds made available by the trust. Then, before the turn of the century, it began to receive Federal appropriations to conduct some of its activities. With the expenditure of both private and Federal funds over the years, it has grown into one of the world's great scientific, cultural, and intellectual organizations. It operates magnificent museums, outstanding art galleries, and important research centers. Its collections are among the best in the world. Its traveling exhibits bring beauty and information throughout the country.

It attracted approximately 28,000,000 visitors in 1994 to its museums, galleries, and zoological park. Additional millions also view Smithsonian traveling exhibitions, which appear across the United States and abroad, and the annual Folklife Festival. As custodian of the National Collections, the Smithsonian is responsible for more than 100 million art objects, natural history specimens, and artifacts. These collections are displayed for the enjoyment and education of visitors and are available for research by the staff of the Institution and by hundreds of visiting students, scientists, and historians each year. Other significant study efforts draw their data and results directly from terrestrial, marine, and astrophysical observations at various Smithsonian installations.

The Smithsonian complex presently consists of 15 exhibition buildings in Washington, D.C. and New York City in the fields of science, history, technology and art; a zoological park and an animal conservation and research center at Front Royal, Virginia; the Anacostia Museum, which performs research and exhibit activities in the District of Columbia; a preservation, storage and air and spacecraft display facility in Suitland, Maryland; two natural preserves in Panama and on the Chesapeake Bay; an oceanographic research facility in Fort Pierce, Florida; astrophysical stations in Cambridge, Massachusetts and Mt. Hopkins, Arizona, and elsewhere; and supporting administrative, laboratory, and storage areas.

## SALARIES AND EXPENSES

Appropriation enacted, 1996	\$311,188,000
Budget estimate, 1997	328,716,000
Recommended, 1997	317,188,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	+6,000,000
<b>Budget estimate, 1997</b>	-11,528,000

The amount recommended by the Committee for fiscal year 1997, compared with the 1996 enacted level by activity, is shown in the following table:

,w318,d84

Insert offset folio 121 here

The Committee recommends an appropriation of \$317,188,000 for salaries and expenses, a reduction of \$11,528,000 below the budget request and an increase of \$6,000,000 above the current fiscal year. The change to the 1996 level includes an increase of \$9,000,000 for inflation and other fixed cost requirements, which is offset partially by a decrease of \$3,000,000 in one-time costs for employee separation costs in 1996. An additional \$8,000,000 was included specifically for fiscal year 1997 uncontrollables including \$5,025,000 for mandatory pay increases, \$2,000,000 for utility increases and \$975,000 for rental increases. The Committee transferred \$2,000,000, contained in the current year's base funding for the one-time buyout costs, to the Repair and Restoration Account for critical maintenance needs at the oldest museum buildings. The remaining \$1,000,000 was left in the base for program increases within this amount, the Committee has agreed to an increase of \$720,000 for the initial operation expenses of the Submillimeter Array telescope in Hilo, Hawaii and \$213,000 for increased maintenance needs at the new East Court project, which is part of the National Museum of Natural History.

In light of fiscal constraints, the Committee feels that it has provided a more than adequate operational increase for the Smithsonian. The Committee was dismayed at the Administration's budget request for an additional \$18.2 million for fixed costs. This total contained additional amounts that did not reflect the true fixed costs in fiscal year 1997.

No other agency funded in this bill requested fixed cost increases to make up for prior year absorption of fixed costs. The Committee felt that it was inappropriate for the Smithsonian to forward this request.

## CONSTRUCTION AND IMPROVEMENTS, NATIONAL ZOOLOGICAL PARK

Appropriation enacted, 1996	\$3,250,000
Budget estimate, 1997	4,000,000
Recommended, 1997	3,250,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	.....

<b>Budget estimate, 1997</b>	-750,000
------------------------------	----------

The Committee recommends an appropriation of \$3,250,000, which represents level funding at the fiscal year 1996 amount. The Committee urges the Smithsonian to concentrate these funds on ongoing repairs, preventive maintenance and improvements of its existing facilities which include nearly 500,000 square feet of buildings located on 163 acres.

## REPAIR AND RESTORATION OF BUILDINGS

Appropriation enacted, 1996	\$33,954,000
Budget estimate, 1997	38,000,000
Recommended, 1997	39,954,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	+6,000,000
<b>Budget estimate, 1997</b>	+1,954,000

The Committee recommends \$39,954,000 for Repair and Restoration of Buildings, an increase of \$6,000,000 above the fiscal year 1996 level and \$1,954,000 above the Administration's request.

The Committee felt that this was one of the highest priorities of the Smithsonian. Testimony received from the Smithsonian indicates that the unfunded facility renewal requirements total approximately \$250 million. As the Smithsonian continues to reevaluate its short and long term priorities for next year's budget submission, the Committee urges the Institution to continue to limit new planning and construction investments as well as limit new acquisitions and continue to place this initiative at the top of their priority list for additional funding.

## CONSTRUCTION

Appropriation enacted, 1996	\$27,700,000
Budget estimate, 1997	13,000,000
Recommended, 1997	7,000,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	-20,700,000
<b>Budget estimate, 1997</b>	-6,000,000

The Committee recommends \$7,000,000, a decrease of \$6,000,000 below the Administration's request. Included in the amount is \$3,000,000 for ongoing planning and design of the Air and Space Extension at Dulles Airport and \$4,000,000 for the Alterations and Modification account which includes funds for minor construction and improvements. The Committee did not include the request of \$4,000,000 for further planning and design of the National Museum of the American Indian (NMAI) mall project.

Over the last few years, the Committee has provided nearly \$70,000,000 in planning, construction and operating increases for two brand new facilities for the NMAI including the New York Customs House and the Suitland cultural center. The Committee directed the Smithsonian, in the current year's report, to develop additional cost scenarios for the proposed mall museum including possible downsizing of the building and decreasing the amount of federal appropriation by raising additional private dollars.

The Committee, while supportive of the NMAI, collection is concerned about the additional taxpayer dollars required to complete the currently designed mall museum. The third stage of this project will cost the taxpayers an additional \$80,000,000 along with total operational increases of \$40,000,000 annually to support all three facilities when complete.

Considering the \$250,000,000 backlog of critical maintenance needs on existing facilities, the Committee feels that it is not prudent to spend any additional taxpayers dollars at this particular time on this project. The Committee would not object to non-Federal dollars being used to complete the planning and design phase and strongly encourages the Smithsonian to rethink the existing design and/or consider raising additional non-federal construction dollars for the project.

## NATIONAL GALLERY OF ART

### SALARIES AND EXPENSES

Appropriation enacted, 1996	\$51,844,000
Budget estimate, 1997	53,899,000
Recommended, 1997	53,899,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	+2,055,000
<b>Budget estimate, 1997</b>	.....

The National Gallery of Art is one of the world's great galleries. Its magnificent works of art are displayed for the benefit of millions of visitors from across this Nation and from other nations. The National Gallery of Art serves as an example of a successful cooperative endeavor between private individuals and institutions and the Federal Government. The many special exhibitions shown in the Gallery and then throughout the country bring great art treasures to Washington and the Nation.

The Committee recommends \$53,899,000 for salaries and expenses, which is equal to the budget request and an increase of \$2,055,000 above the 1996 level.

The comparisons of the recommendation and the 1996 enacted level by activity is shown in the following table:

,w318,d78

Insert offset folio 124 here

At the level recommended by the Committee the Gallery will be able to fund the most pressing of its fixed cost increases and ensure that security functions are not degraded.

### REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

Appropriation enacted, 1996	\$6,442,000
Budget estimate, 1997	5,942,000
Recommended, 1997	5,942,000

<b>Comparison:</b>	
<b>Appropriation, 1996</b>	-500,000
<b>Budget estimate, 1997</b>	.....

The Committee recommends \$5,942,000 for repair, restoration and renovation of buildings, which is equal to the budget request and a decrease of \$500,000 below the 1996 level.

## **JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS**

The John F. Kennedy Center for the Performing Arts is a living memorial to the late President Kennedy and the national center for the performing arts. The Center consists of over 1.5 million square feet of usable floor space with visitation averaging 10,000 on a daily basis.

## **OPERATIONS AND MAINTENANCE**

Appropriation enacted, 1996	\$10,323,000
Budget estimate, 1997	10,875,000
Recommended, 1997	10,875,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	+552,000
<b>Budget estimate, 1997</b>	.....

The Committee recommends \$10,875,000 for operations and maintenance, which is equal to the budget request and \$552,000 above the fiscal year 1996 level. This amount covers the operation and maintenance of the Kennedy Center building, structures, and surrounding grounds. Activities include maintenance, security, visitor information, interpretation, janitorial services, and short-term repair and improvement of the physical plant.

The Committee commends the Kennedy Center leadership for its work this past year to make efficiencies in the operations of the Center. Its commitment to thoughtful consolidation and reorganization of facility and capital repair functions in order to concentrate on common area maintenance, improve coordination of overall building operations, and maximize the effectiveness of repair projects is to be commended.

The Committee further notes the Center's efforts to develop performance standards and operational goals and objectives to ensure that the taxpayers are receiving maximum benefits for their dollars is something other federal agencies, particularly other cultural institutions should emulate.

## **CONSTRUCTION**

Appropriation enacted, 1996	\$8,983,000
Budget estimate, 1997	9,000,000
Recommended, 1997	9,000,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	+17,000

<b>Budget estimate, 1997</b>	.....
------------------------------	-------

The Committee recommends \$9,000,000, the budget request and an increase of \$17,000 above the current fiscal year. These funds should be used for exterior restoration, major building system projects related to plumbing and electrical systems, urgent repair and replacement projects and interior and theater access projects for persons with disabilities

## WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

### SALARIES AND EXPENSES

Appropriation enacted, 1996	\$5,840,000
Budget estimate, 1997	5,840,000
Recommended, 1997	5,840,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	.....
<b>Budget estimate, 1997</b>	.....

The Woodrow Wilson International Center for Scholars is a unique institution with a special mission to serve as a living memorial to the late Woodrow Wilson. The Center performs this mandate through its role as an international institute for advanced study as well as a facilitator for discussions among scholars, public officials, journalists and business leaders from across the country on major long-term issues facing America and the world.

The Committee recommends \$5,840,000, the same as the budget request and the current year allocation. The Committee is aware of the fact that the Center has received a Memorandum of Agreement and lease from the General Services Administration for the Center's occupancy of approximately 80,000 square feet in the Ronald Reagan Building and International Trade Center. This guarantees a 30 year lease at no cost to the Woodrow Wilson Center.

The Committee has had serious reservations about this move from the beginning because of the significant high costs to the taxpayers for rent, additional building services and new furnishings. However, in light of this new agreement with GSA for no cost rent, the Committee agrees to allow the Center to make this move with some conditions. The Committee directs that no federal funds may be used to purchase new furnishings. The Committee continues to impress upon the Center the seriousness of the Nation's budgetary problems and the need for economies. Accordingly, the Center is encouraged in the strongest terms to continue to devote its federal funds only to essential core activities.

In an effort to ensure that scarce resources are used wisely and in furtherance of its scholarly mission, the Center is directed to contract with the National Academy of Public Administration for a comprehensive review of the Center's mission, staffing policy, organizational structure and management. Up to \$150,000 may be used for this purpose.

The Committee expects the Center to conduct symposia on Franklin Delano Roosevelt History Month.

## NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

### NATIONAL ENDOWMENT FOR THE ARTS

#### GRANTS AND ADMINISTRATION

Appropriation enacted, 1996	\$82,259,000
Budget estimate, 1997	115,000,000
Recommended, 1997	82,734,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	+475,000
<b>Budget estimate, 1997</b>	-32,266,000

The amount recommended by the Committee as compared to the 1996 enacted level by activity is shown on the following table:

,w318,d144

Insert offset folio 128 here

The Committee recommends an appropriation of \$82,734,000 for grants and administration. This appropriation is consistent with the agreement reached on the floor of the House during debate over the fiscal year 1996 Interior appropriation bill in terms of the proposed reauthorization by the House legislative committee of jurisdiction to phase out Federal funding for the National Endowment for the Arts over a two year period. The Committee has provided bill language to allow funds 'to remain available until expended.' This will increase the flexibility of the National Endowment for the Arts in managing its funds.-

#### MATCHING GRANTS

Appropriation enacted, 1996	\$17,235,000
Budget estimate, 1997	21,000,000
Recommended, 1997	16,760,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	-475,000
<b>Budget estimate, 1997</b>	-4,240,000

The Committee recommends an appropriation of \$16,760,000 for matching grants.

### NATIONAL ENDOWMENT FOR THE HUMANITIES

#### GRANTS AND ADMINISTRATION

Appropriation enacted, 1996	\$94,000,000
-----------------------------	--------------

Budget estimate, 1997	118,250,000
Recommended, 1997	92,994,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	-1,006,000
<b>Budget estimate, 1997</b>	-25,256,000

The amount recommended by the Committee as compared to the 1996 enacted level by activity is shown on the following table:

,w318,d108

Insert offset folio 130 here

The Committee recommends an appropriation of \$92,994,000 for grants and administration. This appropriation is consistent with the agreement reached on the floor of the House during debate over the fiscal year 1996 Interior appropriation bill in terms of the proposed reauthorization by the House legislative committee of jurisdiction to phase out Federal funding for the National Endowment for the Humanities over a three year period. The Committee has provided bill language to allow funds `to remain available until expended.' This will increase the flexibility of the National Endowment for the Humanities in managing its funds.

## MATCHING GRANTS

Appropriation enacted, 1996	\$16,000,000
Budget estimate, 1997	17,750,000
Recommended, 1997	11,500,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	-4,500,000
<b>Budget estimate, 1997</b>	-6,250,000

The Committee recommends an appropriation of \$11,500,000 for matching grants.

## INSTITUTE OF MUSEUM SERVICES

### GRANTS AND ADMINISTRATION

Appropriation enacted, 1996	\$21,000,000
Budget estimate, 1997	23,000,000
Recommended, 1997	21,000,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	.....
<b>Budget estimate, 1997</b>	-2,000,000

The Institute for Museum Services provides operating support, conservation support and professional services to assist museums. General Operating support awards assist museums with essential operating

expenditures.

The Committee recommends an appropriation of \$21,000,000 for the Institute of Museum Services. The Committee has provided bill language to allow funds 'to remain available until expended.' This will increase the flexibility of the Institute of Museum Services in managing its funds. The amount recommended by the Committee as compared to the 1996 enacted level by activity is shown in the following table:

,w318,d102

Insert offset folio 132 here

## COMMISSION OF FINE ARTS

### SALARIES AND EXPENSES

Appropriation enacted, 1996	\$834,000
Budget estimate, 1997	867,000
Recommended, 1997	867,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	+33,000
<b>Budget estimate, 1997</b>	.....

The Commission of Fine Arts was established in 1910 to meet the need for a permanent body to advise the government on matters pertaining to the arts, and particularly, to guide the architectural development of Washington. Over the years the Commission's scope has been expanded to include advice on areas such as plans for parks, public buildings, location of national monuments and development of public squares. As a result, the Commission annually reviews approximately 500 projects. In fiscal year 1988 the Commission was given responsibility for the National Capital Arts and Cultural Affairs program.

The Committee recommends \$867,000 for salaries and expenses of the Commission of Fine Arts, which is equal to the budget request and an increase of \$33,000 above the 1996 level.

## NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

Appropriation enacted, 1996	\$6,000,000
Budget estimate, 1997	6,733,000
Recommended, 1997	6,000,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	.....
<b>Budget estimate, 1997</b>	-733,000

The National Capital Arts and Cultural Affairs program was established in Public Law 99-190 to support artistic and cultural programs in the Nation's Capital. This program was established by Congress in recognition of the fact that major arts institutions in the District of Columbia, unlike their counterparts in other cities, have little access to non-Federal public funding, particularly for general

operating support purposes. But in order to assure that public funding does not displace the role of private sector support, no grant from this program may exceed 25 percent of an institution's annual income budget. For fiscal year 1997, the Committee recommends \$6,000,000, which is \$733,000 below the budget request and equal to the 1996 level.

## ADVISORY COUNCIL ON HISTORIC PRESERVATION

### SALARIES AND EXPENSES

Appropriation enacted, 1996	\$2,500,000
Budget estimate, 1997	2,500,000
Recommended, 1997	2,500,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	.....
<b>Budget estimate, 1997</b>	.....

The National Historic Preservation Act of 1966 established the Advisory Council on Historic Preservation. Its mandate is to further the national policy of preserving historic and cultural resources for the benefit of present and future generations. The Council advises the President and Congress on preservation matters and provides consultation on historic properties threatened by Federal action. The Committee recommends that the Advisory Council aggressively pursue private funding to support the council's technical development and training activities.

The Committee recommends \$2,500,000 to fund the Council at the fiscal year 1996 level. The Committee will recommend adjustments to this level depending on the authorizing committee action.

## NATIONAL CAPITAL PLANNING COMMISSION

### SALARIES AND EXPENSES

Appropriation enacted, 1996	\$5,090,000
Budget estimate, 1997	5,885,000
Recommended, 1997	5,390,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	+300,000
<b>Budget estimate, 1997</b>	-495,000

The National Capital Planning Act of 1952 designated the National Capital Planning Commission as the central planning agency for the Federal government in the National Capital Region. The three major functions of the Commission are to prepare and adopt the federal elements of the National Capital Comprehensive Plan, prepare an annual report on a five-year projection of the Federal Capital Improvement Program, and review plans and proposals submitted to the Commission.

To support this mission, the Committee recommends an appropriation of \$5,390,000 for salaries and expenses of the National Capital Planning Commission, a decrease of \$495,000 below the budget

request and an increase of \$300,000 above the 1996 level. The recommended increase covers uncontrollable rent and salary increases. The Committee is pleased with the successful display of the Monumental Core plan, and with the Commission's success at taking on the remaining activities of the Pennsylvania Avenue Development Corporation Plan.

## FRANKLIN DELANO ROOSEVELT MEMORIAL COMMISSION

### SALARIES AND EXPENSES

Appropriation enacted, 1996	\$147,000
Budget estimate, 1997	125,000
Recommended, 1997	125,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	-22,000
<b>Budget estimate, 1997</b>	.....

The Franklin Delano Roosevelt Memorial Commission, in conjunction with the National Park Service in the Department of the Interior, is responsible for having plans prepared for completion of a suitable memorial to President Franklin Delano Roosevelt. The Committee recommends \$125,000 for salaries and expenses of the Commission. The Committee looks forward to the successful completion of the Memorial during fiscal year 1997 and anticipates that the funds provided are sufficient to cover all close out costs needed by the Commission as it terminates itself after completing the Memorial dedication during fiscal year 1997.

## UNITED STATES HOLOCAUST MEMORIAL COUNCIL

### HOLOCAUST MEMORIAL COUNCIL

Appropriation enacted, 1996	\$28,707,000
Budget estimate, 1997	31,262,000
Recommended, 1997	29,707,000
<b>Comparison:</b>	
<b>Appropriation, 1996</b>	+1,000,000
<b>Budget estimate, 1997</b>	-1,555,000

In 1980 Congress passed legislation creating a 65 member Holocaust Memorial Council with the mandate to create and oversee a living memorial/museum to victims of holocausts. The museum opened in April 1993. Construction costs for the museum have come solely from donated funds being raised by the U.S. Holocaust Memorial Museum Campaign and appropriated funds have been used for planning and development of programmatic components, overall administrative support and annual commemorative observances. Since the opening of the museum, appropriated funds have been provided to pay for the ongoing operating costs of the museum as authorized by Public Law 102-529.

The Committee has provided \$29,707,000 for the operations of the Holocaust Memorial Museum, a

decrease of \$1,555,000 below the request and an increase of \$1,000,000 above the current fiscal year. This funding level should in no way be construed as lessening the Committee's strong commitment for the Museum, in fact, the Holocaust Memorial Museum has received a 35% increase in operating costs since the opening in 1993. Last year, the Museum was the only agency in the entire Interior Appropriations bill which received the Administration's budget request, a \$2,000,000 increase over the previous fiscal year.

The Committee has provided specific increases as follows: \$391,000 for mandatory pay increase, \$52,000 for utilities, \$26,000 for rental costs, \$110,800 for security contracts, \$65,000 for building maintenance contracts, and \$353,983 for six security guards to operate the new Magnetometer security machines. The Committee has, over the last several years, provided generous increases in the levels of support for Museum operations. These costs should have leveled off now that the Museum has had three years of operating experiences and future budget requests should not include continued increases for routine Museum operations.

Most of the increases over the past four years were an attempt to determine, through practice, what the actual costs to operate a facility of this type accurately are. A good portion of the increase was directed toward enhancements in security and building repairs. Although many of these items were in fact one time expenditures, the Committee agreed to keep the costs in the base funding to avoid accumulating a maintenance backlog.

The Holocaust Memorial Council has testified before this Committee that it is committed to its status as a public-private partnership. The Committee applauds its efforts to raise private dollars to date and encourages the Council to continue to do so including restricted funds for programs and unrestricted and endowment funds. These private funds should offset any increased operational or programmatic requirements.

The Committee expects the Museum to follow closely the existing reprogramming guidelines and seek approval from both the House and Senate Committees on Appropriations prior to any realignment of funds.

The Committee directs the Chairman of the United States Holocaust Memorial Council to prepare and submit to the Congress an annual report on the Council's efforts to (a) protect the integrity of the Holocaust history, (b) sustain the memory of the victims of the Holocaust, and (c) apply the lessons of the Holocaust to other acts of genocide and crimes against humanity, to include cases of historical revisionism.

### **TITLE III--GENERAL PROVISIONS**

The Committee applauds the Departments of the Interior and Energy on their efforts to enhance educational and career opportunities for minority students in the areas of science and technology. The Committee strongly encourages the Departments to include participation by Hispanic-Serving Institutions in any current or future plans to increase its pre-designated or targeted research, development, and education funds.

Committee recommends continuing several provisions carried in previous bills as follows:

Section 301 provides for public availability of information on consulting services contracts.

Section 302 limits non-competitive leasing of oil and natural gas on the Shawnee National Forest, Illinois.

Section 303 prohibits activities to promote public support or opposition to legislative proposals.

Section 304 provides for annual appropriations unless expressly provided otherwise in this Act.

Section 305 limits the use of personal cooks, chauffeurs or servants.

Section 306 limits assessments against programs without Committee approval.

Section 307 contains Buy American procedures and requirements.

Section 308 limits the sale of giant sequoia trees by the Forest Service.

Section 309 prohibits the use of funds by the National Park Service to enter into a contract requiring the removal of the underground lunchroom at Carlsbad Caverns NP.

Section 310 allows the Secretary to determine the use of certain construction funds after consultation with tribes.

Section 311 provides that quarterly payments to tribes may be made on the first business day following the first day of a fiscal year.

Section 312 provides that no funds can be used for Americorps unless it is funded in the VA, HUD and Independent Agencies fiscal year 1997 appropriations, and make use of such funds subject to reprogramming.

Section 313 continues a limitation of funding relating to a pedestrian bridge between New Jersey and Ellis Island.

Section 314 continues a limitation on accepting and processing applications for patents and on the patenting of Federal lands; permits processing of grandfathered applications; and permits third-party contractors to process grandfathered applications.

Section 315 provides that no funds can be used for the purposes of acquiring lands in the counties of Lawrence, Monroe, or Washington, Ohio, for the Wayne National Forest

Section 316 limits grants to individuals, seasonal support, and sub-grants, except grants to State, regional and local arts agencies, that are awarded by the National Endowment for the Arts.

Section 317 provides that Forest Service approval of alternative site 2 on December 6, 1993 is consistent with, and permissible under, the terms of Public Law 100-696.

Section 318 continues a limitation on issuance of a final rulemaking on jurisdiction, management and control over navigable waters in the State of Alaska with respect to subsistence fishing.

Section 319 keeps in place only the regulations and interim rules in effect prior to September 8, 1995 (36 CFR 223.48, 36 CFR 223.87, 36 CFR 223 Subpart D, 36 CFR 223 Subpart F, and 36 CFR 261.1) governing the export of State and federal timber in the western United States. This language is retained so that the Administration, Congress and affected parties can have more time to address policy issues with respect to Public Law 101-382, the Forest Resources Conservation and Shortage Relief Act of 1990. The language prohibits the Secretary of Agriculture or the Secretary of the Interior from reviewing or making modification to existing sourcing areas. The language prohibits either Secretary from enforcing or implementing regulations promulgated on September 8, 1995 at 36 CFR Part 223. The bill language also directs the Secretary of Commerce to continue the 100 percent ban on the export of logs that originate from Washington State-owned public lands.

Section 320 extends for one year the Recreational Fee Demonstration program established as section 315 in the Department of the Interior and Related Agencies Appropriations Act of 1996.



authority tends to result in savings by preventing the practice of committing funds at the end of the fiscal year.

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

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

Language is included in the various parts of the bill to continue ongoing activities of those Federal agencies which require annual authorization or additional legislation which to date has not been enacted.

Language is included under Bureau of Land Management, Management of lands and resources, prohibiting the destruction of healthy, unadopted, wild horses and burros.

Language is included under Bureau of Land Management, management of lands and resources, permitting the collection of fees for processing applications and for certain public land uses, and permitting the use of these fees for program operations.

Language is included under Bureau of Land Management, Central hazardous materials fund, providing that sums received from a party for remedial actions shall be credited to the account, and defining non-monetary payments.

Language is included under Bureau of Land Management, Service charges, deposits, and forfeitures, to allow use of funds on any damaged public lands.

Language is included under Bureau of Land Management, Administrative provisions, providing for cost-sharing arrangements for printing services.

Language is included under United States Fish and Wildlife Service, Resource management, allowing for the maintenance of the herd of long-horned cattle on the Wichita Mountains Wildlife Refuge. Without this language, the long-horned cattle would have to be removed from the refuge. Language is also included providing for a Youth Conservation Corps.

Language is included under United States Fish and Wildlife Service, Administrative provisions, providing for repair of damage to public roads; options for the purchase of land not to exceed \$1; installation of certain recreation facilities; the maintenance and improvement of aquaria; the acceptance of donated aircraft; cost-shared arrangements for printing services. Language is also included limiting the use of funds for the purchase of lands.

Language is included under National Park Service, Operation of the National Park System to allow road maintenance service to trucking permittees on a reimbursable basis. This provision has been included in annual appropriations Acts since 1954.

Language is included under National Park Service, Operation of the National Park System, providing for a Youth Conservation Corps program.

Language is included under National Park Service, Administrative provisions, preventing the implementation of an agreement for the redevelopment of the southern end of Ellis Island and limiting the use of funds to specified amounts for certain offices.

Language is included under United States Geological Survey, Surveys, investigations and research, providing for two-year availability of funds for biological research and for the operations of cooperative research units; permitting the purchase of passenger motor vehicles; prohibiting the

conduct of new surveys on private property; and providing for a review every 5 years by the National Academy of Sciences on biological research activities; and requiring cost sharing cooperative topographic mapping activities.

Language is included under United States Geological Survey, Administrative provisions, providing for the reimbursement to the GSA for security guard services; for contracting for topographic maps and geophysical or other surveys; and for the use of contracts, grants, and cooperative agreements.

Language is included under Minerals Management Service, Royalty and offshore minerals management, providing for the use of certain receipts for a technical information system; providing for reasonable expenses related to volunteer beach and marine clean-up activities; providing for refunds for overpayments on Indian allottee leases and providing for collecting royalties and late payment interest on amounts received in settlements associated with Federal and Indian leases.

Language is included under Office of Surface Mining Reclamation and Enforcement, Regulation and technology, to allow the use of performance bond forfeitures by the regulatory authority to conduct reclamation activities; the use of monies collected pursuant to assessment of civil penalties to reclaim lands affected by coal mining after August 3, 1977; and permitting payment to State and tribal personnel for travel and per diem expenses for training.

Language is included under Office of Surface Mining Reclamation and Enforcement, Abandoned mine reclamation fund, which earmarks specific amounts in the account for emergency reclamation projects and which allows use of debt recovery to pay for debt collection. Language also is included permitting donations and providing for supplemental grants to States for remediating acid mine drainage.

Language is included under Bureau of Indian Affairs, Operation of Indian programs, for advance payments to Indian schools and business enterprises. Language also is included to change the dates of payments for grants to schools under Public Law 100-297 and to permit local school boards to determine teacher compensation rates.

Language is included under Bureau of Indian Affairs, Operation of Indian programs, allowing reprogramming of Self-Governance funds, allowing changes to certain eligibility criteria by tribal governments, allowing the transfer of certain forestry funds, providing for an Indian self-determination fund, prohibiting support of Alaska schools in 1997; limiting the number of Bureau schools, and limiting the use of funds for any expanded grade levels in schools.

Language is included under Bureau of Indian Affairs, Construction, providing that 6 percent of Federal Highway Trust Fund contract authority may be used for management costs, providing for the transfer of Navajo irrigation project funds to the Bureau of Reclamation, and providing Safety of Dams funds on a non-reimbursable basis.

Language is included under Departmental Offices, Insular Affairs, Assistance to Territories, requiring audits of the financial transactions of the Territorial governments by the General Accounting Office, providing grant funding under certain terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands, providing a grant to the Close-Up foundation, and allowing appropriations for disaster assistance to be used as non-Federal matching funds for hazard mitigation grants provided pursuant to other law.

Language is included under Departmental Offices, Administrative provisions, prohibiting the use of working capital or consolidated working funds to augment certain offices, and allowing the sale of existing aircraft with proceeds used to offset the purchase price of replacement aircraft.

Language is included under General provisions, Department of the Interior, to allow transfer of funds in certain emergency situations, requiring replacement with a supplemental appropriation request, and

designating certain transferred funds as 'emergency requirements' under the Balanced Budget and Emergency Deficit Control Act of 1985.

Language is included under General provisions, Department of the Interior, to consolidate services and receive reimbursement for said services. Language also is included providing for uniform allowances.

Language is included under General provisions, Department of the Interior, to allow for obligations in connection with contracts issued for services or rentals for periods not in excess of 12 months beginning at any time during the fiscal year.

Language is included under General provisions, Department of the Interior, to provide for the transfer of funds among the various Departmental land acquisition accounts; to permit the transfer of funds for the Presidio upon establishment of a Presidio Trust; and prohibiting the use of funds for a rulemaking concerning certain rights-of-way.

Language is included under General provisions, Department of the Interior, restricting various oil and gas preleasing, leasing, exploration and drilling activities within the Outer Continental Shelf in the Georges Bank-North Atlantic planning area, Mid-Atlantic and South Atlantic planning area, Eastern Gulf of Mexico planning area, North Aleutian Basin planning area, Northern, Southern and Central California planning areas, and Washington/Oregon planning area.

Language is included under General provisions, Department of the Interior, establishing a pilot franchise fund; and requiring Committee approval prior to redesign of Pennsylvania Avenue in front of the White House.

Language is included under General Provisions, Department of the Interior, limiting the use of funds by the Fish and Wildlife Service with respect to marbled murrelet critical habitat designations on private lands in California; and limiting the use of funds by the Bureau of Indian Affairs for taking lands into trust unless there is an agreement with State and local officials on the payment of taxes by retail establishments on said land.

Language is included under Forest Service, Forest and rangeload research, permitting merger of funds from the old Forest research account into this account.

Language is included under Forest Service, National Forest system, earmarking funds for obliteration of roads.

Language is included under Forest Service, Wildland fire management, allowing the use of funds to repay advances from other accounts, and the merger of funds from other accounts.

Language is included under Forest Service, Reconstruction and Construction, providing that funds may be granted to the Ohio State Highway Patrol as the federal share of the cost of constructing a new Supervisor's office for the Wayne National Forest and that the Forest Service may use their share of the facility without charge for the life of the building.

Language is included under Forest Service, Land acquisition, requiring Committee approval prior to use of funds.

Language is included under Forest Service, Acquisition of lands to complete exchanges, and Acquisition of lands for national forest special acts, to provide that revenues and funds deposited are made available for appropriation.

Language is included under Forest Service, Range Betterment Fund, to provide that 6 percent of the funds may be used for administrative expenses.

Language is included under Forest Service, Administrative provisions, limiting the availability of funds to change the boundaries of or abolish any region or to move or close any regional office. Language is

also provided to allow for advances for firefighting and emergency rehabilitation of burned-over lands, to provide for the use of collected fire funds, and to provide that proceeds from the sale of aircraft may be used to purchase replacement aircraft.

Language is included under Forest Service, Administrative provisions, to provide for a Youth Conservation Corps program.

Language is included under Forest Service, Administrative provisions, allowing funds to be used through the Agency for International Development and the Foreign Agricultural Service for work in foreign countries, and to support forestry activities outside of the United States; and providing that money collected from States for fire suppression may be used for authorized programs.

Language is included under Forest Service, Administrative provisions, to prohibit transfer of funds among appropriations without advance approval of the House and Senate Committees on Appropriations, and to prohibit transfer of funds to the working capital fund of the Department of Agriculture without approval of the Chief of the Forest Service.

Language is included under Forest Service, Administrative provisions, providing for nonmonetary awards, and allowing payment for emergency work.

Language is included under Forest Service, Administrative provisions, allowing reimbursement of certain pipeline rights-of-way costs, allowing payments in emergency situations at regular rates of pay, limiting clearcutting in the Wayne National Forest, Ohio, prohibiting preparation of certain timber sales in the Shawnee National Forest, Illinois, permitting the transfer of certain funds to the State of Washington fish and wildlife department for planned projects, allowing technical assistance to rural communities, providing \$1,000,000 for matching funds for the National Forest Foundation, and providing that funds shall be available for payment to counties within the Columbia River Gorge National Scenic Area pursuant to Public Law 99-663.

Language is included under Department of Energy, Fossil energy research and development, which places a limitation on the field testing of nuclear explosives for the recovery of oil and gas.

Language is included under Department of Energy, Naval Petroleum and oil shale reserves waiving sales requirements based on Strategic Petroleum Reserves oil purchases.

Language is included under Department of Energy, Energy conservation, which provides for an allocation of grants to State and local programs.

Language is included under Department of Energy, Strategic Petroleum Reserve, which provides for the sale of SPR oil and the use of proceeds for SPR operations and waiving the Budget Act.

Language is included under Department of Energy, SPR petroleum account, which places an outlay ceiling on the account, and which waives minimum purchase requirements for operating Naval Petroleum Reserve No. 1.

Language is included under Administrative provisions, Department of Energy, limiting programs of price supports and loan guarantees to what is provided in appropriations Acts; providing for the transfer of funds to other agencies of the Government; providing for retention of revenues by the Secretary of Energy on certain projects; requiring certain contracts be submitted to Congress prior to implementation; prohibiting issuance of procurement documents without appropriations; and permitting the use of contributions and fees for cooperative projects.

Language is included under Indian Health Service, Indian health services, providing that contracts and grants may be performed in two fiscal years and for a Self-Determination Fund; and providing for use of collections under Title IV of the Indian Health Care Improvement Act.

Language is included under Indian Health Service, Indian health facilities, providing that funds may be used to purchase land, modular buildings and trailers.

Language is included under Indian Health Service, Administrative provisions, providing for payments for telephone service in private residences in the field, purchase of reprints, purchase and erection of portable buildings, and allowing deobligation and reobligation of funds applied to self-governance funding agreements.

Language is included under Indian Health Service, Administrative provisions, providing that health care may be extended to non-Indians at Indian Health Service facilities and providing for expenditure of funds transferred to IHS from the Department of Housing and Urban Development.

Language is included under Indian Health Service, Administrative provisions, to prevent the Indian Health Service from billing Indians in order to collect from third-party payers until Congress has agreed to implement a specific policy.

Language is included under Indian Health Service, Administrative provisions, allowing payment of expenses for meeting attendance, specifying that certain funds shall not be subject to certain travel limitations, prohibiting the expenditure of funds to implement new eligibility regulations, providing that funds be apportioned only in the appropriation structure in this Act, and prohibiting changing the appropriations structure without approval of the Appropriations Committees.

Language is included under Office of Navajo and Hopi Indian Relocation, salaries and expenses, defining eligible relocatees; prohibiting movement of any single Navajo or Navajo family unless a new or replacement home is available; limiting relocatees to one new or replacement home; and establishing a priority for relocation of Navajos to those certified eligible who have selected and received homesites on the Navajo reservation or selected a replacement residence off the Navajo reservation.

Language is included under Smithsonian Institution, Salaries and expenses, to allow for advance payments to independent contractors performing research services or participating in official Smithsonian presentations, and providing that funds may be used to support American overseas research centers.

Language is included under Smithsonian Institution, Construction and improvements, National Zoological Park, and Repair and restoration of buildings, to construct facilities by contract or otherwise.

Language is included under Smithsonian Institution, Repair and restoration of buildings, to permit the Smithsonian Institution to select contractors for certain purposes on the basis of contractor qualifications as well as price.

Language is included under National Gallery of Art, Salaries and expenses, for payment in advance for membership in library, museum, and art associations or societies and for restoration and repair of works of art by contract without advertising.

Language is included under National Gallery of Art, Repair, restoration and renovation of buildings, to perform work by contract or otherwise and to select contractors for certain purposes on the basis of contractor qualifications as well as price.

Language is included under National Foundation on the Arts and the Humanities, Matching grants, to allow for the obligation of current and preceding fiscal years' funds of gifts, bequests, and devises of money for which equal amounts have not previously been appropriated.

Language is included under Advisory Council on Historic Preservation, to restrict hiring anyone at Executive Level V or higher positions.

Language is included under National Capital Planning Commission, salaries and expenses, to provide for a pay level at the rate of Executive Level IV for all appointed members.

Title III--General provisions contains language carried in previous appropriations Acts, which limits the use of funds for the leasing of oil and natural gas by noncompetitive leasing within the boundaries of the Shawnee National Forest and prohibits use of funds to distribute literature either to promote or oppose legislative proposals on which Congressional action is incomplete.

Language is included in Title III--General provisions to prohibit the use of funds to provide personal cooks, chauffeurs or other personal servants to any office or employee and to limit use of consulting services.

Language is included in Title III--General provisions prohibiting assessments against programs funded in this bill and providing Buy American requirements.

Language is included in Title III--General provisions prohibiting the sale of giant sequoia trees in a manner different from 1996.

Language is included in Title III--General provisions prohibiting the use of funds by the National Park Service to enter into a concession contract requiring the removal of the underground lunchroom at Carlsbad Caverns NP.

Language is included in Title III--General provisions regarding the use of excess funds from contracts with Indian tribes; allowing payments to tribes on the first business day of a fiscal quarter; limiting use of funds for the AmeriCorps program; and limiting use of funds relating to a bridge between New Jersey and Ellis Island.

Language is included in Title III--General provisions continuing a limitation on accepting and processing applications for patents and on the patenting of Federal lands; permitting processing of grandfathered applications; and permitting third-party contractors to process grandfathered applications.

Language is included in Title III--General provisions, limiting the use of funds for the Wayne National Forest.

Language is included in Title III--General provisions, limiting grants to individuals, seasonal support, and sub-grants, except for State, local, and regional groups, that are awarded by the National Endowment for the Arts.

Language is included in Title III--General provisions, deeming Forest Service approval of a site for a telescope on Mount Graham consistent with the Arizona-Idaho Conservation Act; limiting the use of funds for issuing a final rulemaking on jurisdiction over subsistence fishing in Alaska; limiting the use of funds for enforcing certain timber policies; and extending for one year the pilot recreational fee demonstration for the land management agencies in this bill.

## **APPROPRIATIONS NOT AUTHORIZED BY LAW**

Pursuant to clause 3 of rule XXI of the House of Representatives, the following table lists the appropriations in the accompanying bill which, in whole or in part, are not authorized by law:

Department of the Interior:

Bureau of Land Management, Management of Lands and Resources

Bureau of Land Management, Construction and Access

U.S. Fish and Wildlife Service, Resource Management

National Park Service, National Recreation and Preservation

Department of Energy:

Fossil Energy Research and Development

Energy Conservation

Economic Regulation

Strategic Petroleum Reserve

Energy Information Administration

Other Related Agencies:

National Foundation on the Arts and the Humanities (all accounts)

Advisory Council on Historic Preservation

The Committee notes that authorizing legislation for many of these programs is in various stages of the legislative process and these authorizations are expected to be enacted into law later this year.

### COMPLIANCE WITH RULE XIII--CLAUSE 3

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

Section 315(f) under the heading 'Title III--General Provisions' in section 101(c) of Public Law 104-134 is amended as follows:

(f) The authority to collect fees under this section shall commence on October 1, 1995, and end on September 30, [Struck out->] [ 1998 ] [<-Struck out] 1999. Funds in accounts established shall remain available through September 30, [Struck out->] [ 2001 ] [<-Struck out] 2002.

### FIVE-YEAR PROJECTION OF OUTLAYS

In compliance with section 308(a)(1)(C) of the Congressional Budget Act of 1974 (Public Law 93-344), as amended, the following table contains five-year projections associated with the budget authority provided in the accompanying bill:

[In millions]	
<b>Budget authority:</b>	\$12,176
<b>Outlays:</b>	
<b>Fiscal year 1997</b>	8,085
<b>Fiscal year 1998</b>	3,014
<b>Fiscal year 1999</b>	708
<b>Fiscal year 2000</b>	189
<b>Fiscal year 2001 and future years</b>	63

## ASSISTANCE TO STATE AND LOCAL GOVERNMENTS

In accordance with section 308(a)(1)(D) of the Congressional Budget Act of 1974 (Public Law 93-344), as amended, the financial assistance to State and local governments is as follows:

[In millions]	
New budget authority	\$931
Fiscal year 1997 outlays resulting therefrom	418

Pursuant to the provisions of clause 2(l)(2)(b) of rule XI of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

### FULL COMMITTEE VOTES

Pursuant to the provisions of clause 2(l)(2)(b) of rule XI of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

### ROLLCALL NO. 1

Date: June 12, 1996.

Measure: Fiscal year 1997 Interior appropriations bill.

Motion by: Mr. Yates.

Description of Motion: To restrict funding for issuing permits for telecommunications facilities in National Parks, Refuges or Forests when the permit is required under the Telecommunications Act of 1996 unless the appropriate Cabinet Secretary determines, after public notice and comment, that the facility will not be detrimental to the area.

Results: Rejected 22 to 23.

<i>Members Voting Yea</i>	<i>Members Voting Nay</i>
Mr. Beville	Mr. Bonilla
Mr. Chapman	Mr. Bunn
Mr. Coleman	Mr. Dickey
Mr. Foglietta	Mr. Dicks
Mr. Forbes	Mr. Hobson
Mr. Hefner	Mr. Istook
Mr. Kingston	Mr. Knollenberg
Mrs. Lowey	Mr. Kolbe
Mr. Murtha	Mr. Lewis
Mr. Obey	Mr. Lightfoot
Ms. Pelosi	Mr. Livingston

Mr. Regula	Mr. Miller
Mr. Sabo	Mr. Myers
Mr. Serrano	Mr. Nethercutt
Mr. Skaggs	Mr. Neumann
Mr. Stokes	Mr. Packard
Mr. Thornton	Mr. Parker
Mr. Torres	Mr. Porter
Mr. Visclosky	Mr. Rogers
Mr. Walsh	Mr. Skeen
Mr. Wolf	Mrs. Vucanovich
Mr. Yates	Mr. Wicker
	Mr. Young

## ROLLCALL NO. 2

Date: June 12, 1996.

Measure: Fiscal year 1997 Interior appropriations bill.

Motion by: Mr. Yates.

Description of Motion: To limit the use of funds for implementing the salvage timber provisions in Public Law 104-19.

Results: Rejected 14 to 28.

<i>Members Voting Yea</i>	<i>Members Voting Nay</i>
Mr. Dixon	Mr. Bevill
Mr. Durbin	Mr. Bonilla
Mr. Fazio	Mr. Bunn
Mr. Hefner	Mr. Callahan
Mr. Hoyer	Mr. DeLay
Ms. Kaptur	Mr. Dickey
Mrs. Lowey	Mr. Forbes
Ms. Pelosi	Mr. Istook
Mr. Porter	Mr. Kingston
Mr. Skaggs	Mr. Knollenberg
Mr. Thornton	Mr. Lewis
Mr. Visclosky	Mr. Lightfoot
Mr. Walsh	Mr. Livingston
Mr. Yates	Mr. Miller

	Mr. Mollohan
	Mr. Murtha
	Mr. Nethercutt
	Mr. Packard
	Mr. Parker
	Mr. Regula

Mr. Riggs

Mr. Rogers

Mr. Skeen

Mr. Taylor

Mrs. Vucanovich

Mr. Wicker

Mr. Wolf

Mr. Young

### **ROLLCALL NO. 3**

Date: June 12, 1996.

Measure: Fiscal year 1997 Interior appropriations bill.

Motion by: Mr. Parker.

Description of Motion: To amend the Committee report language on the Department of Energy codes and standards program.

Results: Adopted 27 to 17.

<i>Members Voting Yea</i>	<i>Members Voting Nay</i>
Mr. Bonilla	Mr. Bevill
Mr. Bunn	Mr. Dixon
Mr. Callahan	Mr. Durbin
Mr. DeLay	Mr. Fazio
Mr. Dickey	M. Hefner
Mr. Forbes	Mr. Hoyer
Mr. Istook	Ms. Kaptur
Mr. Kingston	Mrs. Lowey
Mr. Knollenberg	Mr. Mollohan
Mr. Lewis	Mr. Murtha
Mr. Lightfoot	Mr. Obey

Mr. Livingston	Ms. Pelosi
Mr. Miller	Mr. Porter
Mr. Myers	Mr. Skaggs
Mr. Nethercutt	Mr. Visclosky
Mr. Packard	Mr. Walsh
Mr. Parker	Mr. Yates
Mr. Regula	
Mr. Riggs	
Mr. Rogers	
Mr. Skeen	
Mr. Taylor	
Mr. Thornton	
Mrs. Vucanovich	
Mr. Wicker	
Mr. Wolf	
Mr. Young	

## ROLLCALL NO. 4

Date: June 12, 1996.

Measure: Fiscal year 1997 Interior appropriations bill.

Motion by: Mr. Istook.

Description of Motion: To limit the transfer of lands into trust for Indians unless there is agreement with State and local officials on the payment of State and local taxes by retail establishments on such lands.

Results: Adopted 19 to 15.

<i>Members Voting Yea</i>	<i>Members Voting Nay</i>
Mr. Bonilla	Mr. Bevill
Mr. Bunn	Mr. Callahan
Mr. Dickey	Mr. Dicks
Mr. Forbes	Mr. Hoyer
Mr. Istook	Mr. Lewis
Mr. Kingston	Mr. Livingston
Mr. Knollenberg	Mr. Packard
Mr. Lightfoot	Ms. Pelosi
Mr. Miller	Mr. Regula

Mr. Nethercutt	Mr. Riggs
Mr. Obey	Mr. Rogers
Mr. Parker	Mr. Skaggs
Mr. Porter	Mr. Stokes
Mr. Skeen	Mr. Thornton
Mr. Visclosky	Mr. Yates
Mrs. Vucanovich	
Mr. Walsh	
Mr. Wicker	
Mr. Wolf	

## ROLLCALL NO. 5

Date: June 12, 1996.

Measure: Fiscal year 1997 Interior appropriations bill.

Motion by: Mr. Riggs as amended by Mr. Regula.

Description of Motion: To limit the use of funds for continuing or enforcing the critical habitat designation for the marbled murrelet on private lands in California, excluding the Headwaters Grove.

Results: Adopted 22 to 18.

<i>Members Voting Yea</i>	<i>Members Voting Nay</i>
Mr. Bonnilla	Mr. Bevill
Mr. Bunn	Mr. Dicks
Mr. Callahan	Mr. Forbes
Mr. DeLay	Mr. Hoyer
Mr. Dickey	Ms. Kaptur
Mr. Istook	Mr. Livingston
Mr. Kingston	Mrs. Lowey
Mr. Knollenberg	Mr. Mollohan
Mr. Kolbe	Mr. Murtha
Mr. Lewis	Mr. Obey
Mr. Lightfoot	Ms. Pelosi
Mr. Miller	Mr. Porter
Mr. Nethercutt	Mr. Skaggs
Mr. Packard	Mr. Stokes
Mr. Parker	Mr. Thornton
Mr. Regula	Mr. Visclosky

Mr. Riggs	Mr. Walsh
Mr. Rogers	Mr. Yates
Mr. Skeen	
Mrs. Vucanovich	
Mr. Wicker	
Mr. Wolf	

## ROLLCALL NO. 6

Date: June 12, 1996.

Measure: Fiscal year 1997 Interior appropriations bill.

Motion by: Mr. Obey.

Description of Motion: To increase funding for the operation of the National Park system.

Results: Rejected 14 to 25.

<i>Members Voting Yea</i>	<i>Members Voting Nay</i>
Mr. Bevill	Mr. Bonilla
Mr. Fazio	Mr. Bunn
Mr. Hoyer	Mr. Callahan
Ms. Kaptur	Mr. Dickey
Mrs. Lowey	Mr. Forbes
Mr. Mollohan	Mr. Istook
Mr. Murtha	Mr. Kingston
Mr. Obey	Mr. Knollenberg
Ms. Pelosi	Mr. Kolbe
Mr. Skaggs	Mr. Lewis
Mr. Strokes	Mr. Lightfoot
Mr. Thornton	Mr. Livingston
Mr. Visclosky	Mr. Miller
Mr. Yates	Mr. Nethercutt
	Mr. Packard
	Mr. Parker
	Mr. Porter
	Mr. Regula
	Mr. Riggs
	Mr. Rogers

	Mr. Skeen
	Mrs. Vucanovich
	Mr. Walsh
	Mr. Wicker
	Mr. Wolf

## ROLLCALL NO. 7

Date: June 12, 1996.

Measure: Fiscal year 1997 Interior appropriations bill.

Motion by: Mr. Obey.

Description of motion: To increase funding for National Park Service construction.

Results: Rejected 13 to 25.

<i>Members Voting Yea</i>	<i>Members Voting Nay</i>
Mr. Beville	Mr. Bonilla
Mr. Fazio	Mr. Bunn
Mr. Hoyer	Mr. Callahan
Mrs. Lowey	Mr. Dickey
Mr. Mollohan	Mr. Forbes
Mr. Murtha	Mr. Istook
Mr. Obey	Mr. Kingston
Ms. Pelosi	Mr. Knollenberg
Mr. Skaggs	Mr. Kolbe
Mr. Stokes	Mr. Lewis
Mr. Thornton	Mr. Lightfoot
Mr. Visclosky	Mr. Livingston
Mr. Yates	Mr. Miller
	Mr. Nethercutt
	Mr. Packard
	Mr. Parker
	Mr. Porter
	Mr. Regula
	Mr. Riggs
	Mr. Rogers
	Mr. Skeen

	Mrs. Vucanovich
	Mr. Walsh
	Mr. Wicker
	Mr. Wolf

## ROLLCALL NO. 8

Date: June 12, 1996.

Measure: Fiscal year 1997 Interior appropriations bill.

Motion by: Mr. Obey.

Description of motion: To increase funding for National Park Service land acquisition; Forest Service, State and private forestry; Forest Service, National Forest system; and Department of Energy, energy conservation.

Results: Rejected 13 to 25.

<i>Members Voting Yea</i>	<i>Members Voting Nay</i>
Mr. Bevill	Mr. Bonilla
Mr. Fazio	Mr. Bunn
Mr. Hoyer	Mr. Callahan
Mrs. Lowey	Mr. Dickey
Mr. Mollohan	Mr. Forbes
Mr. Murtha	Mr. Istook
Mr. Obey	Mr. Kingston
Ms. Pelosi	Mr. Knollenberg
Mr. Skaggs	Mr. Kolbe
Mr. Stokes	Mr. Lewis
Mr. Thornton	Mr. Lightfoot
Mr. Visclosky	Mr. Livingston
Mr. Yates	Mr. Miller
	Mr. Nethercutt
	Mr. Packard
	Mr. Parker
	Mr. Porter
	Mr. Regula
	Mr. Riggs
	Mr. Rogers
	Mr. Skeen

	Mrs. Vucanovich
	Mr. Walsh
	Mr. Wicker
	Mr. Wolf

OFFSET FOLIOS 154 TO 171 HERE INSERT

018

## **SUPPLEMENTAL VIEWS REGARDING THE DOE CODES AND STANDARDS PROGRAM OF HON. JAMES T. WALSH AND HON. DAVID E. SKAGGS**

We take strong exception to the language of the committee report which would encumber the Department of Energy with novel and impractical requirements for setting new energy efficiency standards for appliances and lighting equipment. Appliance efficiency standards save consumers billions of dollars, protect the environment, and shield manufactures from the cost and complexity of different efficiency standards that will otherwise be imposed by many individual States. While the language of the bill contains no extension of the moratorium on standard-setting that was enacted for FY 1996, the language of the report throws up such impediments to standard-setting as to create a de facto moratorium for fiscal year 1997. This is unnecessary and unwise.

We are sensitive to the complaints of some manufacturers who are regulated by this program. Over the past eight months, however, DOE has conducted an extensive review of its standard-setting process, involving many meetings and workshops with manufacturers and their trade associations. DOE is now committed to responding to these concerns, and will issue a final administrative rule codifying improvements in the standards process within the coming month.

The importance of this modest program should not be lost in the rush to implement regulatory improvements. In addition to providing huge energy bill savings for consumers, appliance standards are one of America's great environmental success stories, because energy saved is pollution prevented. Current appliance standards are expected to save 88 billion kilowatt-hours of electricity per year by the year 2000, equal to about 3% of the projected national electricity use for that year. The impact of such reductions will be to cut annual carbon emissions by 26 million metric tons, which equals the output of about 15 million autos. Clearly, appliance standards are critical in U.S. efforts to combat global warming, and manufacturers who develop cost-effective energy-saving technologies should be rewarded for their innovation.

The report language seeks to preclude the Department from issuing new energy efficiency standards in the absence of consensus. While consensus among interested parties is a laudable goal, it cannot always be achieved, particularly if one or more parties make unreasonable demands. Furthermore, if parties know that DOE cannot issue standards without consensus, then any party has veto power, and gridlock is likely to result. The most obstreperous companies will be rewarded, while the most innovative will be disadvantaged. Manufacturers will be encouraged to 'dumb down' the efficiency of their products in pursuit of production cost advantages, thus drying up opportunities for consumer energy savings.

The report language adds 'product determinations' to the list of actions for which consensus is a prerequisite--a new restriction that goes beyond the scope of the fiscal year 1996 statutory moratorium. Product determinations are made before any standard-setting activity begins. A product determination is a preliminary decision by DOE that the potential savings from efficiency standards are significant enough to proceed with a standard-setting rulemaking. If that determination is positive, then a rulemaking would begin, using the new DOE standard-setting process, including workshops with

interested parties, analysis on technical feasibility and economic justification, and several Federal Register notices. This standard-setting process is an important forum for all parties to learn about different perspectives on the issues, to collect important information, to explore creative solutions, and to gradually work towards consensus before a final rule is published. To insist on consensus before the consensus-building process begins does not make any sense.

The current moratorium which prevents DOE from issuing any new draft or final appliance efficiency standards will expire at the end of this fiscal year. We strongly object to any attempt to extend this moratorium into fiscal year 1997, either with legislative language or with the language of the committee report. To do so would add greatly to the regulatory uncertainty of U.S. manufacturers and distributors and deny to American consumers--business, industry, and householders alike--the benefits of new technology to use energy more efficiently.

James T. Walsh.

David E. Skaggs.

## **DISSENTING VIEWS OF HON. DAVID R. OBEY**

This legislation is woefully inadequate to address the Nation's needs in important natural resource and environmental programs. Total appropriations recommended in the bill are nearly \$800 million below the Administration's request. They are even less than the very austere funding level proposed for fiscal year 1996. They are more than 10 percent below the 1995 amounts, ignoring the effects of inflation. With inflation considered, the amounts in this bill are nearly 20 percent below amounts made available in 1995. This bill is on the slippery glideslope called for in the budget resolution that could result in reductions in real buying power for the activities funded in the bill of 30 to 40 percent during the next six years. Although this legislation has avoided some of the more contentious issues that were included as policy riders last year, it is my belief that is merely an election year interruption of the majority party's long term plans which will drastically alter the way this country manages its natural heritage.

Many diverse programs funded in the bill deserve comment. Probably the most vivid impact the funding recommendations in this legislation have is on our natural, historical and cultural resources. The effects of the pernicious funding level are severe and growing. The Department of the Interior estimates its infrastructure backlog is nearly \$8 billion--an increase of nearly \$2 billion in the past 18 months. This includes more than \$1 billion in deferred operational maintenance and \$6.5 billion in needed rehabilitation and reconstruction projects. Estimates for the United States Forest Service include backlogs of more than \$800 million in deferred maintenance and more than \$1 billion for rehabilitation and reconstruction. Invariably, when maintenance is deferred, repairs cost more when ultimately performed. However, the effects go far beyond a deteriorating infrastructure. Many interpretive programs at National Parks, National Wildlife Refuges, and National Forests have been cut back or eliminated as a result of budget reductions. Millions of visitors to our parks, refuges, and forests will have a devalued experience as a result.

Examples of the impact of the Republican budget reductions on programs funded in this bill include the following:

Twenty percent of the campsites at Great Smoky Mountains National Park, the system's most visited unit, will not open this summer. The number of seasonal rangers will be reduced by 70 percent.

Yellowstone National Park has closed a 116 site campground and two interpretive museums. A shortage of rangers leaves the huge park's northern sector virtually unattended by Park Service personnel.

Independence National Historical Site has reduced by 50 percent the number of seasonal employees hired. Declaration House is only open for three hours daily compared with the usual eight hours.

Yosemite National Park has reduced the number of back country rangers to three and cut back on trash pickups.

Mud and debris spoil picnic grounds and beaches in the Delaware Water Gap National Recreational Area, one of the most visited parks in the populous Middle Atlantic states.

In a similar vein, the funding recommendations in the bill will exacerbate shortfalls in energy efficiency and Native American programs. The energy conservation program has been reduced by more than one-third from the 1995 level and the amount requested by the Administration. The result will be more pollution and lost opportunities for industrial and consumer energy savings. The \$55 million reduction in the weatherization program equates to 30,000 fewer families receiving assistance.

Many Americans expressed outrage in response to the anti-environmental excesses of the Congress last year. Our Republican colleagues would like the public to believe they have heard the concerns and have moderated their actions. This bill indicates otherwise. Although marginally better than the bill reported last year, it still contains too little funding for many important natural resource programs and too many provisions that are environmentally unfriendly. For the reasons stated here, and many others, the Secretary of the Interior and the Secretary of Agriculture deservedly recommend a Presidential veto of this bill as reported. As this measure proceeds through the legislative process, it requires significant changes to avoid a veto and meet the test of stewardship that is demanded for our natural heritage.

*DAVID R. OBEY.*

## **DISSENTING VIEWS OF HON. NORMAN D. DICKS**

I wish to express my strong opposition to a provision that was included in the bill to prohibit the designation of Critical Habitat for the Marbled Murrelet on certain private lands in the State of California. Such a prohibition is short-sighted and sets a dangerous precedent for addressing concerns related to the impacts of a species being listed legitimately under the current authority of the Endangered Species Act (ESA). While the listing of species as threatened or endangered has often led to difficult adjustments for impacted businesses, communities, and landowners, it is nevertheless inappropriate to supplant political judgment in place of biological data in making policy determinations on the management of species.

There is a more effective and more appropriate means to deal with these matters than circumventing the law as this provision provides for. Section 10 of the Endangered Species Act (ESA) allows for landowners to enter into positive, productive, longterm agreements with the U.S. Fish & Wildlife Service known as Habitat Conservation Plans (HCP's). HCP's allow landowners to gain 'certainty' on the commercial use of their private property over a period of time that can be negotiated for as far ahead as 100 years. Additionally, the HCP agreement provides for a plan that can ensure longterm viability for multiple species and the protection of their vital habitat. HCP's are negotiable agreements based on science and a recognition that the protection of species and ecological values are compatible with using land for commodity production. HCP's represent a meaningful and positive vehicle that is available under the current authority of the Endangered Species Act (ESA) to assist private companies.

In my own State of Washington, two-thirds of our forest lands are state and privately owned. Furthermore, my Congressional district has large areas of land in multiple ownership that have been designated as Critical Habitat for two listed species: the Northern Spotted Owl and the Marbled Murrelet. We are also facing significant challenges in Washington State in addressing the recovery of

wild salmon populations. The approach that a number of timber companies in my state are taking in response to the listings, is to enter into effective HCP agreements with the Fish & Wildlife Service. This approach is proving to be highly successful so far, and both species and private landowners are benefiting. Washington State, through the Murray Pacific Company has produced the first multi-species Habitat Conservation Plan in the nation, and the Department of Natural Resources is finalizing a statewide HCP on its lands. HCP's are working for all concerned in the Northwest, and are in my judgement the most productive vehicle for dealing with conflicts related to the listing of endangered species. In the case of the Marbled Murrelet, 78 percent of the designated Critical Habitat is on federal lands (2.9 million acres), and only 48,000 areas has been designated as critical on private lands. Those concerned with the implications of the designation would be better served, as would the species, if they would negotiate HCP agreements with the agency rather than seeking to weaken the Endangered Species Act through the shortsighted provision included in this bill.

*NORMAN D. DICKS.*

### **ADDITIONAL VIEWS OF REPRESENTATIVE DAVID E. SKAGGS REGARDING ENERGY CONSERVATION PROGRAMS**

While this bill would provide more funding than last year's for management of the nation's natural and cultural resources and to meet other obligations, it still has serious shortcomings. In particular, it would seriously underfund the programs managed by the Department of Energy's office of energy efficiency and renewable energy.

As reported, the bill would inflict an additional cut of nearly 10% of funding for these energy conservation programs, which already were reduced by 25 percent for 1996, as compared with fiscal 1995. This would do serious damage to programs that have been successful in helping to boost America's economic growth, environmental quality, and continued world leadership in technology.

This part of the bill funds a diversity of activities that can return big dividends, including important reductions in the amounts that the government must spend for energy--reductions that help reduce the budget deficits. These programs also help reduce or avoid pollution in our air, water, and soil at the same time that they lessen our dependence on foreign oil and help create jobs in American industry.

The proposed reductions in funding for these important programs are extremely shortsighted. Failing to invest in the Federal Energy Management Program means higher energy bills for federal buildings. Underfunding the weatherization assistance program means higher heating and cooling bills for low-income people, and continued energy waste. Inadequate resources for the building technology programs means higher costs for business and consumers. And cuts in other programs mean a loss of momentum for important research on improved technology, including more fuel-efficient automobiles.

When this bill comes to the floor, I will seek to amend it to provide additional funding for the energy conservation programs.

*DAVID E. SKAGGS.*

write\_parts.c-54 : failed to open = [/local/etc/httpd/cgi-lis/txt\_templates/thomas\_footer.txt]