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DEPARTMENT OF THE INTERIOR AND RELATED
AGENCIES APPROPRIATIONS BILL, 1990

JUNE 29, 1989.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

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

REPORT

together with

ADDITIONAL VIEWS

[To accompany H.R. 2788]

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, 1990. The bill provides regular annual appropriations for the Department of the Interior (except the Bureau of Reclamation) and for other related agencies, including the Forest Service, the Department of Energy, the Smithsonian Institution, and the National Foundation on the Arts and the Humanities.

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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 302 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. 302(b)		This bill	
	Discretionary	Mandatory	Discretionary	Mandatory
Budget authority	\$10,900	\$326	\$10,898	\$819
Outlays.....	10,350	326	10,349	502
Direct loans.....	13		13	
Primary guarantees.....	41		41	

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 Agen-

cies Appropriation bill for 1990. The hearings are contained in 12 published volumes totaling approximately 13,000 pages.

During the course of the hearings testimony was taken on 32 days from more than 850 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 1990 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 1990	Committee bill, fiscal year 1990	Committee bill compared with budget estimates
Title I, Department of the Interior: New Budget (obligational) authority.....	\$4,462,220,000	\$5,678,276,000	+\$1,216,056,000
Title II, related agencies: New Budget (obligational) authority.....	4,155,461,000	5,385,656,000	+1,230,195,000
Grand total, New Budget (obligational) authority.....	8,617,681,000	11,063,932,000	+2,446,251,000

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 1989, these activities are estimated to total \$2,413,408,000. The estimate for fiscal year 1990 is \$2,696,408,000.

The following table reflects the total budget (obligational) authority contained both in this bill and in permanent appropriations for fiscal years 1989 and 1990.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES TOTAL BUDGET AUTHORITY FOR FISCAL YEARS 1989-90

Item	Fiscal year 1989	Fiscal year 1990	Change
Interior and related agencies appropriations bill.....	\$10,228,751,000	\$11,063,932,000	+\$835,181,000
Permanent appropriations, Federal funds.....	1,557,333,000	1,812,231,000	+254,898,000
Permanent appropriations, trust funds.....	856,075,000	884,177,000	+28,102,000
Total, budget authority.....	12,642,159,000	13,760,340,000	+1,118,181,000

REVENUE GENERATED BY AGENCIES IN BILL

The following tabulation indicates total new obligational authority to date for fiscal years 1988 and 1989, and the amount recommended in the bill for fiscal year 1990. It compares receipts generated by activities in this bill on an actual basis for fiscal year 1988 and on an estimated basis for fiscal years 1989 and 1990.

Item	Fiscal year—		
	1988	1989	1990
New obligational authority	\$9,342,660,000	\$10,228,751,000	\$11,063,932,000
Receipts:			
Department of the Interior	5,415,913,000	4,541,181,000	5,638,159,000
Forest Service	1,336,298,000	1,521,948,000	1,510,703,000
Naval petroleum reserves	642,000,000	564,000,000	510,000,000
Total	7,394,211,000	6,627,129,000	7,658,862,000

APPLICATION OF GENERAL REDUCTIONS

The level at which reductions shall be taken pursuant to the Deficit Reduction Act of 1985, if such reductions are required in fiscal year 1990, is defined by the Committee as follows:

As provided for by section 252(a)(1)(B)(i) of Public Law 99-177 and for the purposes of a Presidential Order issued pursuant to section 252 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 1990.

The Committee emphasizes that any item for which a specific dollar amount is mentioned in an 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 non-defense accounts.

COMMITTEE INITIATIVES

Many of the Committee's initiatives relate to the protection of natural resources on public lands, to the development of new energy sources, and to implementing actions taken by authorizing committees. In support of such initiatives, the Committee has recommended increases above the budget estimates as shown in the following table:

Public resources:	
Soil, water and air management (BLM and FS)	+\$19,078,000
Wildlife habitat management (BLM and FS)	+26,718,000
Recreation resources management (BLM and FS)	+30,635,000
Land and Water Conservation Fund: State grants.....	+16,700,000
Historic Preservation Fund.....	+30,500,000
Urban forestry assistance.....	+2,800,000
Forest trail maintenance	+7,678,000
Fire protection	+10,400,000
Forest research	+15,636,000
Forest pest management	+6,000,000
Forest management and utilization	+14,700,000

Coastal studies	+ 6,300,000
Water research	+ 13,978,000
Energy:	
Control technology and coal preparation	+ 27,840,000
Coal combustion	+ 19,500,000
Fuel cells	+ 31,900,000
Heat engines	+ 11,100,000
Magnetohydrodynamics	+ 42,900,000
Coal liquefaction and gasification	+ 38,925,000
Oil and gas recovery	+ 18,444,000
Industrial conservation	+ 37,905,000
Buildings conservation	+ 20,367,000
Transportation conservation	+ 35,972,000
Weatherization and schools and hospitals	+ 186,513,000
Strategic Petroleum Reserve Oil	+ 284,000,000

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 1989	Estimates fiscal year 1990	Recommended	Changes from estimate
Assistance to States:				
Matching grants	\$16,700		\$16,700	+\$16,700
Administrative expenses	3,300	\$3,383	3,300	- 83
Subtotal, assistance to States	20,000	3,383	20,000	+ 16,617
Federal programs:				
Bureau of Land Management	12,290	20,885	13,490	- 7,395
Forest Service	64,205	64,831	61,988	- 2,843
Fish and Wildlife Service	57,529	51,415	64,290	+ 12,875
National Park Service	52,609	66,076	61,016	- 5,060
Subtotal, Federal programs	186,633	203,207	200,784	- 2,423
Total, L&WCF	206,633	206,590	220,784	+ 14,194

With the decrease in funds available for land acquisition, more emphasis has been placed on land exchanges to continue adding valuable lands to help create new or fill out existing refuges, recreation areas and park areas. Although land exchanges can be useful, they also create some problems. Staff time necessary to complete exchanges is in most cases much more extensive than with fee acquisition because it frequently takes years to complete an exchange. The Committee is concerned that the Congress does not have enough information to know what agency plans are in this regard. Accordingly, the Committee directs that each land acquisition agency continue to provide in annual budget justifications, a detailed statement of expenditures proposed for exchanges and a listing of the exchanges under consideration. The Committee expects the approval process now in place to continue in fiscal year 1990.

INDIAN PROGRAMS

The Committee recommends appropriations of new budget authority aggregating \$2,776,951,000 for Indian programs in fiscal year 1990. This is an increase of \$534,180,000 above the budget request for fiscal year 1990, and an increase of \$528,785,000 above the amount appropriated for fiscal year 1989. Major increases over the budget, recommended by the Committee, include the following:

Education	+ \$15,353,000
Social services.....	+8,450,000
Self-determination services.....	+7,000,000
Tribal courts and law enforcement.....	+4,403,000
Agriculture.....	+1,716,000
Forestry	+3,650,000
Wildlife and parks.....	+5,066,000
Buildings and utilities construction.....	+1,125,000
Fish hatcheries.....	+1,600,000
Irrigation systems.....	+21,195,000
Housing.....	+3,400,000
Road construction.....	+1,884,000
Hospitals and clinics.....	+66,677,000
Contract health care.....	+14,000,000
Urban health projects.....	+2,500,000
Hospital/clinic construction and rehabilitation.....	+27,449,000
Sanitation facilities.....	+35,000,000

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

FEDERAL FUNDING OF INDIAN PROGRAMS

[In thousands of dollars]

	Budget authority		
	FY 1988 actual	FY 1989 estimate	FY 1990 January budget estimate ¹
Department of Agriculture.....	\$98,323	\$98,088	\$101,244
Department of Commerce.....	7,293	7,370	1,495
Department of Defense.....	7,000	0	0
Department of Education.....	438,003	451,107	442,076
Department of Energy.....	2,000	2,000	2,000
Department of HHS.....	1,103,922	1,174,349	1,172,353
Department of HUD.....	320,400	219,000	104,700
Department of the Interior.....	1,172,972	1,185,168	1,211,670
Department of Labor.....	72,782	71,908	71,908
Department of Transportation.....	80,000	80,000	80,000
Environmental Protection Agency.....	13,666	7,542	6,149
Small Business Administration.....	1,500	1,500	1,500
Total.....	3,317,861	3,298,032	3,195,095

¹ May not reflect minor increases included in the February 9th Budget.

ENERGY INITIATIVES

There exists currently a sense of unease about the energy situation in the country. As oil imports increase, so does energy demand, thus raising the need for both increased production to stabilize imports and conservation measures to stabilize demand. Production and use of energy increasingly are viewed as leading to adverse environmental effects. Air pollution in urban areas, acid rain, and disastrous oil spills are all realities with measurable, rel-

atively quantitatively known effects. In addition, questions of global warming are being raised, and along with less certain and less measurable effects these questions also involve complex relationships between this nation and the remainder of the world. Often solutions to one set of problems lead to problems in other areas. Existing methods of reducing sulfur and nitrogen oxides from coal-burning facilities, for example, often decrease the efficiency of energy use. Materials to substitute for ozone-destroying CFCs also may very well result in less efficient use of energy in air conditioning equipment. Because of the inherent conflicts that arise in such situations, and the uncertain consequences either on security, the environment, or the economy, many solutions are proposed. As in energy "crises" that have occurred in the past the tendency of most proponents of suggested "solutions" is to believe that theirs is a unique solution, and others are without merit.

The Committee does not propose a global solution. As has been the case for many years we also believe that steady progress toward goals is more effective than crash programs, no matter how lofty the aims. Along with progress, caution is also recommended. Partly as an aftermath of the oil spill in Prince William Sound in Alaska, and partly in response to environmental concerns about other impacts of oil exploration and production, several provisions have been included in the bill which would allow a pause in leasing activities in frontier Outer Continental Shelf (OCS) areas. Environmental studies are underway and various task forces are investigating and weighing impacts and alternatives in these areas. It seems clear, however, that leasing in such areas will go forward, if at all, using an abundance of caution. The current consensus, at least in the Congress, is that environmental concerns override the increased production potential from such leasing.

In other areas the Committee believes that it is necessary to both produce and conserve. Research aimed at enhancing production of oil and gas has been increased and coal research aimed at using coal more cleanly and efficiently is emphasized, as well as research attempting to develop coal-based substitutes for petroleum. For such fossil energy research and development the Committee recommends \$422,660,000, an increase of \$259,086,000 over the budget. In conservation, large increases over the budget are recommended for research in increasing efficiency in the buildings, industrial, and transportation sectors, as well as for continuing State conservation grants. The Committee recommendation is \$411,367,000, an increase of \$315,839,000 over the budget. One related area which the Committee agrees is supported adequately by the Administration is the Congressionally-initiated Clean Coal Technology program aimed at providing processes to use coal more cleanly in circumstances where the technology can be used to retrofit or repower existing facilities. The Committee recommends the entire request for two new procurements in fiscal years 1991 and 1992 totaling \$1,200,000,000.

As in the past, the Committee has provided funding in fossil energy to continue ongoing research to increase the resource base, use fossil resources more cleanly and efficiently, and substitute other fossil resources for imported oil. Since fossil fuels constitute 90% of our energy resource use this seems a reasonable approach.

In conservation, programs which the Administration admits have been successful have been restored to reasonable levels. In addition, funds have been included for needed CFC substitute research, alternative fuels demonstrations, and steel research; areas not funded in significant amounts in fiscal year 1989.

In both fossil energy and conservation the Committee believes that the Administration is repeating the mistakes of the previous eight years by failing to address adequately in the budget the needs of these programs. Surely energy needs will continue to grow in the future amid increasing environmental concerns and rising imports. For the foreseeable future fossil resources will continue to be needed to address energy requirements and, no matter what overall path the Nation takes in addressing environmental and energy concerns, conservation of resources will be of paramount importance. The Committee hopes the Administration will agree and more adequately provide for such programs in future budgets.

With regard to increasing imports and security concerns, the Committee recommends filling the Strategic Petroleum Reserve at 72,000 barrels a day, which is a level not achievable based on the Administration's budget request. The Committee has supported, and intends to continue to support, filling of the Reserve at reasonable levels. The Committee does not believe alternatives such as selling the Naval Petroleum Reserves to obtain cash or oil are necessary because of this constant support. Even the Administration admits that such a transaction is no better than a "wash". Since the sale would have no practical effect, the Committee believes that the considerable effort in time and manpower dedicated to advocating this approach could be better used in addressing problems that have a lasting and real effect on the energy picture.

INFLATIONARY IMPACT STATEMENT

Clause 2(1)(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 prices and costs in the operation of the national economy. Many of the funds provided in this bill permit increased production from the national lands. This 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 \$7.7 billion for fiscal year 1990. Therefore, the expenditures proposed in this bill will contribute to 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 about 270 million acres of the Nation's public lands and management of 300 million additional acres of Federally-owned subsurface mineral rights.

Under the multiple-use management concept the Bureau administers the grazing of approximately 4.3 million head of livestock on

some 170 million acres of public land ranges, and manages about 40,000 wild horses and burros, some 270 million acres of wildlife habitat, and several thousand miles of fisheries habitat. Grazing receipts are estimated to be about \$20.5 million in fiscal year 1990, compared to an estimated \$19.7 million in fiscal year 1989 and actual receipts of \$16.3 million in fiscal year 1988. The Bureau also administers about 4 million acres of commercial timber forest lands with an annual sale quantity of approximately 1.2 billion board feet of timber, including timber sales funded in both the "Management of lands and resources" and "Oregon and California grant lands" appropriations. Timber receipts are estimated to be \$165.8 million in fiscal year 1990 compared to estimated receipts of \$185.8 million in fiscal year 1989 and actual receipts of \$241.0 million in fiscal year 1988. The Bureau has an active program of soil and watershed management on 175 million acres in the lower 48 states and 95 million acres in Alaska. Practices such as contouring, revegetation, protective fencing, and water development are designed to conserve and develop public land, soil, and watershed resources. The Bureau is the second largest supplier of public outdoor recreation in the Western United States, with an estimated 57.5 million visits totaling 493 million visitor hours of recreation use on the public lands under the Bureau's management in 1987. 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 wild fires on the public lands in Alaska and the western States.

MANAGEMENT OF LANDS AND RESOURCES

Appropriation enacted, 1989.....	\$435,586,000
Budget estimate, 1990.....	431,632,000
Recommended, 1990.....	446,296,000
Comparison:	
Appropriation, 1989.....	+10,710,000
Budget estimate, 1990.....	+14,664,000

The amount recommended by the Committee for fiscal year 1990 compared with the budget estimates by activity is shown in the following table:

	(in thousands of dollars)			
	FY 1989 Enacted	Budget Estimates	Committee Bill	Change from Estimates
Energy and Minerals Development				
Oil and gas.....	44,760	42,975	42,975	---
Coal management.....	9,780	8,917	8,917	---
Mining law administration.....	11,220	11,056	11,056	---
Other mineral resources.....	8,537	8,489	8,489	---
Subtotal, Energy and Minerals Development.....	74,297	71,437	71,437	---
Lands and Realty Management				
Lands, realty, rights-of-way.....	23,068	22,916	23,279	+363
Alaska lands.....	13,661	12,088	12,088	---
Subtotal, Lands and Realty Management.....	36,729	35,004	35,367	+363
Renewable Resources Management				
Forest management.....	6,685	6,549	6,674	+125
Wild horse and burro management.....	14,560	12,314	13,598	+1,284
Grazing management.....	34,600	33,206	35,898	+2,692
Soil, water and air management.....	14,471	13,221	15,396	+2,175
Wildlife habitat management.....	19,985	16,559	22,165	+5,606
Recreation Management				
Cultural resources management.....	8,564	6,729	6,729	---
Wilderness management.....	7,736	7,738	7,738	---
Recreation resources management.....	10,860	12,210	13,885	+1,675
Subtotal, Recreation Management.....	25,160	26,677	28,352	+1,675
Subtotal, Renewable Resources Management.....	115,461	108,526	122,083	+13,557
Resource management planning.....	9,289	8,626	9,370	+744
Information and Resource Data Management				
Information systems.....	16,906	16,725	16,725	---
Resource data acquisition.....	3,185	4,410	4,410	---
ALMRS.....	22,969	22,903	22,903	---
Subtotal, Information & Resource Data Management	43,060	44,038	44,038	---
Resource Protection and Maintenance				
Fire management.....	9,282	10,032	10,032	---
Alaska cadastral surveys.....	15,232	11,257	11,257	---
Other States cadastral surveys.....	12,165	11,400	11,400	---
Resource protection and law enforcement.....	4,257	9,801	9,801	---
Facilities maintenance.....	15,791	19,146	19,146	---
Hazardous materials management.....	12,374	12,332	12,332	---
Subtotal, Resource Protection and Maintenance...	69,101	73,968	73,968	---
General administration.....	87,649	90,033	90,033	---
Transfer from Army to reconstruct Alaska fire facility	(5,500)	---	---	---
Total, Management of Lands and Resources.....	435,586	431,632	446,296	+14,664

The Committee recommends an appropriation of \$446,296,000 for management of lands and resources, an increase of \$14,664,000 above the budget estimate of \$431,632,000.

Lands and realty management.—The Committee recommends an increase of \$363,000 to enable the Bureau to continue to process land and right-of-way casework on current schedules, which already include considerable backlog.

Forest management.—The Committee recommends an increase of \$125,000 for forest management to enable the Bureau to offer approximately 5 million board feet in additional timber sales. The Bureau estimates revenues of approximately \$500,000 from such sales.

Wild horse and burro management.—Based on the success of the initial wild horse sanctuary in South Dakota, the pending establishment of a second sanctuary, and the assumption that adoption can continue at adequate levels, the Committee recommends an increase of \$1,284,000 for wild horse and burro management. The increase will restore base levels of funding and allow more adoptions.

The Committee also recommends continuation of bill language barring destruction of healthy animals, even though such activity is not current policy.

Grazing management.—The Committee recommends an increase of \$2,692,000 for grazing management. Of the increase, \$1,642,000 is to restore base levels of monitoring, inventory and project planning reduced in the budget request; \$300,000 is for increased project planning necessary because of increased grazing receipts; and \$750,000 is to bring funding of the Oregon/Washington riparian enhancement plan to a level of \$1,250,000.

Soil, water, and air management.—An increase of \$2,175,000 is recommended for soil, water, and air management. The increase consists of \$1,175,000 to restore current levels of activity in watershed improvement projects, planning, and inventory; \$500,000 additional for Colorado River salinity control for a total program of \$950,000; and \$500,000 for riparian area enhancement activities.

Wildlife habitat management.—The Committee recommends an increase of \$5,606,000 for wildlife habitat management. Of the increase \$3,004,000 is recommended to restore base level funding for the program, \$1,000,000 is for riparian area enhancement activities, \$1,000,000 is to increase the challenge grant program to a total of \$2,000,000, and \$602,000 is to initiate a planned four year research program in the Snake River Birds of Prey Natural Area in cooperation with the Idaho Army National Guard. The Idaho National Guard tentatively has agreed to fund approximately 57 percent of the costs, and the funds are provided on that basis.

Wilderness management.—Of the funds provided for wilderness management the Committee recommends that no less than \$2,700,000 be applied to the management of wilderness study areas.

Recreation resources management.—The Committee recommends an increase of \$1,675,000 for recreation resources management. Of the increase, \$500,000 is included for preparation of management plans for the newly designated wild and scenic rivers (WSRs) under Bureau management, \$500,000 is included for intensive management of designated WSRs and studies of potentially eligible river segments, \$175,000 is for management of the El Malpais area, \$200,000 is for improved inventory and protection of caves and \$300,000 is for a study on a possible National Recreation Area on the American River in California. The Bureau should be the lead agency in conducting a cooperative study for the purpose of determining the feasibility and desirability of designating a National Recreation Area (NRA) within the American River watershed in association with a flood control or multi-purpose dam located at or near the site of the Auburn Dam. Such a study shall assume the potential floodability of the NRA as a result of the construction of a multi-purpose dam or the eventual enlargement of a facility built primarily or exclusively for flood control in the near term; shall include the 42,000 acres designated as the total property to be taken by the original Auburn Dam on the North Fork of the American River; may include additional lands contiguous to the 42,000 acres, upstream to the Eucher Bar within the U.S. Forest Service, and along the South Fork of the American River from Salmon Falls bridge on Folsom Lake to Chili Bar; and shall define the best relationship between an NRA and the existing Nimbus/Folsom complex and the Lower American River.

For recreation resources management and cultural resources management the Committee recommends that the Bureau initiate

modest cost-shared challenge grant programs modelled on the successful program in wildlife habitat management.

Resources management planning.—The Committee recommends an increase of \$744,000 to keep planning activities at current levels.

General.—The Committee recommends, as requested in the budget, a provision allowing the Bureau to negotiate cooperative agreements under cost-shared challenge grant programs without the procedural restrictions of the Federal Grant and Cooperative Agreements Act of 1977. A similar provision was included in the Forest Service beginning in fiscal year 1989.

A general provision, carried for many years, which prohibits the issuance of leases on certain wilderness and other study areas is recommended for deletion. Public Law 100-443, the Geothermal Steam Act Amendments of 1988, prohibits such leases and restricts exploration activity for all minerals previously covered by the provisions in this bill.

Most of the increases provided by the Committee require corresponding increases in personnel in order to be implemented properly. The Committee expects the Department to endeavor in good faith to carry out the intent of the Congress and to provide the appropriate number and skill level of personnel to implement the augmented programs.

FIREFIGHTING

Appropriation enacted, 1989.....	\$739,664,000
Budget estimate, 1990	363,142,000
Recommended, 1990	740,393,000
Comparison:	
Appropriation, 1989	+729,000
Budget estimate, 1990	+377,251,000

The Committee recommends an appropriation of \$740,393,000 for firefighting, an increase of \$377,251,000 over the budget estimate of \$363,142,000.

The amount recommended by the Committee for fiscal year 1990 compared with the 1990 budget estimates by activity is shown in the following table:

	(in thousands of dollars)			
	FY 1989 Enacted	Budget Estimates	Committee Bill	Change from Estimates
<hr/>				
Bureau of Land Management				
Presuppression and firefighting.....	29,000	29,000	35,000	+6,000
Firefighting.....	71,056	40,876	56,261	+15,385
Fire rehabilitation.....	3,000	3,000	3,000	---
Oregon and California Grant Lands.....	2,293	2,455	2,455	---
Subtotal, Bureau of Land Management.....	105,349	75,331	96,716	+21,385
<hr/>				
U.S. Fish and Wildlife Service.....	5,695	2,288	2,800	+512
National Park Service.....	36,319	11,319	21,319	+10,000
Bureau of Indian Affairs.....	58,594	25,000	67,025	+42,025
<hr/>				
Forest Service				
Presuppression.....	158,707	164,204	169,533	+5,329
Firefighting.....	375,000	85,000	383,000	+298,000
Subtotal, Forest Service.....	533,707	249,204	552,533	+303,329
<hr/>				
Total, Firefighting.....	739,664	363,142	740,393	+377,251

The Committee has consolidated all presuppression, firefighting, and fire rehabilitation costs in one account for ease of control and

identification. The amount of funds expended for firefighting has grown and the Committee tries to provide these amounts in the regular appropriations bill instead of relying on supplemental appropriations. A separate account clearly identifies these amounts and avoids distortion of the regular operating accounts by highly variable firefighting costs.

Bureau of Land Management.—An increase of \$21,385,000 is recommended for firefighting based on historical averages for fire costs.

U.S. Fish and Wildlife Service.—An increase of \$512,000 is recommended to restore the fiscal year 1989 level of \$2,800,000.

National Park Service.—The Committee recommends an increase of \$10,000,000 based on 1988 firefighting experience.

Bureau of Indian Affairs.—The Committee recommends an appropriation of \$67,025,000, an increase of \$42,025,000, for fire suppression. Included are increases of \$10,825,000, which is the balance of the amount estimated to be needed for fiscal year 1989 firefighting costs, and \$31,200,000 estimated to be needed for fiscal year 1990 firefighting costs.

Forest Service.—An increase of \$5,329,000 is recommended for presuppression activities, including \$329,000 for timber support activities, related to the additional funds provided for timber sales preparation in Region 6. These funds are discussed in total under the National Forest System account, U.S. Forest Service.

The Committee also recommends an increase of \$298,000,000 for firefighting, which includes \$40,000,000 to restore the program to the 1989 level. There is also an additional \$258,000,000 to pay back the balance of funds borrowed from the Knutson-Vandenberg trust fund to fight fires in 1988.

CONSTRUCTION AND ACCESS

Appropriation enacted, 1989.....	\$5,431,000
Budget estimate, 1990.....	2,300,000
Recommended, 1990.....	2,400,000
Comparison:	
Appropriation, 1989.....	−3,031,000
Budget estimate, 1990.....	+100,000

The Committee recommends an appropriation of \$2,400,000 for construction and access, an increase of \$100,000 for continued work on the Oregon Trail Visitor Center. Bill language is also recommended providing for the issuance of a procurement action for construction of the facility prior to the provision of funds for construction, expected in fiscal year 1991.

The Committee is pleased that the Bureau has continued the Committee initiative from fiscal year 1989 by including construction funds for several small facilities needed for the proper and safe use of the public lands.

PAYMENTS IN LIEU OF TAXES

Appropriation enacted, 1989.....	\$105,000,000
Budget estimate, 1990.....	105,000,000
Recommended, 1990.....	105,000,000
Comparison:	
Appropriation, 1989.....	
Budget estimate, 1990.....	

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 \$105,000,000, the budget estimate, for PILT.

LAND ACQUISITION

Appropriation enacted, 1989.....	\$12,290,000
Budget estimate, 1990.....	20,885,000
Recommended, 1990.....	13,490,000
Comparison:	
Appropriation, 1989.....	+1,200,000
Budget estimate, 1990.....	-7,395,000

The amount recommended includes \$12,390,000 for acquisition and \$1,100,000 for acquisition management. The request was \$20,885,000.

The Committee's recommendation is as follows:

	Fiscal year 1990 request	Committee recommendation	Change
Big Hole River, MT.....	\$180,000		-\$180,000
Bizz Johnson Trail, CA.....	300,000	\$300,000	
Bruneau River, ID.....	40,000		-40,000
Carrizo Plains, CA.....	6,000,000	6,000,000	
Chuckwalla Bench ACEC, CA.....	500,000	500,000	
Colorado River/Black Ridge, CO.....	300,000		-300,000
Desert Tortoise National Area, CA.....	1,200,000	1,200,000	
El Malpais NM, NM.....	1,250,000		-1,250,000
Fig Spring, AZ.....	210,000	210,000	
King Range NCA, CA.....	500,000	500,000	
Lower-Santa Fe/Madison River, MT.....	590,000		-590,000
Lower Salmon River, ID.....	1,200,000		-1,200,000
McCain Valley RCA, CA.....	250,000		-250,000
New River ACEC, OR.....	500,000	500,000	
North Fork American WSR, CA.....	250,000	250,000	
Oregon Trail, ID.....	405,000		-405,000
Overflow Wetlands Management Plan, NM.....	240,000		-240,000
Owyhee WSR, OR and ID.....	1,320,000	650,000	-670,000
Pariette Wetlands Habitat Management Area, UT.....	210,000	210,000	
Rio Chama, NM.....	350,000		-350,000
Rio Grande, CO.....	70,000	70,000	
South Fork Merced River, CA.....	250,000		-250,000
South Snake River, ID.....	1,750,000		-1,750,000
Steens Mountain Rec. River, ID.....		1,000,000	+1,000,000
Upper Missouri WSR, MT.....	200,000		-200,000
Upper Sacramento River, CA.....	1,720,000	1,000,000	-720,000
Acquisition Management.....	1,100,000	1,100,000	
Total.....	20,885,000	13,490,000	-7,395,000

OREGON AND CALIFORNIA GRANT LANDS

Appropriation enacted, 1989.....	\$57,707,000
Budget estimate, 1990.....	62,702,000
Recommended, 1990.....	64,787,000
Comparison:	
Appropriation, 1989.....	+7,080,000
Budget estimate, 1990.....	+2,085,000

The Committee recommends \$64,787,000 for the Oregon and California grant lands. 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. The recommendation is an increase of \$2,085,000 over the budget request of \$62,702,000. An increase of \$1,585,000 is recommended for resource management and includes \$160,000 for increased planning for newly designated wild and scenic rivers; \$875,000 for planning, to assure that plans are completed in 1991; and \$550,000 for expanded studies of the spotted owl. An increase of \$500,000 is also included for information and resource data systems because of increased data requirements for the Western Oregon Digital Data Base (WODDB).

Because of increased timber harvests over the past few years needs for site preparation, reforestation, and plantation maintenance have increased. However, budgets have not increased to meet the needs. Additional revenues have accrued, over budget estimates, but those increases have not in the main been applied to reforestation and forest development. To eliminate backlogs in these areas without an adverse effect on the budget, the Committee recommends a bill provision similar to that included for the Forest Service in fiscal year 1989. The provision would make available 50 percent of related timber revenues in fiscal year 1989, above those estimated as receipts in the budget, to the Oregon and California grant lands account for normal operations of the account. This would have no budget effect because such revenues are not anticipated as part of the budget calculations, and would allow reduction or elimination of workload backlogs depending on the level of receipts.

RANGE IMPROVEMENTS

(INDEFINITE APPROPRIATION OF RECEIPTS)

Appropriation enacted, 1989.....	\$8,506,000
Budget estimate, 1990	8,406,000
Recommended, 1990	8,406,000
Comparison:	
Appropriation, 1989	—100,000
Budget estimate, 1990	

The Committee recommends an indefinite appropriation of not less than \$8,406,000 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, 1989.....	\$6,000,000
Budget estimate, 1990	6,000,000
Recommended, 1990	6,000,000

Comparison:

Appropriation, 1989 .....	.....
Budget estimate, 1990 .....	.....

The Committee recommends \$6,000,000, 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, 1989	\$100,000
Budget estimate, 1990	100,000
Recommended, 1990	100,000
Comparison:	
Appropriation, 1989 .....	.....
Budget estimate, 1990 .....	.....

The Committee recommends an appropriation of \$100,000, 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 Service is responsible for a national wildlife refuge system of over 90.9 million acres consisting of 464 refuges, waterfowl production areas located in 150 counties, and 55 coordination areas.

The fishery resources managed by the Service include 71 hatcheries, 4 fish technology centers, 10 fish health centers and a national training school. In 1988, National Fish Hatcheries are expected to produce over 200 million fish (approximately 5.7 million pounds) for release into the Great Lakes, coastal rivers and streams, and inland reservoirs, lakes and streams. The Service also conducts fish and wildlife research at 13 research centers and 41 cooperative research units.

RESOURCE MANAGEMENT

Appropriation enacted, 1989	\$357,888,000
Budget estimate, 1990	339,754,000
Recommended, 1990	375,370,000

Comparison:

Appropriation, 1989	+17,482,000
Budget estimate, 1990	+35,616,000

The amount recommended by the Committee for fiscal year 1990 compared with the 1990 budget estimates by activity is shown in the following table:

	(in thousands of dollars)			
	FY 1989 Enacted	Budget Estimates	Committee Bill	Change from Estimates
Fish and Wildlife Enhancement				
Endangered species				
Listing.....	3,245	3,016	3,266	+250
Consultation.....	3,253	2,974	3,574	+600
Permits.....	849	858	858	---
Recovery.....	8,496	7,012	10,012	+3,000
Grants to States.....	5,000	---	5,500	+5,500
Non-game management.....	250	---	250	+250
Subtotal, Endangered species.....	21,093	13,860	23,460	+9,600
Ecological services				
Environmental contaminants.....	21,159	22,636	22,886	+250
National wetlands inventory.....	6,353	5,863	6,463	+600
	5,332	5,097	5,097	---
Subtotal, Fish and Wildlife Enhancement.....	53,937	47,456	57,906	+10,450
Refuges and Wildlife				
Refuge operations and maintenance.....	116,189	107,544	117,960	+10,416
Law enforcement operations.....	21,426	22,063	22,513	+450
Migratory bird management.....	8,199	11,670	8,895	-2,675
Subtotal, Refuges and Wildlife.....	145,814	141,277	149,468	+8,191
Fisheries				
Hatchery operations and maintenance.....	28,588	26,510	29,812	+3,402
Lower Snake River compensation fund.....	6,807	8,001	8,001	---
Fish and wildlife management.....	7,373	7,324	7,816	+492
Subtotal, Fisheries.....	42,768	41,835	45,729	+3,894
Research and Development				
Fish and wildlife research center, O & M.....	48,972	43,441	50,656	+7,215
Technical development.....	6,803	5,269	6,769	+1,500
Cooperative research units.....	6,274	5,834	6,500	+666
Subtotal, Research and Development.....	62,049	54,544	63,925	+9,381
General administration.....	53,320	54,642	58,342	+3,700
Total, Resource Management.....	357,888	339,754	375,370	+35,616

The Committee has made significant changes to the appropriation as requested. The request was \$18,134,000 below the fiscal year 1989 enacted level. The Committee recommends an appropriation of \$375,370,000, an increase of \$35,616,000 over the request. As a result of the Committee's actions, many proposed reductions are restored, a few programs are enhanced and the imbalance of the request toward migratory waterfowl is corrected.

Endangered species.—The Committee recommends \$37,386,000 for the endangered species program which includes \$6,200,000 for endangered species research, \$7,563,000 for endangered species law enforcement and \$163,000 for fisheries.

One of the successes of the endangered species program is the cooperative role played by the States. This cooperation has been nourished by the grants to States program as authorized by Section 6 of the Endangered Species Act. For this program, the Committee recommends an appropriation of \$5,500,000. No funds were requested despite the testimony of the Fish and Wildlife Service that the reduction would keep some projects from being conducted by the States. These grants are matched by States on a 1 to 4 basis and thus generate a higher level of effort on endangered species activity. The Committee expects that the Fish and Wildlife Service will

commit \$200,000 from the State grants to the Upper Colorado Basin endangered fish studies.

For listing, the Committee recommends an increase of \$500,000 to maintain the fiscal year 1989 level. This increase should be used for prelisting activities including nongame species (\$250,000). There is an increase of \$600,000 for consultation. Consultation workload is growing as the number of listed species advances each year. Of the increase, \$300,000 is to assist in the development of habitat conservation plans. In two areas of California, San Diego and Kern County, coordinated efforts are underway to create plans that will take into account the needs of endangered species so that development can continue, but in such a way that wildlife can be maintained. These funds will allow fuller participation by the Fish and Wildlife Service in these activities. The Service is to work in cooperation with relevant State and Federal agencies and the San Diego Association of Governments towards the completion of habitat conservation plans for the least Bell's vireo in southern California.

The Service should work with BLM and the U.S. Forest Service in development and implementation of their fiscal year 1990 timber sale programs in national forests and BLM districts known to contain spotted owls. The Forest Service and BLM are encouraged to cooperate to the fullest extent possible in this effort.

The Committee recommends an increase of \$3,000,000 for endangered species recovery. A recent General Accounting Office report states, "Although the agencies have made significant progress in developing recovery plans over the last decade, about 40 percent of the species do not have approved plans." Included within this increase is \$124,000 above the 1989 level for the Upper Colorado River Basin plan. In total, the Committee has provided \$624,000 for the Upper Colorado River Basin plan.

The \$3,000,000 increase for the recovery program includes \$1,500,000 to restore the proposed reductions for activities related to specific species. If the Fish and Wildlife Service has sound programmatic reasons for decreasing or terminating recovery funding, a reprogramming should be submitted to the Committees on Appropriations. Within the balance of the increase there is an additional \$250,000 for red wolf recovery. It is the Committee's intention that priority for the balance of the funds include grizzly bear and wolf recovery activities.

Ecological Services.—The Committee recommends an increase of \$250,000 to be used to enhance the Service's capability to comment on the many Federal Energy Regulatory Commission hydroelectric licenses which are now up for renewal. The Committee is pleased that the Service has built on the Committee's initiative from last year related to the Farm Bill. The recommendation includes the requested increase of \$1,411,000 related to Farm Bill activities.

Environmental contaminants.—Included in the Committee's recommendation is a \$600,000 increase to continue the additional field staffing provided in fiscal year 1989. Of this amount, \$500,000 restores the proposed reduction. The additional \$100,000 is for areas, such as California, where only minimum staff is available to deal with contaminant issues. It is the Committee's expectation that these extra employees will be permanent rather than temporary.

Refuge operations and maintenance.—The Committee recommends \$117,960,000 for operations and maintenance of refuges, an increase of \$10,416,000 over the request. As part of the increase, the Committee includes \$3,000,000 to enhance refuge operations, \$150,000 for water rights protection and \$800,000 for Hawaii refuge operations, including Tern Island. There is also an increase of \$350,000 to operate the new Minnesota Valley NWR visitor center which will open during fiscal year 1990. No funds were included in the request to open this new facility.

The Committee provides an additional \$4,462,000 for refuge maintenance to restore the proposed reduction of \$3,462,000 and increase maintenance by \$1,000,000 over the fiscal year 1989 level. The amount recommended represents 17 percent more than the request.

There is an increase of \$1,704,000 for fire management. The challenge grant program is continued at \$200,000 and a \$250,000 reduction related to Section 1002 studies.

Law enforcement operations.—The Committee recommends \$22,513,000 for law enforcement operations. An increase of \$750,000 is provided to operate the forensics laboratory. This represents a restoration of the proposed reduction of \$500,000 and an increase of \$250,000 as the lab moves toward full operation. The proposed reduction was illogical. The Fish and Wildlife Service in response to a Committee question stated: "The proposed fiscal year 1990 budget would require a reduction of eight full-time positions with an estimated separation cost of approximately \$22,000. Relocation costs would be high since most of the people hired have recently located to the Ashland area. An additional \$46,000 would be incurred for Workman's Compensation costs." The increase in staffing at the forensics laboratory will help to reduce the backlog of animals being held for law enforcement investigations. Currently, there is a four month delay for scheduling mortality determinations.

As part of its activities, the forensics laboratory will perform work for State and local law enforcement agencies. The Service should develop during this year a fee schedule for services provided others. A report on fee schedule development should be developed for the Committee by March 1, 1990.

The Committee has reduced by \$500,000 the \$1,000,000 requested for a Fish and Wildlife Service drug control program. No testimony was presented to the Committee to suggest that drug enforcement was a serious problem on refuges.

An increase of \$200,000 is proposed to establish Portland, Oregon as a wildlife port of entry.

Migratory bird management.—The Committee recommends an increase of \$125,000 for the Western Hemisphere Convention. With this increase, \$524,000 will be available. This is the first increase in the amount available for the program in a number of years. An increase of \$400,000 is provided for nongame migratory management. The Service has responsibility for all species of migratory birds pursuant to the Migratory Bird Treaty Act, yet very little attention is given to the management of those species which are not harvested. The increase will allow the Service to progress in assessing the status and identifying the specific needs of nongame birds in order to begin taking actions necessary to conserve their populations.

The Service proposed an increase of \$1,300,000 for wetlands conservation activities designed and cooperatively funded by private, State, and Federal partners in the North American Waterfowl Management Plan. The Committee recommends \$500,000 to begin this initiative. After seeing the program in operation, the Committee will consider whether the initiative should continue at a higher level. Similarly, the Committee suggests that North American Waterfowl Management Plan implementation be \$200,000, a reduction of \$2,400,000 from the request. It is not clear how these proposed funds would be used. The budget justification indicated that these funds would not use any Federal employees. Subsequent information suggested just the opposite. In view of the confusion over how the money would be used, no new appropriations are recommended. The Committee will consider providing an increased appropriation when a detailed plan and justification for the program is presented.

Fisheries.—The Committee recommends \$46,779,000 for the fisheries activity. Included within this amount is \$29,912,000 for hatchery operations and maintenance, an increase of \$3,402,000 over the request. Included within the increase for hatchery operations and maintenance is \$170,000 for striped bass production at the Northeast Fishery Center in Lamar, Pennsylvania. Once again the Committee rejects the proposal to transfer several Indian related hatcheries to the Bureau of Indian Affairs. This includes the Quinault NFH, WA (\$254,000) and hatchery operations at Alchesay-Williams Creek NFH, AZ and Mescalero NFH, NM (\$698,000). In each case, the tribes requested that the Fish and Wildlife Service continue its association with these facilities. Also, the Committee recommends an increase of \$1,750,000 for hatchery maintenance, for a total of \$5,228,000. There is also an increase in hatchery operations of \$700,000 to help meet the 37 percent escalation in fish food costs.

Fishery assistance activities supporting tribal hatcheries will continue to be funded through the Fish and Wildlife Service rather than the Bureau of Indian Affairs. An increase of \$492,000 is provided to maintain this function in the Fish and Wildlife Service.

Research and development.—The Committee recommends a number of changes to the research and development budget request. Many of them restore reductions to the fiscal year 1989 budget. These include: acid precipitation (\$500,000), chemical analyses of samples (\$500,000), purple loosestrife research (\$100,000), Connecticut River Basin study (\$60,000), Wellsboro National Fishery R&D Laboratory (\$300,000), maintenance (\$500,000), Louisiana coastal wetlands loss study (\$1,200,000), Fisheries Review (\$250,000) and Wildlife Review (\$315,000). In addition to these restorations, there are other increases. These include: \$800,000 for nongame migratory birds, \$900,000 for the Northeast Anadromous Fish Lab, \$350,000 for the North Carolina striped bass study, \$600,000 for the Southeastern Fish Cultural Laboratory, \$300,000 for Southeastern instream flow analysis and \$300,000 for biological diversity assessment. Beyond these, there is \$150,000 for a northeast coastal areas study and \$300,000 for an African elephant biological assessment. To preserve and continue the long range wolf research at the North Central forest experiment station, the Committee recommends \$390,000. There is \$400,000 for whooping crane captive prop-

agation research. An increase of \$500,000 is recommended for research on the decline of the black duck in the northeast. Half of the funds shall be used for research studies and half for surveys conducted by the Region 5 field office.

For the cooperative research units, the Committee recommends an increase of \$666,000 for a total of \$6,500,000. No new units are recommended. The increase will allow some vacancies at existing units to be filled.

The \$150,000 provided for a study of the coastal areas of Southern New England and Long Island, New York, includes, but is not limited to, Long Island Sound, Great Peconic Bay, Rhode Island Sound, Narragansett Bay, Buzzards Bay, Nantucket Sound, and the Lower Connecticut River. The study shall include an inventory of the natural values of these areas and subsequent identification of areas in most need of protection for fish and wildlife habitat, endangered species habitat, migratory waterfowl values, and the preservation of biological diversity. The Committee expects the Service to report its findings by March 1, 1990.

Within available funds, the Service is directed to provide increased technical assistance to private landowners in coastal Louisiana in the development and implementation of wetland management plans designed to reduce saltwater intrusion and conversion of vegetated wetlands to open water. Likewise, the Service should increase its technical assistance to the State of Louisiana in its coastal restoration efforts.

General Administration.—The Committee recommends a \$50,000 reduction to the \$26,772,000 requested for servicewide administrative support. A corresponding \$50,000 increase is provided to enhance the Service's program of exchanges of American and Soviet biologists.

National Fish and Wildlife Foundation.—The Committee recommends \$3,000,000 for the Foundation for matching grants. An additional \$2,000,000 is provided for the Foundation for high priority wetlands under the land acquisition account.

African Elephant Conservation.—The Committee has received many expressions of interest and concern for the plight of the African Elephant. To deal with this the Committee recommends an appropriation of \$500,000 to control poaching; to strengthen protection and management of protected areas; to conduct critical studies including monitoring continent-wide population numbers and trends; improvement of the reliability of census techniques and levels and sources of poaching; and education of the public worldwide on the value of saving the elephant, particularly in key consumer nations where ivory demand exists.

This amount, combined with the \$300,000 in research, provides an effective package to deal with issues facing the African Elephant.

CONSTRUCTION AND ANADROMOUS FISH

Appropriation enacted, 1989.....	\$31,834,000
Budget estimate, 1990.....	10,105,000
Recommended, 1990.....	30,457,000
Comparison:	
Appropriation, 1989.....	–1,377,000
Budget estimate, 1990.....	+20,352,000

The Committee recommends an appropriation of \$30,457,000, an increase of \$20,352,000 above the request. The recommendation includes the following increases to the request:

Alligator River NWR NC, maintenance/visitor center.....	\$1,200,000
Hakalau NWR, HI, fencing.....	250,000
Hammond Bay Biol Station, sea lamprey control.....	1,322,000
Little River NWR OK, visitor center.....	2,700,000
Mora NFH, NM.....	1,000,000
Natl Fisheries Res Ctr WA, new building.....	1,500,000
Natl Key Deer Refuge FL, visitor/educational center.....	2,900,000
North Attleboro NFH, hatchery rehabilitation.....	1,750,000
Okeefenoque Swamp (bridge repairs).....	840,000
Patuxent NRC, MD, visitor center.....	3,100,000
San Bernadino NWR, AZ (power supply).....	160,000
Stewart McKinney NWR CN, headqtrs/maintenance facility.....	630,000
Tinicum NEC, PA environmental center/maintenance facility.....	1,000,000

The Committee has also provided \$1,500,000 for anadromous fish grants and \$500,000 for the striped bass study.

Unobligated balances from construction of the Northeast Anadromous Fish Laboratory shall be used to acquire equipment and furnishings necessary for the efficient operation of the laboratory.

The amount provided for Hammond Bay is a one time appropriation. The Fish and Wildlife Service will not be responsible for operation or maintenance of the facility.

The Committee has received a request for an educational, interpretation, and administrative facility for Fergus Falls, MN, an area which includes many acres of valuable wetlands. The Committee directs the Fish and Wildlife Service to prepare a report on the building needs of the Fish and Wildlife Service in Fergus Falls. The report should present several options for consideration by the Congress. The report should also discuss the feasibility of contributions from the Fergus Falls community in providing a new Fish and Wildlife Service facility. The report is to be provided to the Committee on Appropriations no later than March 1, 1990

LAND ACQUISITION

Appropriation enacted, 1989.....	\$57,529,000
Budget estimate, 1990.....	51,415,000
Recommended, 1990.....	65,790,000
Comparison:	
Appropriation, 1989.....	+8,261,000
Budget estimate, 1990.....	+14,375,000

The Committee is pleased that once again there is a request for land acquisition for the Fish and Wildlife Service. This is the first request since fiscal year 1985.

For land acquisition, the Committee recommends \$65,790,000 as follows:

	Fiscal year 1990 request	Committee recommendation	Change
ACE River Basin, SC.....	\$1,000,000	\$1,000,000	
Archie Carr NWR, FL (sea turtle).....		3,000,000	+\$3,000,000
Blunt-nose lizard, CA.....	160,000	160,000	
Bogue Chitto NWR, LA.....	1,200,000		-1,200,000
Bowerman/Grays Harbor, WA.....		700,000	+700,000

	Fiscal year 1990 request	Committee recommendation	Change
Cache River, IL		2,000,000	+2,000,000
Cape May NJ.....	1,000,000	1,000,000	
Chincoteague NWR, VA		4,730,000	+4,730,000
Columbia River NWR.....		1,500,000	+1,500,000
Crystal River NWR, FL.....	900,000		-900,000
Eastern Shore, VA.....	200,000		-200,000
Great Swamp NWR, NJ.....	2,000,000		-2,000,000
J.N. Ding Darling NWR, FL.....	300,000		-300,000
James River, VA.....	2,000,000	2,000,000	
Klamath Forest NWR, OR.....		3,300,000	+3,300,000
Lake Thompson, SD	1,000,000		-1,000,000
Lower Rio Grande Valley NWR, TX.....	10,000,000	10,000,000	
Minnesota Valley NWR, MN	4,516,000	3,000,000	-1,516,000
Oahu Forest Birds, HI		2,500,000	+2,500,000
Pelican Island, FL.....	1,900,000	1,900,000	
Pettaquamscutt NWR, RI	1,400,000		-1,400,000
Sacramento River NWR, CA	4,643,000	2,000,000	-2,643,000
San Francisco Bay NWR, CA.....	4,000,000	4,000,000	
San Joaquin River NWR, CA.....	5,000,000	3,000,000	-2,000,000
San Pablo Bay NWR, CA.....	3,500,000	4,500,000	+1,000,000
Steigerwald Lake NWR, WA.....	722,000		-722,000
Stone Lakes NWR, CA.....		1,000,000	+1,000,000
Tinicum NEC, PA.....	1,000,000		-1,000,000
Trempeleau NWR, WI.....	500,000		-500,000
Trustom Pond, RI.....	1,100,000		-1,100,000
High priority wetlands.....		10,000,000	+10,000,000
Emergency/hardships and inholdings	1,500,000	1,500,000	
Acquisition management	1,874,000	3,000,000	+1,126,000
Total.....	51,415,000	65,790,000	+14,375,000

Included within the \$10,000,000 for high priority wetland acquisitions is \$2,000,000 to be administered by the National Fish and Wildlife Foundation. Funds for high priority wetlands shall be used for the implementation of the North American Waterfowl Management Plan with priority going to those areas which enhance endangered species habitat.

Although the Committee has not provided funds to begin acquisition of the Gray Ranch in New Mexico, it is a worthy project. When hunting, grazing, mineral and other issues have been resolved, every consideration will be given to acquiring the ranch.

In appropriating funds for the acquisition of Assawoman and Metomkin Islands at Chincoteague NWR, VA, it is the clear and express intent of Congress that the Service abide by the statements regarding recreational use which are included in the Environmental Assessment. The undeveloped barrier islands of Virginia have long been recognized as areas with important public recreational values. The Service should allow the historic uses of the area to continue to the maximum possible extent.

The Service is to provide a copy of the historical use survey proposed in the Environmental Assessment to the Appropriations Committees by March 30, 1990 and a plan for accommodating those uses by June 30, 1990. No historic use shall be curtailed, restricted or eliminated until the Committee has had 30 days to review that plan.

NATIONAL WILDLIFE REFUGE FUND

Appropriation enacted, 1989.....	\$6,645,000
Budget estimate, 1990.....	6,645,000
Recommended, 1990.....	7,645,000
Comparison:	
Appropriation, 1989.....	+1,000,000
Budget estimate, 1990.....	+1,000,000

The Committee recommends an appropriation of \$7,645,000 for the National Wildlife Refuge Fund, an increase of \$1,000,000 over the fiscal year of 1989 level and the fiscal year 1990 appropriation request. This amount represents an increase of 35.4 percent over the fiscal year 1988 appropriation.

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 \$11,235,000 in fiscal year 1990 with \$7,645,000 derived from direct appropriations and \$3,590,000 from net refuge receipts collected in fiscal year 1989.

ADMINISTRATIVE PROVISIONS

It is the Committee's intent that servicewide administrative support costs, consisting of centralized cost accounts for paying the operating overhead expenses common to all Servicewide programs shall no longer be charged against the Migratory Bird Conservation Account. Specifically, those Servicewide costs include space, Federal communication system, postage, employees compensation, unemployment compensation, PAY/PERS-Payroll System, working capitol fund, commercial telephone, EEO complaints investigation, Federal financial system, Denver finance center program and financial management system, printing and reproduction, Washington Office central services and the Department's Management Development Program.

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 Olmstead long ago observed that were there no place like national parks, there would be nothing against which to measure the change. Today the complexity and speed of this change is mirrored in the National Park System which is now comprised of 354 areas, encompassing 79.8 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 exceeded 366 million in 1988.

OPERATION OF THE NATIONAL PARK SYSTEM

Appropriation enacted, 1989.....	\$733,516,000
Budget estimate, 1990.....	754,614,000
Recommended, 1990.....	774,179,000
Comparison:	
Appropriation, 1989.....	+40,663,000
Budget estimate, 1990.....	+19,565,000

The Committee is pleased that it has been presented with a more realistic operating budget for the national parks. Although an improvement, the budget as requested still has deficiencies. First, the budget does not address adequately newly established park areas or those where responsibilities are expanded. Second, the budget distribution among the various park areas is uneven. The budget as proposed would give some parks increases of more than 30 percent while others would receive decreases from the fiscal year 1989 level. It is the Committee's contention that there is a *National Park System*, and budget priorities should not be established primarily on a park's ability to collect fees. This does a disservice to those areas where fee collection is not possible because of multiple entries or where fee collection costs would exceed the additional revenue. The Committee's recommendation attempts to address this problem.

Enhanced fee legislation was first established for fiscal year 1987. The last operating budget for the National Park System before that, fiscal year 1986, was \$610,634,000. For fiscal year 1990 the Committee recommends a budget of \$774,179,000. Of the increase of \$163,495,000 from 1986 to 1990, only \$30,000,000 can be attributed to enhanced fee collection.

The amount recommended by the Committee for fiscal year 1990 compared with the 1990 budget estimates by activity is shown in the following table:

	(in thousands of dollars)			Change from Estimates
	FY 1989 Enacted	Budget Estimates	Committee Bill	
Management of park areas.....	72,783	63,838	71,113	+7,275
Concessions management.....	5,061	5,050	5,050	---
Interpretation and visitor services.....	72,318	73,880	75,964	+2,084
Visitor protection and safety.....	65,560	68,050	67,050	-1,000
United States park police.....	38,653	46,941	41,800	-5,141
Maintenance.....	269,156	284,993	280,958	-4,035
Resources management.....	109,352	114,266	126,293	+12,027
Information publications.....	3,693	4,691	4,191	-500
International park affairs.....	893	482	952	+470
Volunteers-in-parks.....	750	750	750	---
Water resources.....	2,929	2,929	2,929	---
General management plans.....	1,989	2,719	2,719	---
Roosevelt Campobello International Park Commission....	442	464	464	---
Ice Age National Scientific Reserve.....	573	573	573	---
Lowell Historic Preservation Canal Commission.....	562	562	562	---
Mary McLeod Bethune NHS.....	232	199	232	+33
Martin Luther King, Jr. Center.....	550	199	550	+351
Johnstown Flood Museum.....	1,650	---	500	+500
Sloss Furnace NHL.....	250	---	---	---
James Garfield NHS, OH.....	---	---	500	+500
Harding Home and Tomb State Memorial.....	---	---	455	+455
Blackstone River Corridor.....	325	---	350	+350
Delaware and Lehigh Navigation Canal.....	---	---	350	+350
Fort Lincoln, Mandan, ND.....	2,000	---	---	---
William McKinley Monument.....	545	---	---	---
Native Hawaiian culture and arts program.....	1,600	---	1,600	+1,600
National Constitution Center, PA.....	---	---	250	+250
Heritage Preservation Commission.....	---	---	200	+200
General administration.....	81,650	84,028	87,824	+3,796
Total, Operation of the National Park System....	733,516	754,614	774,179	+19,565

Management of park areas.—The Committee recommends an increase of \$7,275,000 for management of park areas. This amount includes \$1,240,000 for the emergency storm and fire damage program. Although the requested amount approximates the total actually used in fiscal year 1988, the fiscal year 1989 experience to date reflects a greater need. An increase of \$4,000,000 is provided for park operations. With this increase and others in interpretation and maintenance, the Committee has provided enough to allow

each park at least a five percent increase over fiscal year 1989. At the same time, no park should receive more than a 10-percent increase over fiscal year 1989. There is no change in the requested amount for those parks for which the request was between five and ten percent over fiscal year 1989. Additionally, \$2,000,000 is recommended to address the needs of new and expanding park areas which were not part of the budget request. While this amount is provided in management of park areas, it may be used for maintenance and other categories as appropriate.

The \$2,000,000 increase for new and expanding parks is for recently established areas not included in the request and to operate areas with newly opened facilities such as at Johnstown Flood and the Patrick Mogan Cultural Center at Lowell NHP. Among the new areas to receive funds are the Natchez NHP, Mississippi NR and RA and the America's Industrial Heritage project office. The Committee encourages the Service to continue its progress in the planning processes for the Natchez NHP, MS and in the establishment of the park.

Within available funds there is \$90,000 for a trail coordinator of the North County Scenic Trail. Within the amount provided for the Upper Delaware Scenic and Recreation River is \$50,000 for the Zane Grey House.

A separate \$35,000 increase is provided for the National Council on Traditional Arts. This is in addition to the \$75,000 in the base.

Interpretation and visitor services.—There are two changes proposed to the interpretation and visitor services budget. First, there is a \$2,000,000 increase which is comparable to the general increase described in management of park areas. The second increase is \$84,000 for activities related to Ford's Theater to restore the fiscal year 1989 level.

Visitor protection and safety.—The Committee recommends \$67,050,000 for visitor protection and safety. This is an increase of \$1,490,000 over the fiscal year 1989 appropriation and a reduction of \$1,000,000 from the request for drug enforcement. Even with this decrease there is an increase of \$1,700,000 for drug operations.

U.S. Park Police.—The appropriation for the U.S. Park Police has grown at a tremendous rate in recent years. The fiscal year 1989 amount is \$38,653,000 as compared to \$24,806,000 in 1986, an increase of 55.8 percent. The amount recommended for fiscal year 1990 is \$41,800,000, an increase of \$3,147,000 over fiscal year 1989. This includes reductions of \$2,000,000 for the drug enforcement initiative and \$3,141,000 in the amount requested for a replacement twin engine helicopter. This still allows a \$1,700,000 increase for drug enforcement in the three areas where the U.S. Park Police operate. This is the same increase allowed for all the other park areas. The amount provided for the helicopter, \$759,000, will allow for lease of a new twin-engine helicopter. Every effort should be made to recover extraordinary costs incurred in providing assistance to the U.S. Secret Service.

Maintenance.—The Committee recommends a net reduction of \$4,035,000 to the maintenance request. The \$280,958,000 provided for maintenance allows an \$11,802,000 increase over fiscal year 1989. The changes include transfer of \$4,000,000 requested for the Krejci toxic waste cleanup to the construction account and a

\$185,000 reduction in the servicewide maintenance program overview. Other changes include \$300,000 as a general increase similar to the increases in management of park areas and interpretation and a \$150,000 decrease in the amount provided for the Navy Memorial. This latter decrease allows \$300,000 for the first full year of operations. The staffing plan provided the Committee which called for 14 FTE's for this area is excessive

Within available funds there is \$1,000,000 to continue the Youth Conservation Corps program

Resources management.—A total increase of \$12,027,000 is recommended for resources management. Primary among these is restoration of 1989 levels for two programs: \$7,539,000 for cultural resources preservation and maintenance and \$2,763,000 for artifact preservation and collection management. Other increases include \$750,000 for the airplane overflights study, \$300,000 for conservation of the Frederick Law Olmstead collection and \$500,000 for the National Institute for Conservation of Cultural Objects for ongoing support and for completion of a report on the status of efforts to care for our national patrimony.

The Committee recommends \$175,000 to be used to develop an environmental impact statement for wolf reintroduction at Yellowstone National Park.

Informational publications.—The Committee recommends \$4,191,000 for informational publications, an increase of \$498,000 over the 1989 level. Primarily, these are brochures on the individual units which are useful to the Park visitor. The amount recommended is a \$500,000 decrease to the amount requested.

International Park Affairs.—There are several suggested increases in the international affairs program. A total of \$100,000 is recommended for U.S. ICOMOS, an increase of \$70,000 above the request and a restoration of the 1989 level. This includes \$30,000 going through the National Park Service as dues. The Committee has also restored the proposed \$249,000 decrease for Western Hemisphere Technical Assistance and increased it by \$51,000. Cost increases over the years have eroded the level of program activity. An increase of \$100,000 is also provided so that the National Park Service may more adequately be associated with the International Union for Conservation of Nature.

General Management Plans.—Within the amount provided, there is \$50,000 to study the move of the Williamsport Center to Cuyahoga Valley NRA, OH.

The Committee understands that included within the amount requested for general management plans are the following:

El Malpais.....	\$70,000
Santa Fe Trail.....	10,000
Trail of Tears	90,000
Jimmy Carter NHS.....	70,000
City of Rocks NR	75,000
Gauley NRA	100,000
Hagerman Fossil Beds NM.....	50,000
Mississippi NR&RA	100,000
Natchez NHS.....	25,000
Poverty Point NM	50,000
San Francisco Maritime NHP	75,000
Zuni-Cibola NHP	50,000
Bluestone W&S River	75,000

Southern Pennsylvania Heritage Pres.....	50,000
Fort Necessity NB.....	75,000

General Administration.—The Committee remains concerned that adequate funds be provided the parks themselves. While recognizing that some headquarters and regional office oversight and coordination of the parks is necessary, every effort must be made to keep these costs as low as possible. To help in this, the Committee recommends several reductions. Executive direction is decreased by \$250,000 and regional office administration by \$171,000. Automatic data processing is reduced by \$34,000 and central office administration by \$131,000. An increase of \$455,000 is recommended based on a recent reestimate of GSA space rental costs.

Retirement systems.—The National Park Service has been experiencing a rapid increase in costs related to the Federal Employees Retirement System. In response to this and so the individual park units will not have to absorb yet another cost, the Committee recommends an increase of \$3,927,000. Of this amount, \$490,000 is related to regular Civil Service retirement costs.

Statutory and Contractual Aid.—The Committee recommends a number of increases. For the Martin Luther King Center for Non-violent Social Change, the Committee provides an increase of \$351,000. Other changes include a \$33,000 increase for the Mary McLeod Bethune NHS, \$500,000 for the Johnstown Flood Museum, \$350,000 for the Blackstone River Corridor Commission, \$350,000 for the Delaware and Lehigh Navigational Canal and \$1,600,000 for the Native Hawaiian Culture and Arts Program. A new item is the National Constitution Center for which \$250,000 is provided on a matching basis as authorized.

The recommendation also includes \$500,000 for restoration of the James Garfield NHS, OH, \$455,000 for the Harding Memorial and Tomb, OH and \$200,000 for the Heritage Preservation Commission.

NATIONAL RECREATION AND PRESERVATION

Appropriation enacted, 1989.....	\$14,608,000
Budget estimate, 1990.....	10,204,000
Recommended, 1990.....	16,029,000
Comparison:	
Appropriation, 1989.....	+1,476,000
Budget estimate, 1990.....	+5,880,000

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

The amount recommended by the Committee for fiscal year 1990 compared with the 1990 budget estimates by activity is shown in the following table:

	(in thousands of dollars)			
	FY 1989 Enacted	Budget Estimates	Committee Bill	Change from Estimates
Recreation programs.....	613	297	613	+316
Natural programs.....	3,729	567	4,727	+4,160
National register.....	8,414	7,488	8,837	+1,349
Environmental and compliance review.....	424	424	424	---
Grant administration.....	1,428	1,428	1,428	---
Total, National Recreation and Preservation.....	14,608	10,204	16,029	+5,825

Recreation programs.—The Committee recommends an increase of \$316,000 for recreation programs to restore the activity to the 1989 level.

Natural programs.—The natural program includes a program of assistance to States and local governments for rivers and trails for which the Committee recommends \$3,500,000. An additional \$160,000 is provided for technical assistance in development of the San Francisco Bay Area Ridge Trail. While the Committee does provide technical assistance in the development of the trail, there is no commitment to future appropriations for construction or land acquisition associated with the San Francisco Bay Area Ridge Trail. Funds sufficient to complete the Farmington River study at a level beyond the authorized level are provided.

The Committee recommends \$500,000 associated with the rivers activity of the National Park Service. Many hydroelectric licenses are coming up for renewal before the Federal Energy Regulatory Commission. With these funds the Park Service will be in a position to make formal comments on recreational river flows in relicensing and on projects proposed for rivers listed on the Nationwide Rivers Inventory. These funds are to be administered through the State and local river and trails technical assistance program.

National Register Program.—The Committee recommends an increase of \$150,000 to assist in processing register nominations associated with the America's Industrial Heritage Project. For HABS/HAER there is an additional \$439,000 including \$345,000 for the America's Industrial Heritage Project and \$94,000 for Chicago landmarks. An increase of \$100,000 continues the archaeology coordinator's role for the National Park Service and \$60,000 is available to continue Women's National Historic Landmark studies.

The Committee recommends \$600,000 for the Institute for the History of Technology and Industrial Archeology. It is the Committee's expectation that West Virginia will also provide support to the Institute. The Committee believes that this Institute can provide guidance to the National Park Service and the Congress as to which areas of our industrial heritage should be preserved and how best this can be accomplished. In addition, the Institute can work on development of techniques for recording industrial sites and in the preservation of engineering works.

HISTORIC PRESERVATION FUND

Appropriation enacted, 1989.....	\$30,500,000
Budget estimate, 1990.....	.....
Recommended, 1990.....	30,500,000
Comparison:	
Appropriation, 1989.....	.....
Budget estimate, 1990.....	+30,500,000

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 Committee recommends an appropriation of \$30,500,000. The President's budget had proposed elimination of the grants.

The following table reflects the actions recommended by the Committee:

	(in thousands of dollars)			
	FY 1989 Enacted	Budget Estimates	Committee Bill	Change from Estimates
Grants-in-aid.....	24,750	---	26,000	+26,000
National trust for historic preservation.....	4,750	---	4,500	+4,500
Bicentennial Lighthouse fund.....	1,000	---	---	---
Total, Historic Preservation Fund.....	30,500	---	30,500	+30,500

The level recommended for grants-in-aid to the States is \$26,000,000, an increase of \$1,000,000 over the 1989 level. The recommendation also includes \$4,500,000 for the National Trust for Historic Preservation. The Committee intends for the National Trust to use its grant to carry out to a greater extent its statutory authority to make its facilities and programs open to a broader spectrum of the public. The funds for the National Trust shall continue to be administered as an aggregate grant.

Administrative expenses for the Historic Preservation Fund are included in the National Recreation and Preservation account.

CONSTRUCTION

Appropriation enacted, 1989.....	\$159,108,000
Budget estimate, 1990.....	44,112,000
Recommended, 1990.....	174,210,000
Comparison:	
Appropriation, 1989.....	+15,102,000
Budget estimate, 1990.....	+130,098,000

The recommendation of \$174,210,000, an increase of \$130,098,000 over the fiscal year 1990 budget request includes changes to the budget for the following areas and activities:

America's Industrial Heritage, PA.....	+\$8,832,000
Apostle Island NL, WI (Little Sand Dock phase III).....	+380,000
Big Thicket NP, TX.....	+2,900,000
Biscayne NP, FL.....	+5,300,000
Boston-Afro-American NHS, MA.....	+1,525,000
Canaveral NS, FL (Playalinda Beach Rd.).....	+2,600,000
Chamizal, NM, TX.....	+500,000
Chickamauga/Chattanooga NMP (road relocation).....	+8,000,000
Crater Lake NP, OR.....	+50,000
Cuyahoga Valley NRA, OH.....	+7,325,000
Fort Clatsop NM, OR.....	+1,795,000
Franklin D. Roosevelt Memorial.....	+5,852,000
Gateway NRA, NY (Canarsie Pier).....	+7,030,000
George Washington Parkway, VA.....	+8,000,000
Golden Gate NRA, CA (phase 1 completion, phase 2 start).....	+1,210,000
Grand Portage NM, MN.....	+2,100,000

Haleakala NP, HI (fencing)	+300,000
Hawaii Volcanoes NP, HI (fencing).....	+300,000
Indiana Dunes NL, IN	+2,000,000
Jimmy Carter NHS, GA (school stabilization)	+200,000
Knife River NHS, ND.....	+2,500,000
Lincoln Home NHS, IL.....	+745,000
Lowell Historic Preservation Commission	+5,250,000
Natchez Trace Parkway	+17,000,000
Salem Maritime NHS, MA	+1,400,000
San Antonio Missions NHP, TX	+200,000
Sleeping Bear Dunes NL, MI (Platte River campground).....	+2,000,000
Stones River NP, TN.....	+525,000
Steamtown NHS, PA.....	+13,000,000
Suitland Parkway, MD (rehabilitation).....	+6,000,000
Tuskegee Institute NHS, AL	+4,000,000
Women's Rights NHS, NY	+588,000
Planning	+10,691,000
Altoona Rail Memorial Museum.....	+150,000
Aluminum Heritage Research.....	+50,000
Bedford Transportation Museum.....	+75,000
Brownsville Reconnaissance Survey.....	+110,000
Saltsburg Canal	+75,000
St. Michael Historic District.....	+50,000
Somerset Center	+220,000
Summit Level.....	+105,000
Blue Ridge Parkway (headquarters/visitor facility).....	+560,000
Allegheny Highlands Rails to Trails Project.....	+133,000
Additional amount for add-on planning	+800,000
Fisher Peak	+800,000
AIHP Oral Histories.....	+185,000
Mt. Etna Iron Furnace Complex.....	+100,000
Windber/Scalp Level Coal Heritage.....	+100,000
Castillo de San Marcos, FL (rehabilitation planning).....	+160,000
Chickasaw NRA, OK	+75,000
Crater Lake NP, OR.....	+1,956,000
Everglades NP (West Side Facilities DCP).....	+154,000
Fort Clatsop NM, OR	+105,000
Gateway NRA, NY—Jacob Riis Park	+934,000
Glacier NP, MT (facility rehabilitation).....	+500,000
John Day Fossil Beds NM, OR	+360,000
Joshua Tree, CA.....	+187,000
Little River Canyon	+150,000
Saguaro NM, AZ Red Hills development plan	+367,000
Salem Maritime NHS, MA.....	+1,280,000
Scranton Heritage Park.....	+150,000
Women's Rights NHP, NY	+800,000

The Committee has provided \$1,280,000 for planning at Salem Maritime NHS, MA out of a request of over \$4,000,000. The Committee believes that the Salem project needs to be limited until a comprehensive plan is developed and integrated with appropriate authorization.

The Committee expects improvements to be made in the conduct of the National Park Service construction program. Of the projects requested and for which funds were appropriated since FY 1985, 90 percent have cost more than estimated and 90 percent have taken a longer time to complete than anticipated. Some projects have been requested for sites where there was not yet Federal ownership. Greater care needs to be taken in presenting projects to the Committee.

A total of \$22,500,000 is provided for the Natchez Trace Parkway, including \$5,500,000 from the Federal Highway Lands Program.

The amount provided for Cuyahoga Valley NRA, OH includes \$4,000,000 for the Krejci Waste Site, \$2,682,000 for the Ohio and Erie Canal Towpath, \$293,000 for the Canal visitor center and \$350,000 for the Oak Hill environmental education center.

The Committee has received many expressions of concern from the running community with respect to planned alterations of an existing road race site as a result of the construction of the Franklin Delano Roosevelt Memorial. The Committee expects the Park Service to work with representatives of the running community to reach a mutually acceptable resolution of this issue.

The National Park Service is directed to present a reprogramming to the Committee on Appropriations to take care of emergency repairs at Glen Echo Park in Maryland.

The National Park Service also receives \$60,000,000 through the Federal Highway Lands Program. The following table shows how these funds will be allocated by Park Service unit:

<i>Park</i>	<i>Amount</i>
Acadia National Park.....	\$1,650,000
Big Bend National Park.....	2,000,000
Blue Ridge Parkway	550,000
Chickasaw National Recreation	2,200,000
Chiricahua National Monument	125,000
Foothills Parkway	3,300,000
Fort Larned National Historic Site	110,000
Gettysburg National Military Park.....	1,320,000
Glacier National Park.....	3,000,000
Grand Canyon National Park.....	3,000,000
Grand Teton National Park	4,000,000
Indiana Dunes National Lakeshore.....	800,000
Mound City Group National Monument	130,000
Mount Rainier National Park	1,000,000
Natchez Trace Parkway.....	5,500,000
NCP—Central	880,000
NCP—East.....	6,600,000
North Cascades National Park.....	165,000
Ocmulgee National Monument.....	500,000
Richmond National Battlefield Park.....	1,100,000
Rocky Mountain Region.....	900,000
Sequoia National Park	4,400,000
Yellowstone National Park	3,000,000
Yosemite National Park	3,500,000
Subtotal.....	49,730,000
Other components:	
Federal Highway Administration.....	1,050,000
NPS Administration, Safety Studies, Signs.....	1,750,000
Advance and project planning	7,470,000
Total program.....	60,000,000

The Committee also recommends \$12,000,000 for additional work on the Cumberland Gap Tunnel to be derived from the Highway Trust Fund.

LAND AND WATER CONSERVATION FUND

(RESCISSION OF CONTRACT AUTHORITY)

Appropriation enacted, 1989.....	—\$30,000,000
Budget estimate, 1990	
Recommended, 1990	—30,000,000
Comparison:	
Appropriation, 1989	
Budget estimate, 1990	—30,000,000

The Committee recommends rescission of \$30,000,000 in annual contract authority provided by 16 U.S.C. 4601-10a. This authority has not been used in recent years and there are no plans to use it in fiscal year 1990.

LAND ACQUISITION AND STATE ASSISTANCE

Appropriation enacted, 1989.....	\$72,609,000
Budget estimate, 1990.....	69,459,000
Recommended, 1990.....	81,016,000
Comparison:	
Appropriation, 1989.....	+8,407,000
Budget estimate, 1990.....	+11,557,000

For land acquisition and State assistance, the Committee recommends \$81,016,000 as follows:

	FY 1990 request	Committee recommendation	Change
Assistance to States:			
Matching grants.....		\$16,700,000	+\$16,700,000
Administrative expenses.....	\$3,383,000	3,300,000	-83,000
Subtotal, assistance to States.....	3,383,000	20,000,000	+16,617,000
National Park Service:			
Acquisition management.....	6,317,000	6,317,000	
Emergencies, hardships, deficiencies, inholdings, and relocation (all areas).....	6,079,000	6,079,000	
Acadia NP, ME.....	1,000,000		-1,000,000
Antietam NB, MD.....	500,000	500,000	
Appalachian Trail.....	7,000,000	7,000,000	
Big Cypress NP, FL.....	4,000,000		-4,000,000
Blue Ridge Parkway (Fisher Peak).....		1,300,000	+1,300,000
C&O Canal, DC.....		6,000,000	+6,000,000
Chattahoochee River NRA, GA.....	5,000,000	1,000,000	-4,000,000
Congaree Swamp NM, SC.....	1,000,000	1,000,000	
Cuyahoga Valley NRA, OH.....	3,500,000	3,500,000	
Delaware Water Gap NRA, PA.....	750,000	750,000	
El Malpais NM, NM.....	3,500,000	2,500,000	-1,000,000
Indiana Dunes NL, IN.....		500,000	+500,000
Jean Lafitte NHP&P, LA.....	1,000,000		-1,000,000
John Muir NHS, CA.....		3,000,000	+3,000,000
Lowell NHP, MA.....		600,000	+600,000
McKinley Site.....		800,000	+800,000
Natchez NHP, MS (Melrose).....		5,270,000	+5,270,000
National Park of Samoa.....	400,000	400,000	
New River Gorge NR, WV.....	2,500,000		-2,500,000
Pinelands NP, NJ (hardships).....		500,000	+500,000
Santa Monica Mtns NRA, CA.....	21,530,000	12,000,000	-9,530,000
Timucuan Preserve, FL.....	1,500,000	1,000,000	-500,000
Valley Forge NHP, PA.....		500,000	+500,000
War in the Pacific, GU.....	500,000	500,000	
Subtotal, NPS.....	66,076,000	61,016,000	-5,060,000
Total.....	69,459,000	81,016,000	+11,557,000

Because of the amount provided for Santa Monica Mountains NRA and the complicated nature of the land acquisition program at the park, the Committee directs that a land acquisition office be reestablished at the Park.

The \$12,000,000 recommended for Santa Monica is to be used according to the approved land planning document and not the curtailed plan proposed by former Park Director William Penn Mott.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

Appropriation enacted, 1989.....	\$5,181,000
Budget estimate, 1990	15,193,000
Recommended, 1990	15,193,000
Comparison:	
Appropriation, 1989	+10,012,000
Budget estimate, 1990	

The Committee recommends \$15,193,000 for the non-performing arts functions of the Center, the requested amount. Of this amount, \$5,193,000 is for the ongoing day to day activities of the Center and \$10,000,000 is for garage repair.

The John F. Kennedy Center for the Performing Arts is a national cultural center for the performing arts and an official memorial to President John F. Kennedy. The Board of Trustees of the Kennedy Center has the sole responsibility for all performing arts activities. The National Park Service is responsible for maintenance, security, information, interpretation, janitorial and all other services necessary to operate the Center. Funds are provided herein for that purpose in accordance with a formula which provides 76 percent for National Memorial purposes and 24 percent for the performing arts functions.

Visitors services, including information, interpretation, and police security must be conducted year round with the peak need for such services occurring during the May-September summer season. These services include interpretive talks, crowd control assistance for free events, audiovisual programs, senior citizen and handicapped programs, special talks and assistance to foreign visitors and groups, and other visitor assistance activities.

Funds are provided, as requested, to complete engineering drawings and repairs to cracking concrete in the 640,000 square foot parking garage at the Kennedy Center. This estimate is based on a series of structural evaluation surveys requested by the John F. Kennedy Center Board of Trustees. The most recent survey found a substantial increase in corrosive activity, especially on the underside of slab A, level B, potentially affecting the structural integrity of the Kennedy Center floor surface. These repairs are necessary to ensure the safety of the visiting public and to protect the Federal investment in the facility.

ILLINOIS AND MICHIGAN CANAL NATIONAL HERITAGE CORRIDOR COMMISSION

Appropriation enacted, 1989.....	\$250,000
Budget estimate, 1990	
Recommended, 1990	250,000
Comparison:	
Appropriation, 1989	
Budget estimate, 1990	+250,000

The Committee recommends an appropriation of \$250,000 to continue the activities of the Illinois and Michigan Canal National Heritage Corridor Commission. An additional \$150,000 is provided

in the Operation of the National Park System account to enable the National Park Service to meet its responsibilities to the National Heritage Corridor.

ADMINISTRATIVE PROVISIONS

The Committee has agreed to modify bill language regarding transfer of funds to maintain law and order in emergency situations and for conduct of emergency search and rescue operations in the National Park System. The Committee will expect quarterly reports on funds transferred under this authority.

The Committee continues language regarding transfer of funds for law and order in emergency and other law enforcement situations and to conduct emergency search and rescue operations in the National Park System. Similarly, the Committee recommends continuation of language requiring Congressional review of proposals to develop the southern end of Ellis Island.

GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

Appropriation enacted, 1989.....	\$451,506,000
Budget estimate, 1990.....	452,465,000
Recommended, 1990.....	486,931,000
Comparison:	
Appropriation, 1989.....	+35,425,000
Budget estimate, 1990.....	+34,466,000

The amount recommended by the Committee for fiscal year 1990 compared to the budget estimate by activity is shown in the following table:

	(in thousands of dollars)			
	FY 1989 Enacted	Budget Estimates	Committee Bill	Change from Estimates
National Mapping, Geography and Surveys				
National map and digital data production.....	46,213	43,695	46,816	+2,921
Information and data systems.....	11,729	13,729	14,798	+1,069
Research and technology.....	18,577	17,702	18,599	+897
Advanced cartographic systems.....	17,716	33,020	33,020	---
Subtotal, National Mapping, Geography & Surveys..	94,235	108,146	113,033	+4,887
Geologic and Mineral Resource Surveys and Mapping				
Earthquake hazards reduction.....	34,688	32,663	34,916	+2,253
Volcano hazards.....	11,513	11,006	11,573	+567
Landslide hazards.....	2,189	2,187	2,187	---
National geologic mapping.....	17,559	19,394	19,394	---
Deep continental studies.....	3,062	3,061	3,061	---
Geomagnetism.....	1,735	1,733	1,733	---
Climate change.....	1,031	3,042	3,042	---
Coastal studies.....	4,998	---	6,300	+6,300
Offshore geologic surveys.....	26,583	28,064	28,064	---
Mineral resource surveys.....	47,518	45,977	47,682	+1,705
Energy geologic surveys.....	27,323	24,299	27,475	+3,176
Subtotal, Geologic & Mineral Surveys & Mapping..	178,199	171,426	185,427	+14,001
Water Resources Investigations				
Federal program.....	75,600	77,664	81,820	+4,156
Federal-State program.....	58,900	55,514	59,783	+4,269
Water resources research institutes.....	10,821	5,273	10,826	+5,553
Subtotal, Water Resources Investigations.....	145,321	138,451	152,429	+13,978
General administration.....	16,330	16,729	18,329	+1,600
Facilities.....	17,421	17,713	17,713	---
Total, Geological Survey.....	451,506	452,465	486,931	+34,466

The Committee recommends an appropriation of \$486,931,000 for surveys, investigations and research, an increase of \$34,466,000 over the budget estimate of \$452,465,000. The increase consists

almost entirely of funding to restore the base level of ongoing activities reduced in the budget request.

National mapping, geography and surveys.—The Committee recommends an increase of \$2,921,000 in national mapping and digital data production. The increase consists of base level restoration of \$878,000 for cartographic data and map revision, \$543,000 for thematic and special data, and \$1,500,000 for side-looking airborne radar (SLAR).

An increase of \$1,069,000 is recommended for information and data systems to restore the base level for digital, remote sensing, and earth science data.

The Committee recommends an increase of \$897,000 for research and technology to continue the base program in geographic information systems (GIS).

The Committee supports the operation of the Earth Resources Observation Systems (EROS) Data Center in Sioux Falls, South Dakota and has restored base levels of funding for programs operated at the Center. The Committee also supports the budget request of \$2,000,000 to provide for the archiving of Landsat data at the Center directly from Geological Survey funds. The Committee has not, however, included legislative language as requested in the budget to transfer the responsibility for this function from NOAA. The Space, Science, and Technology Committee of the House has jurisdiction over this function and the Committee understands that that Committee intends to take legislative action on this matter in the near future.

Geological and mineral resource surveys and mapping.—In earthquake hazards reduction the Committee recommends an increase of \$2,253,000 to restore the base level in order to continue monitoring and study of the most critical earthquake-prone areas in the country.

An increase of \$567,000 for volcano hazards is recommended to continue Alaskan volcano monitoring only recently begun.

In geomagnetism the Committee expects the Survey to continue operating all existing geomagnetism observatories.

The Committee recommends an increase of \$6,300,000 in coastal studies. Of the increase \$1,500,000 is to continue Great Lakes studies, \$2,000,000 is to continue Louisiana wetlands studies, \$1,500,000 is to complete Louisiana barrier island erosion studies, \$1,000,000 is to initiate erosion and pollution studies along the Alabama and Mississippi coasts, and \$300,000 is for the preparation of a national program plan for coastal studies. Funding for the national program plan may be used to cover seminars and meetings held on a regional basis to develop programs with the cooperation of interested parties at the local, State, and regional level. Such a plan, including funding alternatives, should be available to the Congress no later than May 31, 1990.

In mineral resource surveys the Committee recommends an increase of \$1,705,000 to restore the base level for the national mineral resource assessment program. These assessments and the related geologic mapping are critical to the land use planning process for public lands.

The Committee recommends an increase of \$3,176,000 in energy geologic surveys. The increase restores the base level in coal inves-

tigations (\$1,056,000), oil and gas investigations (\$802,000), radon-related work in uranium-thorium investigations (\$274,000), and geothermal investigations (\$1,044,000).

Water resources investigations.—In the Federal program, the Committee recommends an increase of \$4,156,000. Of the increase, \$353,000 is to restore the base program for data collection and analysis, \$909,000 is to continue operation of the water resources scientific information center, \$484,000 is to continue the regional aquifer system analysis program on its current schedule, \$410,000 is to continue maintenance of an independent analysis capability in nuclear waste hydrology, and \$2,000,000 is to begin the modernization of existing information technology and program development activities leading to the eventual establishment of a national clearinghouse program for water data.

The Committee recommends an increase of \$4,269,000 for the 50-50 cost-shared Federal-State program to retain the base level program. This level of funding will allow the survey to continue matching about 84 percent of State offerings.

An increase of \$5,553,000 is recommended to continue the water resources research institute program at current levels. The increase includes \$2,875,000 for basic institute grants, \$2,571,000 for competitive research grants, and \$107,000 for administrative costs.

General administration.—An increase of \$1,600,000 is recommended for support for the maintenance and implementation of the new department-wide Federal Financial System (FFS).

MINERALS MANAGEMENT SERVICE

LEASING AND ROYALTY MANAGEMENT

Appropriation enacted, 1989.....	\$170,744,000
Budget estimate, 1990.....	180,461,000
Recommended, 1990.....	175,066,000
Comparison:	
Appropriation, 1989.....	+4,322,000
Budget estimate, 1990.....	−5,395,000

The Committee recommends an appropriation of \$175,066,000 for the programs of the Minerals Management Service, an increase of \$4,322,000 over the fiscal year 1989 appropriation of \$170,744,000 and a reduction of \$5,395,000 under the fiscal year 1990 request of \$180,461,000. The amount recommended by the Committee for fiscal year 1990 is shown in the following table:

	(in thousands of dollars)			
	FY 1989 Enacted	Budget Estimates	Committee Bill	Change from Estimates
OCS Lands				
Leasing and environmental program.....	39,154	39,577	39,577	---
Resource evaluation.....	22,901	22,436	22,436	---
Regulatory program.....	29,053	29,669	29,669	---
Subtotal, OCS Lands.....	91,108	91,682	91,682	---
Royalty Management				
Mineral revenue collection (onshore royalty).....	17,438	18,542	18,542	---
Mineral revenue compliance (offshore royalty).....	15,136	20,236	15,236	-5,000
Systems development and maintenance.....	19,728	18,718	18,718	---
Refund on Indian allottee leases.....	---	---	105	+105
Subtotal, Royalty Management.....	52,302	67,496	62,601	-4,895
General administration				
Executive direction.....	3,535	3,580	3,580	---
Administration operations.....	9,977	10,099	10,099	---
General support services.....	13,822	17,604	17,104	-500
Subtotal, General administration.....	27,334	31,283	30,783	-500
Total, Leasing and Royalty Management.....	170,744	180,461	175,066	-5,395

In Outer Continental Shelf Lands the Committee recommends \$91,682,000 which is the amount requested by the Administration.

In previous fiscal years, the Committee has discussed the sensitive and complex nature of the marine environment off the coasts of Washington and Oregon. The Committee believes that environmental studies must be identified, completed, and analyzed in advance of the initiation of the formal lease process for this area, and any subsequent exploration and/or development decisions. The Committee expects the Minerals Management Service (MMS) to continue to support the Northwest OCS Task Force which assists in the identification and resolution of OCS issues specific to the region. Further, the Committee strongly urges the MMS to work with the States of Washington and Oregon and the Northwest OCS Task Force on the scheduling of the prelease steps leading to Sale 132, especially the draft and final environmental impact statements for the sale.

The Committee also expects the MMS to conduct a peer-reviewed study of the current circulation patterns between Cape Hatteras and the Chesapeake Bay as a part of the preliminary work leading to OCS Lease Sale 121 in the Mid-Atlantic. The Committee understands that the Interior Department's OCS Environmental Studies Program will include a one year study entitled "Quasi Steady State Perturbations and Intrusions of Virginia Coastal Waters Offshore North Carolina". The geographic focus of this study should be sufficient to include all significant conditions and processes which could influence oil and gas activity offshore North Carolina. The Committee directs that the study design and results be evaluated by a scientific peer review panel consisting of three physical oceanographers; one each to be designated by the Secretary of the Interior, the Governor of the State of North Carolina, and one chosen jointly by the Secretary and the Governor of North Carolina from nominations submitted by the National Academy of Sciences. The peer review panel is expected to determine whether sufficient information is available for the decisionmaking process to go forward, including: (1) an adequate description and characterization of key circulation patterns and processes, and (2) the development of reliable numerical circulation models that cover the region of focus.

The MMS should continue to allow the States to be active participants in key decisions regarding oil and gas leasing adjacent to their coastlines.

In Royalty Management, the Committee recommends a net reduction of \$4,895,000 which includes a reduction of \$5,000,000 in mineral revenue compliance and an increase of \$105,000 to provide for refund of overpayments on certain Indian allottee leases wherein payments were successfully appealed and minimal future royalties are expected. Bill language to provide for these refunds has been included under the leasing and royalty management account rather than under the payments to the States account as requested by the Administration. The reduction in mineral revenue compliance eliminates funding for the MMS proposal to fund contract auditors over a three-year period in order to place the MMS audit program on a more timely cycle. 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. While the Committee strongly supports the concept of a more timely audit program, the MMS has failed to demonstrate to the Committee that it has developed and is able to implement the proposed multi-year, multi-million dollar audit initiative. At the request of the Committee, the General Accounting Office (GAO) examined the limited documentation which currently exists on the MMS proposal. The GAO recommended that the Congress not approve the funds for the audit initiative until the Department of the Interior considers all options and adequately justifies whatever option it selects. The results of the GAO review have been provided to the MMS. The Committee cannot responsibly agree to fund such an initiative without a realistic and timely long-term audit plan and an accompanying cost-benefit justification. The plan should address the issue of the role of State and tribal audits in implementing the initiative in addition to considering in-house and contract support options. The Committee will consider funding for this program if an acceptable plan is presented prior to Conference action on the fiscal year 1990 appropriation.

The Committee also expects the MMS to develop clear procedures for standardizing the conduct of audits and to set priorities on processing residency, major payor and other audits. These procedures and priorities should be coordinated with the Department of the Interior's Inspector General and provided to the Committee no later than January 1, 1990. In addition, the MMS is expected to develop an audit plan for fiscal year 1990 which details the audits to be conducted that fiscal year. The audit plan is to be delivered to the Committee as soon as possible but no later than October 15, 1989. The Committee expects the MMS 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 requests that the MMS continue to keep the Committee apprised, on a quarterly basis, of the improvements to the Auditing and Financial System. These reports should include information on the costs and benefits associated with system improvements as well as provide updates on the progress made in the

operation of the Auditing and Financial System and the conversion of the production accounting system.

The Committee is very concerned about the impact on Federal, State, and Indian revenues of the product valuation regulations promulgated by the MMS, and expects to be kept advised of any proposed modifications to such regulations. With respect to oil and gas product valuation regulations, the Committee expects the MMS to conduct a study comparing revenues under the current regulations with revenues which would have been accrued under the old regulations. The methodology for, and the results of this study are to be coordinated with, and concurred in by, the Department of Energy. The study is due to the Committee no later than February 1, 1990.

New coal product valuation regulations took effect on March 1, 1989. The current estimate of the impact of these regulations in calendar year 1990 is that they will result in a reduction of about \$38,000,000 in total estimated revenues. The Department is currently reviewing these regulations with a group of representatives from all the affected parties; however, no action is expected to be taken by the Department before early in 1990. The Committee is to be kept apprised of the progress of this review and the resultant recommendations.

In General Administration, the Committee recommends a decrease of \$500,000 in administrative operations to eliminate funding for conversion to the Department of the Interior's Federal Financial System. In an evaluation of 14 accounting and payment systems conducted under contract for the Department, the MMS financial system was one of two Interior agency systems which received high marks. Therefore, the Committee believes the system currently operated by the MMS is sufficient and does not need to be replaced.

Bill language has been included to provide the authority for payment of late interest under the leasing and royalty management account. Bill language has also been included to provide \$105,000 for refunds of overpayments on Indian allottee leases.

Bill language also has been included to provide for certain deductions from onshore mineral leasing receipts prior to their distribution to the States and to the Federal Treasury. The deductions would provide for States to share in the cost of collecting mineral receipts.

Under Department-wide provisions, bill language is included to prohibit the use of funds for Outer Continental Shelf (OCS) leasing activities in several areas. On February 9, 1989, President Bush announced his intent to establish a task force to review and resolve environmental concerns over adverse impacts of Lease Sale 91 in the frontier area off Northern California, Sale 116 in the environmentally sensitive area off Southern Florida near the Everglades National Park, and Sale 95 off Southern California. These three sales were scheduled to be held in 1990. The task force is to report its findings to the President by January 1, 1990. For Sales 91 and 116, the President directed indefinite postponement until the task force resolves the environmental concerns associated with these lease sales. For Sale 95, the President delayed the sale pending the task force review and stated his intent to delay further or cancel

the sale should the task force report indicate significant adverse environmental effects that have not been previously identified.

Much of the concern with respect to OCS leasing expressed by State and local officials, by environmental groups and by the public involve the effects of potential oil spills on sensitive marine ecosystems in the areas under study by the task force and in other OCS areas. The Department of the Interior reported to the Committee that, given the acknowledged difficulty of oil spill cleanup, the Department's emphasis has been on prevention of oil spills.

On March 24, 1989, the tanker Exxon Valdez struck Bligh Reef in Prince William Sound, Alaska, spilling about 240,000 barrels of crude oil. Subsequent cleanup efforts confirmed some of the worst fears of State officials, environmentalists and the public with respect to the ability of current technology to handle a large spill. Two months after the spill, oil had drifted more than 500 miles from Prince William Sound across the Gulf of Alaska and beyond Kodiak Island.

Interior Secretary Lujan has stated that the Department underestimated the response capability needed for oil spills in Alaska. Further, the Secretary has said that the task force established by the President will take into consideration the lessons learned in Alaska. The task force will review information gathered by the Federal officials assisting with the Valdez spill cleanup and assess the ability of oil companies and the Federal government to prevent such widespread environmental damage as was experienced in Alaska.

In April, Secretary Lujan announced a three-year \$6,000,000 cost-shared program to improve significantly the capability to respond to open ocean oil spills. The goal of the program is to develop better recovery and cleanup equipment and methods for large oil spills. The Committee will monitor with great interest the progress made by the Department in implementing the oil spill response initiative.

In May, the Secretary of Transportation and the Administrator of the Environmental Protection Agency sent a National Response Team report on the Valdez spill to the President. They reported that government and industry plans, individually and collectively, proved to be wholly insufficient to control an oil spill of the magnitude of the Exxon Valdez accident.

Until the President's task force information, including oil spill cleanup information, is gathered and sufficiently reviewed, the Committee recommends that the areas being examined by the task force be subject to leasing moratoria. Further, until the Department's oil spill initiative begins to yield results, the Committee recommends that exploration and development of leases in Bristol Bay, Alaska be placed under a moratorium. The Committee also recommends continuing the moratoria, included in the fiscal year 1989 appropriations bill, for the area south of 26 degrees North Latitude offshore Florida and the Georges Bank in the North Atlantic planning area. In addition, the Committee recommends restrictions for activity associated with Sale 119 off Central California and a portion of Sale 121 in the Mid-Atlantic planning area. In those areas where the Committee has recommended restrictions on preleasing activities, those restrictions apply only to the formal

steps indentified 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 (EIS), the conduct of public hearings directly associated with the EIS process, issuance of notices of sale and receipt of bids. Restrictions on preleasing activities do not preclude environmental, geologic geophysical, economic, engineering or other scientific analyses, studies and evaluations. Such studies form the basis for environmental impact statements but are not considered a part of the EIS or the formal sale process. Also, restrictions on preleasing activities do not preclude the conduct of public meetings and negotiations, participation in task forces or other cooperative efforts attempting to resolve issues associated with offshore leasing, exploration and development. The rationale for these recommendations is explained in more detail below.

Since fiscal year 1982 this Committee has been addressing OCS leasing issues through temporary limitation of funds provisions. The Committee believes an in-depth review of the OCS Lands Act by the legislative Committees is needed to address and resolve programmatic concerns on a long term basis.

Bill language is included to prohibit the use of funds for portions of the steps leading to the lease sale in the Georges Bank-North Atlantic planning area out to 400 meters. This area has been included in moratoria in previous fiscal years. The Georges Bank region generates \$1.5 billion in economic activity annually which includes about one-fifth of the dollar value of all fish caught in the United States. For this reason, the Committee believes it is vital to protect this very sensitive area out to 400 meters. In addition, this action is consistent with the Canadian government's 12-year moratorium on oil and gas activities on Georges Bank which was imposed on April 18, 1988. Although the Department has entered into discussions with affected parties, to date there has been no resolution of the dispute over leasing in this environmentally sensitive area. The Committee expects the Department to continue to encourage discussions among the affected parties.

Bill language has also been included which prohibits leasing and the approval or permitting of any exploratory drilling in the eastern Gulf of Mexico in the area south of 26 degrees North latitude and east of 86 degrees West longitude. Included in this area are planned Sale 116, which comes under the purview of the President's OCS task force, and existing leases from Sales 79 and 94. The Department of the Interior is expected to extend the terms of the existing leases issued in this area so that during fiscal year 1990 the companies are not charged for time they are restricted from conducting exploration activity. In fiscal year 1984, exploratory drilling activities were prohibited until the Department of the Interior had collected three years of physical oceanographic and biological resource data. That task has been accomplished and the State has determined that this exercise has added a significant body of information to the knowledge about this area. However, the State has said that the information collected is not sufficient to identify the Loop Current circulation and transport; the effects of toxicity on corals, seagrasses, mangroves, fisheries and endangered species; impacts on neighboring habitats, communities and ecosys-

tems; and the effects and impact of pollutants in the Florida Keys, especially the upper Keys. In addition, the study of a similar habitat by the Smithsonian Tropical Research Institute on the results of a 1986 oil spill just east of the Caribbean entrance to the Panama Canal has yet to be completed. The preliminary results of that research have shown that there was extensive death to intertidal mangroves, seagrasses, algae and associated invertebrates as a result of the spill. In addition, there was extensive mortality of shallow subtidal reef corals and seagrass beds. The Committee will follow with interest the progress of research on the ability of these species to recover over time.

Bill language has been included to prohibit leasing and preleasing activities in the Northern, Central and Southern California planning areas. Two of these areas have been included in the President's task force review and the third lies between the two areas under review.

First, in Northern California, the Committee continues to be concerned about the questions raised by the State, the Environmental Protection Agency (EPA) and the Fish and Wildlife Service (FWS) with respect to leasing in this area, and is pleased that Sale 91 has been included in the President's task force review. Since fiscal year 1986 the Committee has been stressing negotiations between the Department of the Interior, the State and Members of Congress on resolving the question of leasing in this environmentally sensitive area. The EPA stated, in its response to the Draft Environmental Impact Statement covering the Department's proposal to lease 223 whole or partial blocks in this lease sale, that there are a number of deficiencies in the Department's plan for leasing this area. Specifically, the EPA suggested that its major concerns were the potential impacts of leasing without stipulations and the potential significant impacts of an oil spill on the land and marine resources of the Northern California coast. In addition, a substantial portion of the coastline is a rocky intertidal area about which the Department states in the Draft Environmental Impact Statement there is little scientific literature.

The April 4, 1988 FWS comments on the Draft Environmental Impact Statement on Sale 91 highlighted many of the same concerns as those of the EPA. The FWS stated that it is not convinced that the MMS oil spill model is reliable for resource damage predictions. The oil spill trajectories should be calculated using more representative Northern California wind and ocean current data and the model may underestimate the risks of oil spills. The majority of the oil spilled in the marine environment occurs in events of 1,000 barrels or less. Further analysis of these small spills is needed in order to estimate their potential impact. In addition, the FWS stated that the MMS had presented little evidence to support claims that contaminated shorelines will recover in as little as 1 or 2 years. Finally, the FWS stated that current technology cannot effectively cleanup a spill. Oil spill cleanup and containment equipment is not deployable in severe weather, and in calm weather the containment and cleanup is at best only partially effective. Sixty-five to seventy-four percent of the time wave height exceeds the five feet at which oil spill containment and cleanup equipment is effective. The FWS concluded that the project as currently de-

signed would cause avoidable adverse impacts to biological resources. The Committee is interested in reviewing the task force conclusions and recommendations with respect to the issues raised by the State, the EPA and the FWS with respect to this sale.

Second, in the Southern California planning area, Sale 95 has been included in the President's task force review and the Committee believes that the results of that review must be carefully considered before resumption of activity on that sale. In addition, serious air quality issues pertaining to OCS facilities offshore California must be resolved. On January 17, 1989, after a negotiated settlement attempt with respect to air quality failed to reach consensus, the Department of the Interior issued a proposed rulemaking to address the emissions control problem. In a May 3, 1989 memorandum commenting on the proposal, the EPA concluded that the proposed rule, while an improvement over current regulations, would be inadequate to protect onshore air quality and would fail to correct the inequities between the regulation of onshore and offshore sources. Again, the Committee is interested in reviewing how the task force conclusions and recommendations address the issues associated with this sale.

Third, in the Central California planning area, Sale 119 is scheduled by the MMS for the pre-leasing process in fiscal year 1990, with a sale planned for 1991. The Committee understands that this sale was not included in the President's task force for review because the actual sale was not scheduled to take place in fiscal year 1990. The Committee believes that this sale, which is located between the two California sales included in the task force review, is subject to many of the same concerns associated with the neighboring sales. Therefore, the Committee does not believe it would be responsible to initiate preleasing activity in this area until the outstanding questions in the neighboring areas are resolved. In addition, the questions of adequately protecting the Cordell Bank Marine Sanctuary and of handling the routing of vessel traffic need to be sufficiently addressed before proceeding with lease activity in this area.

Bill language has been included to prohibit leasing and the exploration and development of leases in Bristol Bay, Alaska. In light of the devastation in Prince William Sound from the Exxon Valdez accident and the demonstrated inability of current technology to handle a major oil spill in Alaskan waters, the Committee believes it would be irresponsible at this time to allow development of the Bristol Bay area which is a major supply source of the Alaskan fishing industry. The herring and roe fishery in Prince William Sound has been closed this year and restrictions have been placed on the herring fishery off Kodiak because of the Valdez spill. The National Response Team reported to the President that the impact on the herring spawning areas will be determined best by examining the spawning adults at areas of impact in 1992, 1993, and 1994. In addition, Prince William Sound alone accounts for 50 percent of Alaska's total commercial harvest of pink salmon. Hatchery officials in the Sound will not know for two years, when this season's salmon fry return as adults to spawn, the extent to which the salmon were affected. An estimated one-third of Alaska's fishermen in 1987 worked in the area now affected by the spill.

Bristol Bay supports one of the largest commercial fisheries in the world, valued at \$1 billion annually. The Committee believes that Bristol Bay should not be exposed to OCS development absent more detailed information on the impact of the Valdez spill and the capability of government and industry to respond to any future spills in Alaskan waters. The Committee expects the Department of the Interior to examine the possible repurchase of the leases currently held in Bristol Bay, should that eventuality prove to be the most prudent course of action. The Secretary is to report to the Committee by February 1, 1990, on alternative options for compensating lease holders in Bristol Bay, assuming the compensation procedures outlined in 43 U.S.C. 1334. These options should include, to the extent practicable, credits in lieu of appropriations; such as credits on Federal royalties on producing OCS leases.

Bill language has been included to prohibit leasing and preleasing activities associated with a portion of Sale 121 in the Mid-Atlantic planning area. The States of New Jersey, New York, Maryland and North Carolina each have identified areas of concern with respect to Sale 121. Commercial and recreational fishing in the Mid-Atlantic region annually contributes hundreds of millions of dollars to the economies of the Mid-Atlantic States. The area supports swordfish, marlin, tuna, mackerel, lobster, squid and tilefish. North Carolina officials point out that the MMS has not researched the unusual circulation patterns between Cape Hatteras and the mouth of the Chesapeake Bay. This is a critical area for study of the potential trajectories of oil spills. In addition, New Jersey officials have expressed grave concerns with respect to development in an area which is already suffering from industrial discharges, sewage, and urban and agricultural runoff. The Committee encourages the MMS to work with the Mid-Atlantic States to identify and conduct the environmental studies necessary to allay these concerns before proceeding with Sale 121. Further, the Committee has placed a moratorium on preleasing and leasing activity for the portion of the planning area from and including Maryland, extending northward through the entire planning area and eastward from the coast for 50 miles.

Language has also been included under Department-wide provisions which amends section 5 of the Outer Continental Shelf Lands Act. This amendment to the Act adds a new subsection stating that any new construction of vessels, rigs, platforms or other structures after October 1, 1989, south of 49 degrees North latitude, shall be built from articles, materials, or supplies at least 50 percent of which, by cost, shall have been produced or manufactured in the United States. This language also specifies that fabrication must occur in the United States unless a waiver is granted by the Secretary of the Interior.

PAYMENTS TO STATES FROM RECEIPTS UNDER MINERAL LEASING ACT

Appropriation enacted, 1989.....	
Budget estimate, 1990.....	\$655,000
Recommended, 1990.....	
Comparison:	
Appropriation, 1989.....	
Budget estimate, 1990.....	-655,000

The Committee does not recommend funding in the amount of \$655,000 as requested by the Administration for Payments to States from Receipts under the Mineral Leasing Act. The Committee has included bill language granting authority under leasing and royalty management to make late interest payments to States and tribes and to provide for refund of overpayments on Indian allottee lease payments. The Department estimates a cost of \$200,000 for late interest payments in fiscal year 1990 and the Committee expects the Department to accommodate such payments within available funds. The Committee has included the \$105,000 requested for refunds on Indian allottee lease payments under the leasing and royalty management account. No funding has been provided for the payment of interest on refunds or for the payment of rewards for which the Administration had requested \$150,000 and \$200,000 respectively.

BUREAU OF MINES

MINES AND MINERALS

Appropriation enacted, 1989.....	\$159,292,000
Budget estimate, 1990.....	141,197,000
Recommended, 1990.....	161,876,000
Comparison:	
Appropriation, 1989.....	+2,584,000
Budget estimate, 1990.....	+20,679,000

The amount recommended for fiscal year 1990 for the Bureau of Mines is \$161,876,000, an increase of \$2,584,000 over the fiscal year 1989 appropriation of \$159,292,000, and an increase of \$20,679,000 over the fiscal year 1990 request of \$141,197,000. The amount recommended by the Committee as compared to the budget estimate by activity is shown in the following table:

	FY 1989 Enacted	(in thousands of dollars) Budget Estimates	Committee Bill	Change from Estimates
Information and Analysis				
Mineral commodities.....	10,600	11,379	11,379	---
International minerals.....	3,343	3,347	3,347	---
Resource evaluation.....	16,009	14,933	14,933	---
Policy analysis.....	4,728	5,434	5,434	---
Subtotal, Information and Analysis.....	34,680	35,093	35,093	---
Research				
Health, safety and mining technology.....	51,672	37,735	49,285	+11,550
Minerals and materials science.....	24,643	24,440	25,440	+1,000
Environmental technology.....	14,574	10,160	14,660	+4,500
Subtotal, Research.....	90,889	72,335	89,385	+17,050
Mineral institutes.....	10,012	---	5,479	+5,479
General administration.....	22,811	33,769	31,919	-1,850
Facilities.....	900	---	---	---
Total, Bureau of Mines.....	159,292	141,197	161,876	+20,679

The mission of the Bureau of Mines is to help ensure that the United States has an adequate and dependable supply of minerals to meet its defense and economic needs at low social, environmental, energy and economic costs. The Committee questions how well the Bureau would be able to meet its mission with the requested budget which would reduce the Bureau's research funding by 21 percent from the fiscal year 1989 level. At the level of funding recommended by the Committee, the Bureau will be able to continue

research which will enhance mining and mineral processing safety and productivity and promote efficiency in resource use.

An additional \$11,550,000 has been included for Health, Safety and Mining Technology. The increase provides \$1,000,000 for selective mining research; \$2,500,000 for respirable dust research conducted by Pennsylvania State University, West Virginia University, the University of Minnesota and the Massachusetts Institute of Technology; \$1,000,000 for in-house research on dust control; \$500,000 for research on the use of diesels in underground mines; \$500,000 for noise control research; \$2,000,000 for ground control research which includes \$1,000,000 to be divided equally between mountain bump and rock burst research and \$1,000,000 for mine entry studies; \$750,000 for super longwall research; \$500,000 for mine worker performance and safety research; \$300,000 to complete the Coal Mine Injury Analysis project at Pennsylvania State University and West Virginia University; \$500,000 to investigate new haulage and materials handling technologies; and \$2,000,000 for mine disaster prevention which includes \$250,000 for the self-contained self-rescuer, \$500,000 for methane control, \$500,000 for explosives, and \$750,000 for mine fires research.

In Minerals and Materials Science the Committee has provided an increase of \$1,000,000 for initiation of an Oregon metals research initiative to be matched on a dollar-for-dollar basis from non-Federal sources.

In Environmental Technology the Committee recommends an increase of \$4,500,000 over the fiscal year 1990 request. This increase provides \$2,000,000 for biotechnology in waste management and minerals processing research, of which \$600,000 is acid mine research; \$1,000,000 for subsidence control research, of which \$150,000 is for a characterization study at an abandoned iron ore mine site in Mine Hill, New Jersey with the understanding that local, county, or State funds will be identified to match the Federal share and that the total cost of the project will not exceed \$300,000; and \$1,500,000 for the National Mine Land Reclamation Center to continue funding at the fiscal year 1989 level.

The Committee has provided \$5,479,000 for Mineral Institutes, including \$4,054,000 to fund generic research centers, \$1,200,000 for the Marine Minerals Technology Center, and \$225,000 for program administration.

In General Administration the Committee has recommended a net reduction of \$1,850,000 which includes an increase of \$150,000 for research center maintenance and a decrease of \$2,000,000 from the Administration's request of \$10,500,000 for cleanup of the National Radium Institute site in Denver, Colorado. The recommended level of \$8,500,000 for the cleanup effort will not affect the actual cleanup activity but will slow down the schedule for repayment of costs to the Environmental Protection Agency.

The Committee does not believe the Bureau has made a convincing case for decreasing in-house staffing and therefore directs the Bureau to maintain the current year staffing level in fiscal year 1990.

Bill language has been included which prohibits the sale of helium facilities in fiscal year 1990. The Committee questions the benefits which would accrue to the government under this initia-

tive. The Bureau's various estimates of the value of the facilities strain credulity as does the likelihood of finding an attractive buyer for the facilities. Privatization solely for its own sake is not a sufficient argument if the government loses money in the process and Federal helium customers experience markedly higher costs. Industry concerns that the Bureau is artificially depressing the price of helium should be examined. The Bureau is to report to the Committee by January 1, 1990 on options for establishing a mechanism for routine escalation in the government price for helium and the impacts of such a pricing policy. The report should address the potential effects, under various scenarios, on Federal customers, on helium demand and on paying off the principal on the helium fund debt to the Treasury. In addition, the report should include a discussion of the benefits to be accrued with respect to helium conservation under the various options.

Bill language has been included under Title I, general provisions, to require the Bureau of Mines to relocate its Headquarters operation to Avondale, Maryland. The Avondale facility most recently was the site of a Bureau laboratory which was vacated by the Department despite the expressed concern by the Committee that it not be closed. The facility is currently being renovated by the General Services Administration and will be available for occupancy in 1991.

Bill language is also included to prohibit the closure or consolidation of any research centers.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

Appropriation enacted, 1989.....	\$101,095,000
Budget estimate, 1990.....	103,738,000
Recommended, 1990.....	102,728,000
Comparison:	
Appropriation, 1989.....	+1,633,000
Budget estimate, 1990.....	-1,010,000

The Committee recommends \$102,728,000 for Regulation and Technology, a reduction of \$1,010,000 under the fiscal year 1990 request of \$103,738,000. The amount recommended by the Committee for fiscal year 1990 compared to the budget estimate by activity is shown in the following table:

	(in thousands of dollars)			
	FY 1989 Enacted	Budget Estimates	Committee Bill	Change from Estimates
State regulatory program grants.....	41,910	41,910	41,910	---
Federal Regulatory Programs				
Regulatory program operations.....	20,310	21,950	21,950	---
Technical services, training and research.....	13,470	13,026	13,026	---
Kentucky settlements.....	4,426	3,772	3,772	---
Assessments and collections.....	8,981	9,100	9,100	---
Subtotal, Federal Regulatory Programs.....	47,186	47,848	47,848	---
General administration				
Executive direction.....	1,761	1,589	1,589	---
Administrative support.....	5,649	7,087	6,487	-600
General services.....	4,589	5,304	4,894	-410
Subtotal, General administration.....	11,999	13,980	12,970	-1,010
Total, Regulation and Technology.....	101,095	103,738	102,728	-1,010

Since the passage of the Surface Mining Control and Reclamation Act, the Committee has monitored the progress of the Office of Surface Mining Reclamation and Enforcement (OSM) in reclaiming land scarred by surface mining activity and ensuring proper environmental protection through its inspection and enforcement provisions. To assist the OSM, the Committee has in prior years added funding for additional inspectors and troubleshooters. The Committee expects the OSM to retain the current year staffing level of inspectors and troubleshooters in fiscal year 1990.

The Committee continues to be concerned about the Applicant Violator System (AVS) and the data quality problems which have been highlighted by the General Accounting Office and by the OSM with respect to the AVS. The AVS needs to be put in good working order which can be demonstrated to the Committees, the States and the public. The Committee will continue to monitor this program and the OSM is to continue to report to the Committee on a quarterly basis on its progress in implementing and operating the AVS.

The Committee has reduced General Administration by \$1,010,000 including a decrease of \$600,000 for reduced administrative support in developing the Coal Data Management Information System (CDMIS) and a decrease of \$410,000 for conversion to the Department of the Interior's Federal Financial System (FFS). The Committee believes that OSM should solve the problems associated with the AVS before encountering the challenge of implementing the all-encompassing, automated and integrated computer system envisioned by CDMIS. Likewise, the Committee questions the advisability of funding an expensive, long-term effort to convert to a new finance and accounting system at this time. While the Committee recommendation does not include any funds for FFS or for CDMIS systems design, it does include sufficient funds for the systems analysis needed prior to detailed CDMIS design. Reductions for CDMIS and FFS are also included in the Abandoned Mine Reclamation Fund account.

The OSM has initiated an ambitious effort to revamp the State oversight program. The Committee supports the concept of including in the oversight program special State and region-specific analyses in key areas of concern such as acid mine drainage, cumulative hydrologic impact analyses and archaeological reviews. However, the Committee questions how the OSM will implement the changes currently envisioned and still ensure that its Federal oversight responsibility is not compromised. The Committee cautions the OSM that any proposed program changes should be subjected to review and comment by the Committee, the States, and the public. In addition, the oversight program must include a statistically-reliable and standardized data collection and reporting component from which annual information, in such areas as inspection frequency and inspector staffing, is compiled and used for comparison of progress within and across States. The OSM is considering a pilot project to test proposed changes to the oversight program. The Committee expects the OSM to limit the pilot project to 3 States and to provide the results of the project to the Committee and to make them available for public comment. Further, the Committee

expects the OSM to receive Committee approval before instituting changes to the oversight program.

Bill language has been included under Title I, general provisions, to require that the Bureau of Mines rather than OSM be relocated to Avondale, Maryland.

ABANDONED MINE RECLAMATION FUND

Appropriation enacted, 1989	\$193,160,000
Budget estimate, 1990	150,387,000
Recommended, 1990	192,772,000
Comparison:	
Appropriation, 1989	-388,000
Budget estimate, 1990	+42,385,000

The Committee recommends \$192,722,000 for the Abandoned Mine Reclamation Fund, an increase of \$42,385,000 over the fiscal year 1990 budget request of \$150,387,000. The amount recommended by the Committee for fiscal year 1990 compared to the budget estimate by activity is shown in the following table:

	(in thousands of dollars)			
	FY 1989 Enacted	Budget Estimates	Committee Bill	Change from Estimates
State reclamation program grants.....	151,660	120,000	150,000	+30,000
Federal Reclamation Programs				
Fee compliance.....	5,681	5,720	5,720	---
Reclamation program operations.....	19,005	17,384	18,044	+660
Rural lands reclamation program.....	12,000	---	12,000	+12,000
Subtotal, Federal Reclamation Programs.....	36,686	23,104	35,764	+12,660
Small operator assistance.....	---	1,600	2,000	+500
General Administration				
Executive direction.....	866	873	873	---
Administrative support.....	1,692	2,311	1,711	-600
General services.....	2,256	2,599	2,424	-175
Subtotal, General Administration.....	4,814	5,783	5,008	-775
Total, Abandoned Mine Reclamation Fund.....	193,160	150,387	192,772	+42,385

The Committee has included \$150,000,000 for State Reclamation Program Grants, which includes \$146,520 for the allocation of grants to the States and \$3,480,000 for repaying four States for funds reprogrammed in fiscal year 1989 to fund emergency projects. The minimum program States are to receive \$1,500,000 which amounts to one percent of the total recommended level for Abandoned Mine Land (AML) reclamation grants. The Committee understands that eight State will be eligible for the minimum funding level. In May, the Committee approved an emergency reprogramming request which transferred \$3,480,000 in prior year AML fund recoveries to emergency projects in Kentucky, Ohio, West Virginia and Pennsylvania. These recoveries normally would have been returned to the States to fund high priority reclamation projects. To ensure an equitable resolution of this funding situation, the OSM is to fully repay those States before allocating AML funds for fiscal year 1990 AML State grants. It is unfortunate that the Department did not request a fiscal year 1989 supplemental appropriation to pay for the emergency projects and that fiscal year 1990 funds must be used to reimburse the States. The OSM is to keep the Committee apprised of the status of funds available for

emergency projects in fiscal year 1990 so that the Committee is not presented with a similar, unanticipated request.

The Committee is encouraged by the continued progress the States have made in reducing their high unobligated balances from prior year State reclamation grants and will continue to monitor obligation records. The OSM is to continue to keep updated obligation records for each State and to report quarterly to the Committee on the progress made by the States in obligating prior year unobligated balances as well as on the issuance of grants to the States.

The OSM is to report to the Committee, no later than two weeks prior to the fiscal year 1991 budget hearing before the Committee, on alternative options for, and impacts of, revising the AML allocation formula to include consideration of the grant obligation rates of the States.

The Committee is concerned with the delay in completing the review and revision of the AML inventory. The Committee expects to review the results of this effort prior to the submission of the fiscal year 1991 budget request. In the absence of a fully updated and reviewed inventory, the allocation of the Secretary's discretionary share of the AML fund in fiscal year 1990 is to be based solely on historic coal production prior to 1977.

In Federal Reclamation Programs the Committee recommends an increase of \$12,660,000 over the requested fiscal year 1990 level, including an increase of \$500,000 for high priority reclamation projects in non-primacy States and on tribal lands, \$160,000 for fully funding salaries and benefits for 12 FTEs in the Office of the Solicitor who provide AML legal support to the OSM, and \$12,000,000 to fund the Rural Abandoned Mine Program (RAMP) at the fiscal year 1989 level. Once again the Administration proposed no funding for the RAMP program despite the clear Congressional desire to provide funds for this activity.

For Small Operator Assistance Payments (SOAP) the Committee recommends an increase of \$500,000 over the Administration's request, based on SOAP distributions over the past few years.

The Committee has reduced General Administration by \$775,000 which includes reductions of \$600,000 for the Coal Data Management Information System and \$175,000 for the Federal Financial System. Reductions for these activities were also recommended in the Regulation and Technology account.

Bill language has been included to specify that the OSM is to maintain 23 FTEs for the anthracite reclamation program at the Wilkes-Barre, Pennsylvania field office.

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

Appropriation enacted, 1989.....	\$967,767,000
Budget estimate, 1990.....	917,491,000
Recommended, 1990.....	1,065,574,000
Comparison:	
Appropriation, 1989.....	+97,807,000
Budget estimate, 1990.....	+148,083,000

The amounts recommended by the Committee for fiscal year 1990 compared with the budget estimates by activity are as follows:

	(in thousands of dollars)			
	FY 1989 Enacted	Budget Estimates	Committee Bill	Change from Estimates
Education				
School operations.....	186,643	192,534	200,434	+7,900
Johnson O'Malley educational assistance.....	23,000	20,472	23,572	+3,100
Continuing education.....	26,314	25,002	29,355	+4,353
Tribe/Agency operations.....	32,546	32,142	32,142	---
Subtotal, Education.....	268,503	270,150	285,503	+15,353
Indian Services				
Tribal government services.....	8,786	7,526	7,726	+200
Social services.....	93,222	84,138	92,588	+8,450
Law enforcement.....	4,016	5,121	4,880	-241
Self-determination services.....	57,644	51,626	58,626	+7,000
Employment development.....	2,585	2,099	2,559	+460
Tribe/Agency operations.....	124,812	127,991	139,778	+11,787
Subtotal, Indian Services.....	291,165	278,501	306,157	+27,656
Navajo-Hopi settlement program.....	1,985	1,002	1,002	---
Economic Development and Employment Programs				
Business enterprise development.....	10,801	10,398	10,398	---
Road maintenance.....	30,975	---	---	---
Tribe/Agency operations.....	3,523	3,542	3,967	+425
Subtotal, Economic Development & Employment.....	45,299	13,940	14,365	+425
Natural Resources Development				
Natural resources, general.....	2,267	2,961	2,818	-143
Agriculture.....	5,886	10,469	12,185	+1,716
Forestry.....	12,272	9,253	12,903	+3,650
Water resources.....	10,067	10,107	10,107	---
Wildlife and parks.....	26,731	23,312	28,378	+5,066
Minerals and mining.....	7,871	5,211	5,386	+175
Irrigation and power.....	7,701	---	---	---
Tribe/Agency operations.....	50,307	47,527	56,245	+8,718
Subtotal, Natural Resources Development.....	123,102	108,840	128,022	+19,182
Trust Responsibilities				
Rights protection.....	16,041	7,590	17,443	+9,853
Real estate and financial trust services.....	19,252	20,212	19,212	-1,000
Tribe/Agency operations.....	23,495	23,930	23,930	---
Subtotal, Trust Responsibilities.....	58,798	51,732	60,585	+8,853
Facilities Management.....	81,453	85,578	85,792	+214
General Administration				
Management and administration.....	38,151	42,106	42,006	-100
ADP services.....	17,650	19,053	18,103	-950
Program management.....	6,016	6,431	6,681	+250
Employee compensation payments.....	14,962	18,481	18,481	---
Consolidated training program.....	840	840	840	---
Tribe/Agency operations.....	19,843	20,837	21,037	+200
Subtotal, General Administration.....	97,452	107,748	107,148	-600
Tribal contract conversion.....	---	---	77,000	+77,000
Total, Operation of Indian Programs.....	967,767	917,491	1,065,574	+148,083

Education.—The Committee recommends an increase of \$15,353,000 for education. For school operations, there are the following increases: \$3,400,000 for the Bureau's reestimate of the amount of funds needed for teachers' and counselors' salaries, as required by Public Law 100-297; \$3,200,000 to adjust the Indian School Equalization Program formula for the gifted and talented program, also required by Public Law 100-297; \$800,000 for school transportation, which has declined from \$1.38 per mile in fiscal year 1986 to an estimated \$1.19 in fiscal year 1989; and \$500,000 to restore the proposed reduction for substance abuse school counselors. The Bureau should continue to try to hire certified substance abuse counselors whenever possible, or use these funds to provide additional substance abuse training to existing counselors or new hires.

The Committee is concerned about the lack of progress in meeting education standards in Bureau-funded schools, and expects a complete report on this subject to be submitted by October 1, 1989.

For the Johnson-O'Malley program, there is an increase of \$3,100,000. This consists of a restoration of \$2,600,000, plus an additional \$500,000 for the increase of 2.2 percent in the number of students served in fiscal year 1989 compared to 1988. An increase of \$4,353,000 is recommended for continuing education. Included is an increase of \$744,000 for Haskell Indian Junior College, which will restore the funding to the 1989 level, and add funds for the natural resources program, equipment, and facilities management. Also included is \$175,000 to be used for an experimental summer program, to determine if there is sufficient interest for a full summer program in future years. The increase for the Southwestern Indian Polytechnic Institute is \$619,000, to restore the funding to the 1989 level, and provide additional funds for natural resources, equipment, and an experimental summer program.

For special higher education, there is an increase of \$660,000, which includes \$160,000 to restore the summer law program at the University of New Mexico. An increase of \$1,930,000 is recommended for the tribally-controlled community colleges, which will restore funding to the 1989 level (\$680,000) and add \$250,000 to the endowment fund, \$750,000 for Title I colleges and \$250,000 for the Navajo Community College. There is also an increase of \$400,000 for a national teleteaching interactive educational delivery system demonstration between Mansfield University and the tribally-controlled community colleges.

Indian services.—An increase of \$27,656,000 is recommended for Indian services. Under tribal government services, there is an increase of \$200,000, consisting of decreases of \$250,000 for the proposed Institute of Tribal Government and \$50,000 to the central office due to unfilled positions; and an increase of \$500,000 for new tribes funding. Within the total for new tribes, \$600,000 should be made available for the Coquille Tribe.

An increase of \$8,450,000 is recommended for social services. This includes \$2,350,000 to restore welfare grant assistance to the 1989 level, and \$4,900,000 to restore Indian Child Welfare Act grants also to the 1989 level. There is also an increase of \$1,200,000 for the estimated increased costs required to provide general assistance in the States of Washington and Oregon. Should these amounts not prove to be sufficient to meet the requirements in these States, the Bureau should notify the Committee promptly of the additional funding needed. The Committee has included no funds to pay retroactive general assistance to persons who can show that they would have been eligible in Washington State between December, 1987 and March, 1989. The Committee understands these funds will be paid from funds appropriated prior to fiscal year 1990.

The Committee has deleted a provision in the bill which has been included for several years, prohibiting the payment of general assistance in the State of Alaska. There is disagreement as to whether Alaska Natives are eligible for such assistance under the Bureau's regulations, and the Committee believes this issue should be decided on the merits, rather than on the basis of the bill lan-

guage. The Committee should be informed of any changes in the Bureau's position as to the provision of general assistance in Alaska, as well as the need for funding for this purpose.

Under law enforcement, there is a decrease of \$241,000. The Committee supports the hiring of additional investigators, but believes this can be accomplished within available funds, since only 5 positions were filled last year with a budget of \$510,000.

For self-determination services, there is an increase of \$7,000,000, which restores contract support to the 1989 level, and adds \$3,000,000 more for the increased levels of contracting that will result from recommendations in this bill. Under employment development, there is \$460,000 to restore the United Tribes Technical College funding to the 1989 level.

Under tribal services-tribe/agency operations, there is an increase of \$11,787,000. The Committee would like to ensure that the Bureau understands the Committee's position with regard to tribe/agency add-ons: unless otherwise stated, all such increases are to be added to the tribe's base and included in future budget requests, beginning with the fiscal year 1991 budget, unless the tribe chooses to move the funding to other programs. Under tribal courts and law enforcement, the following increases are recommended:

Tribal courts:

Cheyenne River Sioux	\$500,000
Lower Elwha	23,000
Sault Ste. Marie	50,000
Penobscot	60,000
Northwest Intertribal court system.....	350,000
Quileute.....	25,000
Pascua Yaqui	100,000
Lummi.....	50,000
Quinault.....	50,000
Standing Rock Sioux	100,000
Total.....	<u>1,308,000</u>

Law enforcement:

Quinault.....	175,000
Standing Rock Sioux	200,000
Sault Ste. Marie	150,000
Cheyenne River Sioux	400,000
Lummi.....	200,000
Rosebud Sioux.....	250,000
Pojoaque Pueblo	95,000
Omaha.....	150,000
Lower Elwha	100,000
Tohono O'Odham	250,000
Suquamish.....	200,000
Penobscot.....	100,000
Colorado River Tribes.....	175,000
Ramah Navajo	150,000
Uintah and Ouray.....	100,000
Miccosukee	200,000
St. Regis Mohawk.....	200,000
Total.....	<u>3,095,000</u>

The increase for St. Regis Mohawk will allow the tribe to develop a law and order code and related systems, and if this is completed before the end of the year, to initiate a law enforcement program. Additional funding for the program will be provided in future years. These development funds may also be used to develop the

tribal court system, including a legal code and rules for the adjudication of disputes. The Bureau should also continue to work with the Seneca Nation to complete development of a law and order code for the tribe.

Also included is an increase of \$60,000 to restore Pascua Yaqui fire protection to the 1989 level. There are increases of \$3,000,000 to restore self-determination grants to the 1989 level, \$124,000 to restore funding for the Chitimacha tribe, and \$1,200,000 to restore funding for the self-governance project. These funds will allow second year planning money, if applied for, for tribes selected to participate in the project in fiscal year 1989, additional planning money for new applicants, and funds to assist in negotiations for those tribes who are ready to implement the demonstration program authorized in Public Law 100-472. The Committee expects the Bureau to cooperate fully with the tribes participating in the self-governance demonstration program, in providing required program and budget information and negotiating agreements. The Committee will expect to receive a progress report on this program prior to the 1991 hearings. There is also an increase of \$3,000,000 to continue the initiative to address child abuse. Of these funds, \$100,000 should be made available to the Hopi Tribe to continue the Hopi Special Child Abuse Project.

Economic development.—An increase of \$425,000 is recommended, to restore funding for the grant to the Michigan tribes to the 1989 level, with additional funds to be provided by the State of Michigan. This is the final year of funding for this program.

Natural resources development.—An increase of \$19,182,000 is recommended for natural resources development. Included is a decrease of \$143,000 to natural resources, general, which was to be used to fund four existing positions previously included under another program. The funds for these positions should be transferred to this program along with the positions.

Under agriculture, there is an increase of \$1,716,000, which includes \$250,000 for the Intertribal Agricultural Council, \$1,411,000 for the next phase of crop establishment for Gila River Farms, and \$55,000 for the final year of the Nez Perce soil fertility program.

There is an increase of \$3,650,000 for forestry, which includes \$3,150,000 to restore the forest development program to the 1989 level, and \$500,000 to initiate a woodlands management program. A change in management emphasis in 1987 shifted 8.4 million acres of woodlands to the forestry program's existing base of 6.1 million acres, and the additional funds will be used for mapping, inventory, planning, product sales, and protection from trespass on woodlands in the Navajo, Phoenix, Albuquerque, and Aberdeen areas. Within the \$338,000 provided for forest products marketing assistance, \$50,000 should be used to update the Intertribal Timber Council's study on forest products marketing and business development.

For water resources, the Committee recommends \$10,107,000, the same as the budget estimate. However, the Committee intends for \$9,238,000 of these funds to be used for the water management program, since funds for water rights negotiation and litigation will be restored under the Indian rights protection program. The Committee is aware of the requests of the Fort Belknap, Nez Perce, Stand-

ing Rock Sioux, Rosebud Sioux, and Yakima tribes for water management funds, and expects that these requests will be reviewed and funded to the extent possible within the funds provided.

The Committee has included no funds for firefighting within this account, since all such funds in the bill are included under the firefighting account included under the Bureau of Land Management.

An increase of \$5,066,000 is recommended for wildlife and parks. Included are the following increases to restore activities to the 1989 level: \$250,000 for Michigan (Great Lakes) fisheries management; \$2,000,000 for the timber/fish/wildlife initiative; and \$210,000 for the Klamath Tribe's program on the threatened sucker species. There are also increases of \$639,000 for the U.S./Canada Pacific Salmon Treaty; and \$300,000 to support tribal participation in Columbia River Gorge planning, including funds for tribal participation in planning related to the recently enacted Oregon Wild and Scenic Rivers legislation. Also included is an increase of \$300,000 for Upper Columbia United Tribes; these funds should be used only in direct support of tribal needs. There is also an increase of \$200,000, and bill language, to continue the fish hatchery maintenance program, which is \$50,000 less than provided in fiscal year 1989 now that the most serious needs have been met. An increase of \$1,508,000 is included for the Great Lakes Indian Fish and Wildlife Commission, which will restore the funding to the 1989 level (\$1,270,000) and provide an increase of \$238,000 to implement the recently executed Memorandum of Agreement with the State of Minnesota regarding off-reservation hunting and fishing in the 1854 Treaty ceded area of Minnesota, and the recently developed Tri-Band Authority Game Code governing this activity by tribal members. The funds will also be used for enforcement, court proceedings, and monitoring of tribal harvest.

A decrease of \$1,444,000 is recommended, which reflects transfer of four hatcheries and three fisheries assistance offices back to the Fish and Wildlife Service. There are also increases for the following: \$200,000 for unresolved hunting and fishing rights in the State of Washington, including shellfish, wildlife and habitat protection; \$200,000 for Quileute fisheries management, to assume fisheries operations formerly conducted by the State of Washington; \$160,000 for the Quinault Tribe, for fisheries habitat restoration, Queets River; \$150,000 for Lummi Tribe fisheries enforcement; \$100,000 for Suquamish fisheries management; \$100,000 for Stillaquamish fisheries management; \$93,000 for the Makah Tribe to survey reservation waters for the Viral Hemorrhagic Septicemia virus and other fisheries activities; and \$100,000 for the Native American Fish and Wildlife Society to implement its Tribal Technical Involvement Plan. Additional funds for this purpose should be sought from member tribes of the Society, or from other sources.

The Committee recommends an increase of \$175,000 for minerals, which consists of an increase of \$250,000 for the Council of Energy Resource Tribes, and a decrease of \$75,000 related to three existing positions which the Bureau proposes to fill. The Bureau should use available funds identified with these positions to fill them.

An increase of \$8,718,000 is recommended for tribe/agency operations. Included is \$4,863,000 for forestry, including \$2,500,000 to

restore the timber sales program to the 1989 level. Other increases include \$100,000 for the Passamaquoddy Tribe, \$455,000 for forest management on new trust lands of the Grand Ronde Community, \$408,000 to manage newly acquired tribal forest lands of the Quinault, Jicarilla Apache and Grand Ronde tribes, \$500,000 for Menominee forest management, \$400,000 for San Carlos Apache forest management, and \$500,000 for White Mountain Apache forest management. For water resources, an increase of \$1,100,000 is included, consisting of \$150,000 for the Umatilla tribe, \$250,000 for the Flathead tribe, \$200,000 for the Miccosukee tribe, and \$500,000 for the Seminole tribe.

Under wildlife and parks, the following increases are recommended:

Taos Pueblo-wilderness program	\$111,000
Cheyenne River Sioux-game, fish and parks.....	200,000
Sault Ste. Marie-salmon enhancement.....	150,000
Leech Lake-hatchery	100,000
Montana tribes	100,000
Yakima-wildlife and fisheries management	300,000
Oglala Sioux-fish and wildlife program.....	300,000
Covelo-fish and wildlife program	84,000
Umatilla-fisheries program.....	100,000
St. Regis Mohawk-develop fish and wildlife program.....	50,000
Red Lake Band-walleye research and management	200,000
Nisqually-big game biologist.....	60,000
Tulalip-fisheries	300,000
Navajo-natural heritage program.....	200,000
White Earth-fish and wildlife.....	100,000
Karuk-establish fisheries department	200,000
Nez Perce-fish and wildlife	200,000
Total.....	2,755,000

Trust responsibilities.—The Committee recommends an increase of \$8,853,000 for trust responsibilities. There is an increase of \$9,853,000 for Indian rights protection, which includes an increase of \$500,000 for environmental quality, to provide for additional remedial investigations of hazardous waste sites. An increase of \$1,000,000 is recommended for litigation support, which restores the reduction from the 1989 level (\$300,000), and adds \$300,000 for expenses of the Shoshone-Bannock tribe in the *U.S. v Oregon* lawsuit, \$150,000 for the Arkansas River Bed Authority, and \$250,000 to allow the Lower Elwha tribe to intervene in dam relicensing procedures. The Committee has also included bill language which will provide for litigation support funds to remain available until expended, since the timing of the need for such funds cannot always be determined accurately in advance. An increase of \$1,500,000 is recommended for attorneys' fees, which will restore the program to the 1989 level (\$500,000), and provide an increase of \$1,000,000. Within the funds provided should be adequate funds for litigation related to the Navajo-Hopi dispute, including the funds authorized for the San Juan Southern Paiute tribe. There is an increase of \$6,853,000 to restore water rights negotiation and litigation funds to the 1989 level, and to continue this activity with separate funding as opposed to combining it with water development and management funds as proposed by the Bureau. Included within this amount is \$1,300,000 to fund Little Colorado River claim preparation costs, and \$100,000 for contract studies by the Navajo and

Hopi tribes. There is also \$300,000 included for the Western Shoshone Nation for expenses related to the general stream adjudication with Idaho and Nevada.

A decrease of \$1,000,000 is recommended to financial trust services. The Committee has included bill language similar to that included in prior years, requiring reconciliation of tribal or individual accounts prior to transfer to the new trust fund contract. This decrease reflects the delay in implementing activities under the contract while this reconciliation effort continues. Additional issues related to the contract are under review by another Committee of the Congress, and may result in additional directives at a later date.

Facilities management.—An increase of \$214,000 is recommended for facilities management. Included are decreases of \$86,000 due to a reestimate of funds required for new facilities operations and maintenance (O&M) costs, and \$500,000 to reduce the request for O&M initiatives/training. There is also a transfer of an additional \$500,000 from the O&M initiatives/training request, so that the balance of the increase remaining for this purpose will be \$1,500,000. The \$500,000 transferred will be added to existing facilities O&M, along with an \$800,000 increase, to provide for an inflation adjustment of \$1,300,000 as the new O&M formula is implemented. The Department should inform the Committee as the formula is implemented if any shortfall or excess of funds is found.

General administration.—A decrease of \$600,000 is recommended for general administration. Included is a decrease of \$100,000 for Departmental billings, which still leaves an increase of 20 percent over 1989, instead of 34 percent as proposed. The basis for any such large increases should be justified by the Department in future budget justifications. There is also a decrease of \$950,000 to automatic data processing, which consists of \$750,000 related to field systems equipment replacement, and a reduction of \$200,000 based on the large number of unfilled positions. Since the field systems funding is not being used for additional field service centers as originally proposed, the need for an increase over the 1989 level is not clear.

An increase of \$200,000 is provided under tribe/agency operations to establish a field station for the Makah tribe at Neah Bay, WA. The Committee expects continued operation of the Klamath field office in fiscal year 1990 at current staffing levels. There is also an increase under program management of \$250,000 to continue the Close Up Foundation program at the 1989 level. The Committee has retained the bill language related to this funding.

Additional items.—The Committee has included \$77,000,000 in budget authority only, which is the estimate of funds needed by the Bureau to carry out the requirements of section 204 of Public Law 100-472, the Indian Self-Determination and Education Assistance Act Amendments of 1988. Under this section, the Secretary is required to use the calendar year as the basis for contracts and agreements with Indian tribes, which will require additional budget authority in fiscal year 1990 to cover the extra quarter year for all such contracts. Bill language has also been included to provide these funds for this purpose.

Under Administrative provisions, the Committee has not included language proposed by the Administration which would have changed the date in P.L. 100-472 when the Secretaries of Health and Human Services and Interior shall be responsible for obtaining or providing liability insurance or equivalent coverage for Indian tribes or organizations carrying out contracts or agreements pursuant to the Act. The proposed language would have changed the date of this requirement from 1990 to 1991. However, this requirement has been in place since October, 1988, and the Committee believes the agencies involved should complete their review of this requirement and take the necessary action, including submission of proposed language or budget amendments, in order to meet the requirements of the law beginning in 1990.

The Committee is aware of concerns of the Penobscot Nation and the Passamaquoddy tribes of Maine regarding the lack of a meaningful base for funding since they attained Federal recognition in 1977, particularly since there has never been a BIA agency in Maine. Therefore, the Committee requests the Bureau to use \$5,000 of management and administration funds, along with an additional \$5,000 to be provided by the Maine tribes, to contract with an independent accounting firm familiar with Indian tribes and BIA programs, to prepare a financial and programmatic needs assessment of Bureau funds going to the Maine tribes. This will include an assessment of the sufficiency of base funding for the tribes, and the extent to which the tribes are subsidizing BIA programs, as well as unmet infrastructure needs. The report should be completed within six months, and submitted to the Committee directly by the firm involved.

The Committee is concerned with the large number of vacant positions, some for long periods of time, within the Bureau. The Bureau is requested to submit a summary of all such vacant positions, by program and location, the length of time vacant and related funding, with the fiscal year 1991 budget justification.

CONSTRUCTION

Appropriation enacted, 1989	\$79,283,000
Budget estimate, 1990	100,975,000
Recommended, 1990	134,379,000
Comparison:	
Appropriation, 1989	+55,096,000
Budget estimate, 1990	+33,404,000

The Committee recommends an appropriation of \$134,379,000, an increase of \$33,404,000 over the budget estimate. The recommended amounts, compared to the budget estimates, are shown in the following table:

	(in thousands of dollars)			Change from Estimates
	FY 1989 Enacted	Budget Estimates	Committee Bill	
Buildings and utilities.....	33,650	33,285	34,410	+1,125
Fish hatcheries.....	1,900	---	1,600	+1,600
Irrigation systems.....	20,910	7,214	28,409	+21,195
Housing.....	22,823	20,063	23,463	+3,400
Employee housing.....	---	500	500	---
Road maintenance and construction.....	---	30,098	31,982	+1,884
Land acquisition.....	---	---	4,200	+4,200
Contract support.....	---	9,815	9,815	---
Total, Construction.....	79,283	100,975	134,379	+33,404

The Committee is concerned that the Department is taking steps to transfer control of the Bureau construction program back to the Bureau from the Office of Construction Management, prior to consultation with and agreement by the Appropriations Committees, as previously agreed with the Department. The Committee reiterates that no such changes should take place until a proposal has been submitted to the Committee and the Committee has agreed to the proposed changes. Until then, there should be no change in the arrangement as it has been in place for the last several years, whereby the Office of Construction Management retains all management control and direction of the construction program, while working with BIA to move toward an eventual transfer of the program to BIA control. The Department should also continue to submit the quarterly reports to the Appropriations Committees, promptly after the end of each quarter, on the progress made in addressing each of the Committee's directives.

Buildings and utilities.—An increase of \$1,125,000 is recommended, including \$625,000 for expansion of the Eagle Butte, SD detention center to include a detoxification facility. There is also \$500,000 for studies and A&E designs for the detention facilities which have been ranked highest on the new priority ranking list. This should provide adequate funds to initiate planning for at least the first five facilities on the list, including the Colville detention facility in Washington, and to award one A&E design contract for the highest ranked facility. The Committee expects that funding requests for construction of these facilities will be included in the budget request in future years, beginning in fiscal year 1991.

The Committee has reconsidered its directive that all new construction and major FI&R projects be designed for preengineered construction. The Committee agrees that value engineering of design analysis, aimed at achieving essential functions at the lowest life-cycle cost consistent with required performance, reliability, quality and safety, shall be used for all construction projects and major FI&R projects in the future.

Within the available funds for FI&R projects, the Committee recommends that an additional \$500,000 be made available for an addition to the Hannahville, MI Indian school. The Bureau should also work with the Sac and Fox tribe of Iowa if an application is submitted for FI&R or new construction for their school, to determine if such a request can be included in the Bureau's rankings using existing criteria.

Fish hatcheries.—The Committee recommends an increase of \$1,600,000, which includes \$1,000,000 to continue the hatchery

repair and rehabilitation program. Bill language is also included related to these funds. There is an increase of \$600,000 for the construction of a hatchery on the Pyramid Lake Indian reservation, for two endangered species: the Lahontan cutthroat and the cui-ui lakesucker.

Irrigation systems.—An increase of \$21,195,000 is recommended for irrigation systems. Included are \$2,455,000 for preconstruction engineering associated with rehabilitation and betterment of the Colorado River Indian irrigation project; \$10,000,000 to complete block 7 of the Navajo Indian Irrigation project, NM; \$5,889,000 for rehabilitation and betterment of the on-reservation system of the San Carlos irrigation project, AZ; \$800,000 to continue the rehabilitation of the Brighton Seminole water distribution system and to initiate a similar program for the Big Cypress system, FL; \$1,500,000 to continue the rehabilitation and betterment of the Fort Belknap-Milk River irrigation project, MT; and \$551,000 for on-farm irrigation facilities, Ute Mountain Ute tribe, CO. Bill language has been included related to the Navajo Indian Irrigation project.

The Committee is concerned about the direction of the dam safety program, and requests a report on the plans for restructuring the program in order to identify more quickly and more accurately the highest priority needs for funding. The report should be submitted to the Committee by October 1, 1989.

Housing.—The Committee recommends an increase of \$3,400,000, which will restore the housing program to the 1989 level, including new construction as well as repairs.

Road maintenance and construction.—An increase of \$1,884,000 is recommended for road maintenance and construction. Bill language is also included, which will allow up to 6 percent of contract authority from the Federal Highway Trust Fund to be used to cover the road program management costs of the Bureau. This is an increase over the level of 5 percent provided in prior years, but less than the 7 percent requested by the Bureau.

The increases include \$500,000 to maintain road sealing at the 1989 level; \$384,000 for the Nambe Pueblo for repair of the Nambe Falls road, NM; and \$1,000,000 to complete the Pushmataha road in Oklahoma.

Land acquisition.—The Committee recommends an appropriation of \$4,200,000 for land acquisition. Included are \$2,200,000 to purchase Lummi burial sites in the San Juan Islands, WA and \$2,000,000 for acquisition of the Red Lake Ranch for the Pueblo of Acoma, NM.

MISCELLANEOUS PAYMENTS TO INDIANS

Appropriation enacted, 1989.....	\$13,952,000
Budget estimate, 1990.....	29,255,000
Recommended, 1990.....	191,864,000
Comparison:	
Appropriation, 1989.....	+177,912,000
Budget estimate, 1990.....	+162,609,000

The Committee recommends an appropriation of \$191,864,000, an increase of \$162,609,000, for miscellaneous payments to Indians.

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

[In thousands of dollars]

	FY 1989 enacted	Budget estimates	Committee bill	Change from estimates
White Earth Land Settlement Act.....	509	513	513	
Old age assistance.....	2,143	742	742	
Payment to Tohono O'Odham Nation.....	11,300	12,700	12,700	
Aleutian—Pribilof Restitution.....		300	15,300	+ 15,000
Water rights settlements.....		15,000	75,359	+ 60,359
Hoopa-Yurok settlement fund.....			10,000	+ 10,000
Puyallup settlement.....			77,250	+ 77,250
Total, Miscellaneous Payments to Indians	13,952	29,255	191,864	+ 162,609

The Committee has included funds required under several Acts of Congress passed in the last year as settlement of various claims or disputes by Indian tribes or Native Alaskans. These include the Colorado Ute Indian Water Rights Settlement, Public Law 100-585, for which an increase of \$14,500,000 is included, to provide the amount of \$19,500,000 required in the law to be paid in the first year after enactment of the Act; the Salt River Pima-Maricopa Indian Community Water Rights Settlement Act, Public Law 100-512, for which an increase of \$18,735,000 is included, for a total of \$23,735,000, or about one-half the total required in the Act; the San Luis Rey Indian Water Rights Settlement Act, Public Law 100-675, for which an increase of \$27,124,000 is included, to provide the total required by the Act of \$32,124,000, including interest from the date of enactment; the Hoopa-Yurok Settlement Act, Public Law 100-580, for which \$10,000,000 is included, for deposit into the Settlement Fund established by the Act; the Aleutian and Pribilof Islands Restitution Act, Public Law 100-383, for which \$15,000,000 is provided under section 207 of the Act, for compensation to the Aleut people in lieu of the conveyance of Attu Island which is now part of the National Wilderness Preservation System; and the Puyallup Tribe of Indians Settlement Act, for which \$77,250,000 is included.

REVOLVING FUND FOR LOANS

Appropriation enacted, 1989.....	
Budget estimate, 1990	(\$13,000,000)
Recommended, 1990	
Comparison:	
Appropriation, 1989	
Budget estimate, 1990	(-13,000,000)

The Committee has not included the requested limitation of \$13,000,000 on loans to be provided from the revolving fund for loans. Instead, the Committee has included bill language which will allow loans to be made up to the level of resources and authority available in fiscal year 1989.

INDIAN LOAN GUARANTY AND INSURANCE FUND

Appropriation enacted, 1989.....	\$3,370,000
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Budget estimate, 1990	3,265,000
Recommended, 1990	4,767,000
Comparison:	
Appropriation, 1989	+1,397,000
Budget estimate, 1990	+1,502,000

The Committee recommends an appropriation of \$4,767,000, an increase of \$1,502,000, for the Indian loan guaranty and insurance fund. The Committee has not agreed to the administrative limitation proposed in the budget of \$45,000,000, but has continued the language as in prior years to provide that loan principal shall not exceed resources and authority available.

The recommended increase is necessary because proposed credit reform legislation has not been enacted, and there is a need for an increased amount for interest subsidies in order to maintain the program at the current level.

TERRITORIAL AND INTERNATIONAL AFFAIRS

ADMINISTRATION OF TERRITORIES

Appropriation enacted, 1989	\$92,767,000
Budget estimate, 1990	70,704,000
Recommended, 1990	76,789,000
Comparison:	
Appropriation, 1989	-15,978,000
Budget estimate, 1990	+6,085,000

The amounts recommended by the Committee for fiscal year 1990, compared to the budget estimates by activity, are shown in the following table:

	(in thousands of dollars)			
	FY 1989 Enacted	Budget Estimates	Committee Bill	Change from Estimates

Guam				
Construction grants	4,900	---	2,000	+2,000
Special program grants	---	2,500	500	-2,000
Subtotal, Guam	4,900	2,500	2,500	---

American Samoa				
Operations grants	20,776	20,850	20,850	---
Construction grants	2,900	2,050	3,800	+1,750
Special program grants	---	350	350	---
Subtotal, American Samoa	23,676	23,250	25,000	+1,750

Northern Marianas				
Covenant grants	40,150	33,850	33,850	---
Construction grants	10,000	---	---	---
Special program grant	---	---	125	+125
Subtotal, Northern Marianas	50,150	33,850	33,975	+125

Virgin Islands				
Special program grants	1,500	---	---	---
Construction grants	2,600	2,000	2,000	---
Subtotal, Virgin Islands	4,100	2,000	2,000	---

Territorial Administration				
Office of Territorial Affairs	3,026	2,946	3,946	+1,000
Technical assistance	5,410	2,200	5,410	+3,210
Guam Power Authority loan assistance	1,505	1,458	1,458	---
Maintenance assistance fund	---	2,500	2,500	---
Subtotal, Territorial Administration	9,941	9,104	13,314	+4,210

Total, Administration of Territories	92,767	70,704	76,789	+6,085

Guam.—The Committee recommends \$2,500,000, the same as the budget estimate, for Guam. However, within this total, there are two changes. The Committee has deleted the \$2,000,000 included in the budget for the brown tree snake project, and has included initial funding for this project under the Office of Territorial and

International Affairs. An increase of \$2,000,000 is included for a grant for the Guam Memorial Hospital project. However, to avoid the kinds of problems that arose with the funds previously provided for this project, as outlined in the Inspector General's report of April, 1988, the Committee expects the recommendations contained in that report will apply to this funding. This would require the Office of Territorial and International Affairs to prepare written procedures for making grant reviews in accordance with OMB Circular A-102, and to advise the Government of Guam that cash advances will not be approved until a financial plan is provided. The Governor of Guam should require written procedures to ensure compliance with Circular A-102, and collect and analyze financial and performance information to monitor project progress.

With regard to the funds previously provided for the Ordot landfill, the Committee does not object to the release of the funds if the Office of Territorial and International Affairs certifies that a combination of revenues and user fees have been identified and specifically made available to meet the requirements of the Committee's previous direction.

The Committee agrees with the Government of Guam that the Department should prepare and submit the report required by the Compact of Free Association on the impacts of the Compact on Guam and the Northern Mariana Islands.

American Samoa.—The Committee recommends an increase of \$1,750,000 for American Samoa. Included is \$1,000,000 for repairs to the oil tank farm. The Committee believes that these funds should be matched in an equal amount by the American Samoa Government, and from private or other sources of funds, so that the total available in the next year will be \$3,000,000. If \$2,000,000 from other sources of funds are made available in the next year, the Committee will then consider whether additional Federal funds will be provided in the future. The Department should also work with the Department of Defense to seek funding for this project commensurate with DOD's use of the tank farm.

There is also an increase of \$750,000 for renovation of the historic court house.

Northern Mariana Islands.—The Committee recommendation is \$33,975,000, an increase of \$125,000. These funds are for anti-drug abuse activities, as authorized by Public Law 100-690, the Omnibus Drug Act of 1988.

Virgin Islands.—The Committee recommends \$2,000,000, the same as the budget request, for the Virgin Islands for a grant for construction of a prison barracks. The Committee understands that the funds provided for two juvenile detention centers several years ago have not been used, and suggests that the Virgin Islands Government submit a reprogramming request for these funds if more money is needed for prison construction.

Territorial administration.—The Committee recommends an increase of \$4,210,000, which includes \$2,500,000 to restore technical assistance to the 1989 level. There is also \$710,000 to continue the grant to the Close Up Foundation at the 1989 level. Bill language is also included related to this funding. Finally, there is an increase of \$1,000,000 to provide initial funding for the brown tree snake program on Guam.

The Committee has included the requested funding for the new O&M assistance program, but expects that all of the Territorial, Trust Territory and Freely Associated State Governments will be able to participate in this program.

TRUST TERRITORY OF THE PACIFIC ISLANDS

Appropriation enacted, 1989.....	\$28,434,000
Budget estimate, 1990.....	3,300,000
Recommended, 1990.....	34,102,000
Comparison:	
Appropriation, 1989.....	+5,668,000
Budget estimate, 1990.....	+30,802,000

The amounts recommended by the Committee for fiscal year 1990 compared to the budget estimates by activity are shown in the following table:

	FY 1989 Enacted	(in thousands of dollars) Budget Estimates	Committee Bill	Change from Estimates
Trust Territory operations.....	850	300	1,033	+733
Republic of Palau operations.....	14,500	---	14,750	+14,750
Deficit reduction.....	---	3,000	3,000	---
Capital improvements.....	---	---	15,319	+15,319
Indefinite land use claims.....	2,780	---	---	---
Micronesian War claims.....	10,304	---	---	---
Total, Trust Territory of the Pacific Islands...	28,434	3,300	34,102	+30,802

Trust territory operations.—An increase of \$733,000 is recommended for Trust Territory operations. These funds are required because the legislation implementing the Compact of Free Association for Palau has not yet been enacted. The increases are for Trust Territory administration costs (\$300,000), Palau's contribution to the College of Micronesia (\$300,000), and satellite operations on Palau (\$133,000).

Republic of Palau operations.—An increase of \$14,750,000 is recommended, of which \$14,500,000 is to restore the grant to the Republic of Palau for operations. On the basis that the Palau Compact might be implemented during fiscal year 1990, bill language has been included to offset this grant funding against the first year of Compact funding, which has already been appropriated in Public Law 99-349. The balance of the increase, \$250,000, is for medical supplies.

Trust Territory construction.—The Committee recommends an increase of \$15,319,000 for Trust Territory construction. Included is \$7,000,000 for the Palau hospital. Since implementation of the Palau Compact has been delayed, Palau does not have funds to add to those previously provided by the Congress for this project. The Committee believes that if these funds are provided, Palau should be able to complete an adequate hospital to meet its long-term needs, using funds eventually made available under the Compact if necessary for additional costs.

The balance of the increase is \$8,319,000 to fund those Capital Improvement Program deficiencies identified in the Louis Berger report, which do not represent new projects and for which funds from other sources have not been identified. The Committee will review the progress of this effort, and the possible need for additional funds, next year.

COMPACT OF FREE ASSOCIATION

Appropriation enacted, 1989.....	\$32,360,000
Budget estimate, 1990.....	27,580,000
Recommended, 1990.....	24,760,000
Comparison:	
Appropriation, 1989.....	-7,600,000
Budget estimate, 1990.....	-2,820,000

The Committee recommends \$24,760,000, a decrease of \$2,820,000, for the Compact of Free Association. The amounts recommended by the Committee for fiscal year 1990, compared with the budget estimates by activity, follow:

	FY 1989 Enacted	(in thousands of dollars) Budget Estimates	Committee Bill	Change from Estimates
Compact of Free Association.....	2,880	14,580	7,160	-7,420
Mandatory payments.....	19,880	13,000	13,000	---
Enewetak support.....	1,100	---	1,100	+1,100
Enjebi trust fund.....	2,500	---	---	---
Bikini resettlement.....	5,000	---	---	---
Kwajalein Atoll.....	1,000	---	3,000	+3,000
Rongelap Atoll.....	---	---	500	+500
Total, Compact of Free Association.....	32,360	27,580	24,760	-2,820

Compact of Free Association.—The Committee recommends a decrease of \$7,420,000, which represents the second year current services funding under the Palau Compact. Since it appears the Compact will not be implemented in fiscal year 1989 and first year funds have already been appropriated in Public Law 99-349, these funds will not be required in fiscal year 1990.

Enewetak support.—An increase of \$1,100,000 is recommended, which will continue the Enewetak food and agricultural support program, as provided in section 103(h)(2) of the Compact of Free Association. The Committee understands that progress has been made in preparing to turn the program over to local control. However, the Republic of the Marshall Islands and the Enewetak Local Council believe that at least one more year's time for additional training is necessary before the Department of Energy and its contractor are removed from the program. The Committee agrees with this position, and hopes that the local governments and both the Departments of Energy and Interior will work closely together to determine what additional steps need to be taken before control is turned over, and to see that all necessary information is communicated to all the parties involved.

Kwajalein Atoll.—An increase of \$3,000,000 is recommended, to provide partial funding for the Ebeye dock which was destroyed a year ago. The balance of the funds needed for this project should be sought from other sources.

Rongelap Atoll.—The Committee recommends an increase of \$500,000, to be provided to the Republic of the Marshall Islands and to address the need for additional information for the people of Rongelap. Last year, in response to the preliminary report of the referee selected by the Marshall Islands Government to review DOE data related to radiation levels on Rongelap Island, as authorized by the Compact legislation, the Committee called on DOE to address an issue that was not resolved by the referee's report, namely the possibility of plutonium contamination of the Island,

and of some of the Rongelapese people. While DOE maintains that there is no plutonium contamination at levels considered significant under U.S. guidelines, the results of the additional tests requested by the Committee will not be available until sometime during fiscal year 1990. Therefore, the Committee is not able to act at this time on the request of the people of Rongelap for funds to do the second, more intensive, independent study of conditions on Rongelap Island called for in the Compact legislation, if necessary.

However, the Committee believes that while waiting for the final results of the tests performed by DOE, it would be helpful if funds were available to the people of Rongelap, through the Marshall Islands Government, to study specific issues that are of particular concern to them. It might also be helpful if some of these funds were used to send a representative group of the Rongelapese people to the DOE laboratories that have been involved in the health and environmental programs in the Marshall Islands since the nuclear testing program was conducted, to receive in-depth briefings as to all the information that has been collected with regard to the Rongelapese people and their atoll over the years, and to raise any questions they have with regard to these data. In this way, once the final DOE data are available and once these meetings, and any short-term specific studies deemed necessary, have been conducted, all the parties involved will have more information on which to base a decision as to how to proceed in the future. The Committee believes that any short-term studies conducted with these funds should be on subjects determined by the Rongelapese people, in concert with the Marshall Islands Government; however, the Committee would request that all such study topics and their results be peer reviewed, and also be submitted to the Committee, and to the Department of Energy, when completed.

DEPARTMENTAL OFFICES

OFFICE OF THE SECRETARY

Appropriation enacted, 1989.....	\$49,067,000
Budget estimate, 1990.....	52,741,000
Recommended, 1990.....	51,295,000
Comparison:	
Appropriation, 1989.....	+2,228,000
Budget estimate, 1990.....	-1,446,000

The Committee recommends an appropriation of \$51,295,000 for fiscal year 1990, an increase of \$2,228,000 above the 1989 appropriation but a decrease of \$1,446,000 below the budget request. The amount recommended by the Committee for fiscal year 1990 compared with the budget estimate by activity follows:

	(in thousands of dollars)			
	FY 1989 Enacted	Budget Estimates	Committee Bill	Change from Estimates
Departmental Direction				
Secretary's immediate office.....	1,715	1,795	1,795	---
Executive Secretariat.....	451	473	473	---
Congressional and legislative affairs.....	1,139	1,197	1,197	---
Equal opportunity.....	1,322	1,385	1,385	---
Public affairs.....	841	882	882	---
Small and disadvantaged business utilization.....	406	425	425	---
Subtotal, Departmental Direction.....	5,874	6,157	6,157	---
Program Direction and Coordination				
A/S Water and science.....	670	701	701	---
A/S Land and minerals management.....	822	854	764	-100
A/S Fish and wildlife and parks.....	642	671	571	-100
A/S Indian affairs.....	645	674	674	---
A/S Territorial and international affairs.....	535	557	557	---
A/S Policy, budget and administration.....	857	900	800	-100
Subtotal, Program Direction and Coordination....	4,171	4,367	4,067	-300
Administration				
Environmental project review.....	1,998	2,073	2,573	+500
Hazardous materials management.....	---	300	---	-300
Acquisition and property management.....	1,286	1,532	1,282	-250
Office of personnel.....	1,681	1,859	1,859	---
Administrative services.....	891	933	933	---
Library.....	1,354	1,405	1,405	---
Information resources management.....	2,155	2,262	2,262	---
Management analysis.....	1,129	1,191	1,191	---
Policy analysis.....	1,703	1,816	1,816	---
Regulatory oversight.....	---	600	---	-600
Office of budget.....	1,857	1,957	1,957	---
Financial management.....	1,054	1,162	1,162	---
Security and drug enforcement.....	631	667	667	---
General reduction.....	---	---	-496	-496
Subtotal, Administration.....	15,739	17,767	16,621	-1,146
Hearings and appeals.....	5,814	6,088	6,088	---
Aircraft services.....	1,789	2,012	2,012	---
Central services.....	15,680	16,350	16,350	---
Total, Office of the Secretary.....	49,067	52,741	51,295	-1,446

There is a reduction of \$300,000 in the program direction and coordination activity. This includes \$100,000 reductions for each of the following Assistant Secretaries: Land and Minerals Management, Fish and Wildlife and Parks and Policy, Budget and Administration. Each of these offices has or has had recently, staff beyond that budgeted for in fiscal year 1989. These offices are established to provide overall policy guidance, not day-to-day operation of the agencies. Of particular concern is what appears to be excessive layering within the Assistant Secretary for Policy, Budget and Administration. Correspondence to and other material requested by the Congress is often delayed in reaching the Congress because of the number of reviewers of each document. The Committee expects this process to be streamlined. Fewer people in the Assistant Secretary's office may help in this streamlining.

The Committee recommends an increase of \$500,000 for the Office of Environmental Project Review. This increase will in part help the Department meet its responsibilities in the area of oil spills and other hazardous waste problems.

The budget proposed establishment of two new offices. One was for hazardous materials management (\$300,000) and the other was for regulatory oversight (\$600,000). The Committee, while understanding the importance of these functions, believes that these activities can be coordinated within the Department without establishing separate offices for them.

Last year the Committee gave the Department a year to implement the transfer of indirect cost rate negotiations from the Inspector General to the Office of the Secretary. The Committee

report stated that part of the preparation should include consultation with the tribes. While some meetings have been held with tribes on this matter, they were weighted toward an explanation of how the function would be performed in the Office of the Secretary, rather than seeking Indian views. Further, in order to carry out this function effectively, a significantly larger staff than requested would be necessary. Accordingly, the Committee recommends that the function remain with the Inspector General. Staff from the Inspector General's office can carry out this function as part of their other functions. The increase of \$250,000 for the transfer to the Office of the Secretary has been deleted.

An increase of \$405,000 was requested to implement the Federal Financial System (FFS). Since the accounting system in place for the Office of the Secretary has been rated better than most others in the Department, the Committee does not recommend that FFS be implemented for the Office of the Secretary.

A reestimate of Federal Telecommunications System costs allows a \$24,000 reduction to the budget request. Even with the reduction, it is a \$102,000 increase over the fiscal year 1989 level. Similarly, a reestimate of retirement systems costs allows a \$67,000 reduction but still leaves \$70,000 more than was available in fiscal year 1989.

The Committee has included language to prohibit the establishment of an office for the Secretary of the Interior outside of Washington, DC.

The Committee is encouraged by Secretary Lujan's commitment to placing women and minorities in high level political appointments in the Department of the Interior. That commitment should extend to the career ranks as well. In 1988, none of the 53 senior executive positions in the U.S. Geological Survey was filled with a woman or a minority. The same situation existed in the 16 senior positions in the Bureau of Mines. Several other agencies fared only marginally better in their senior level women and minority statistics for 1988. The Bureau of Land Management, the Office of Surface Mining, Reclamation and Enforcement, the Minerals Management Service, and the Fish and Wildlife Service each had only one minority or one woman occupying a senior position in the agency. In testimony before the Committee, Secretary Lujan acknowledged that an initiative to place qualified women and minorities in senior positions is needed. The Committee agrees that a demonstrated need for such an initiative is indicated by the 1988 statistics on women and minorities in high-level positions within the Department. The Committee will continue to monitor with great interest the progress made by the Department in recruiting and advancing qualified women and minority candidates for senior level career appointments, and expects the Secretary to report quarterly on the composition of senior level positions within the Department, including a detailed listing of all current vacancies at the GS/GM-15 level and above and of positions filled at those levels during the quarter.

OFFICE OF THE SOLICITOR

Appropriation enacted, 1989	\$24,686,000
Budget estimate, 1990	25,325,000
Recommended, 1990	25,325,000

Comparison:

Appropriation, 1989	+ 639,000
Budget estimate, 1990	

The Committee recommends \$25,325,000, the budget request, for the Office of the Solicitor. It is the expectation of the Committee that the Solicitor will provide legal services on a reimbursable basis to the National Fish and Wildlife Foundation.

Every effort should be made to improve the quality of representation provided Indian clients. The Department has special responsibilities in regards to Indians and Indian interests must be fairly represented.

OFFICE OF INSPECTOR GENERAL

Appropriation enacted, 1989	\$18,749,000
Budget estimate, 1990	20,595,000
Recommended, 1990	20,737,000
Comparison:	
Appropriation, 1989	+1,988,000
Budget estimate, 1990	+142,000

The Committee recommends an appropriation of \$20,737,000 for the Inspector General, an increase of \$142,000 over the request. This increase is provided so that the indirect cost negotiations function may continue in the Office of the Inspector General.

CONSTRUCTION MANAGEMENT

Appropriation enacted, 1989	\$1,800,000
Budget estimate, 1990	2,300,000
Recommended, 1990	1,800,000
Comparison:	
Appropriation, 1989	
Budget estimate, 1990	- 500,000

The Committee recommends an appropriation of \$1,800,000 for the Office of Construction Management. This continues the office at the fiscal year 1989 level and is a reduction of \$500,000 from the request.

The proposed reduction is related to a housing study. The National Park Service has already underway a housing program for which \$10,000,000 is available in fiscal year 1989 and an additional \$10,000,000 is provided in fiscal year 1990. Also, within the Bureau of Indian Affairs there is \$500,000 for a survey of BIA housing needs.

NATIONAL INDIAN GAMING COMMISSION

Appropriation enacted, 1989	
Budget estimate, 1990	\$2,000,000
Recommended, 1990	
Comparison:	
Appropriation, 1989	
Budget estimate, 1990	-2,000,000

A decrease of \$2,000,000 is recommended for the National Indian Gaming Commission. The Commission was established as an independent agency within the Department of the Interior by the Indian Gaming Regulatory Act (Public Law 100-497), to regulate and monitor Class II gaming such as bingo conducted on Indian

lands. Initial funding of \$2,000,000 to establish the Commission was requested in fiscal year 1990.

Two lawsuits have been filed this year challenging the validity, on constitutional and other grounds, of the Act. Pending the resolution of the issues raised in these cases, the Committee has deleted the proposed funding for fiscal year 1990.

Bill language has been included under Title I—General Provisions to extend the one-year grace period in Public Law 100-497, section 4(7)(D). Under this provision, tribes operating certain kinds of gaming operations had a one-year grace period from the date of enactment of the Act (October, 1988) to continue such operations while negotiating with the States on a Tribal-State compact. Due to delays in passing legislation in the State of Minnesota authorizing such negotiations, it is necessary to extend the grace period to allow operations to continue while negotiations go forward in the next year.

OIL SPILL EMERGENCY FUND

The Committee has included language to expand the purpose and use of the Fund established by the supplemental appropriations bill for fiscal year 1989. With these changes, the Department of the Interior has the flexibility to use these funds for the recent oil spills off the coast of Rhode Island, in the Delaware River and in Galveston Bay, Texas and any other spill that may occur during the time when this provision is in effect. As necessary, the Secretary should use funds in this account for response activities, damage assessments or contingency planning associated with the oil spill areas mentioned above. The total amount made available pursuant to this revision shall not exceed the amount appropriated to this Fund by the supplemental appropriations act for fiscal year 1989. This ceiling does not affect the use of reimbursed funds pursuant to this revision once the appropriated funds have been expended.

The Secretary is directed to report to the Committee no later than 30 days from enactment of this Act on the needs of the various Interior Department agencies responding to the oil spills off the coast of Rhode Island, in the Delaware River and in Galveston Bay. This report shall include a description of all response activities, the funds expended on those activities and the outstanding needs of the various agencies necessary to respond to the long term effects of those spills.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

The Committee recommends several changes to the General Provisions proposed by the Department. The Committee continues the requirement that money transferred for certain emergency situations under the authority of Sections 101 and 102 be replenished by a supplemental appropriation which must be requested as promptly as possible. The authority is expanded to cover oil spills.

Because of past questionable details of personnel, the Committee recommends continuation of a provision requiring employee details to conform to OPM regulations.

Provisions relating to Outer Continental Shelf leasing are discussed under the Minerals Management Service.

The Committee has included bill language prohibiting the Secretary of Interior from requiring regular reports on departmental contacts with Members of Congress and congressional staff. The language was prompted by a new policy directive at the Department requiring weekly reports on non-routine contacts with Members of Congress and their senior staff both from headquarters and field personnel. Such a policy could inhibit a free flow of communication between Departmental offices and Members of Congress and congressional staff. The Committee believes this to be a burdensome paperwork requirement which is not useful or necessary to keep the Secretary informed of congressional concerns.

TITLE II—RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

The Forest Service manages 191 million acres of public lands across the country, and administers a wide variety of programs, including timber production, recreation, grazing, wildfire protection, and soil and water conservation. Recreational use of national forest land amounted to approximately 242.3 million visitor days in 1988, equal to each American spending 12 hours on the National Forest System. In fact, the National Forest provided over 40 percent of all recreation visitor days on Federal lands in 1988. An estimated 11.2 billion board feet of timber is scheduled for sale in 1990. In addition to the timber sales program, more than 14,000 farmers and ranchers pay for permits to graze cattle, horses, sheep and goats on the 105 million acres of grassland, open forests, and other forage-producing areas of the National Forest System. The Forest Service also manages more than 191 million acres of habitat for about 3,000 species of wildlife and fish. Half of the big game and cold-water 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. Despite this diversity of resources and requirements for multiple use management of the National Forest System, the fiscal year 1990 budget request of the Administration continues a trend of requesting increased funds for only certain commodity-oriented programs, notably the timber sales program, while proposing reductions in almost all other activities for which the Forest Service is responsible, including research and State and private forestry. The Committee has not agreed with these proposals, and within the constrained budget available to it, has reallocated funds to provide the more balanced program required under law for management of the lands under the responsibility of the Forest Service.

FOREST RESEARCH

Appropriation enacted, 1989.....	\$137,867,000
Budget estimate, 1990	133,799,000
Recommended, 1990	149,435,000
Comparison:	
Appropriation, 1989	+11,568,000
Budget estimate, 1990	+15,636,000

The Committee recommends \$149,435,000 for forest research, an increase of \$15,636,000 over the budget estimate. The amounts recommended compared to the budget estimates by activity are shown in the following table:

	(in thousands of dollars)			
	FY 1989 Enacted	Budget Estimates	Committee Bill	Change from Estimates
Forest protection research.....	33,181	32,204	35,682	+3,478
Resource analysis research.....	25,617	25,554	26,870	+1,316
Timber management research.....	26,972	26,454	30,460	+4,006
Forest environment research.....	31,100	29,716	34,922	+5,206
Forest products and harvesting research.....	20,497	19,871	21,501	+1,630
Research challenge cost share program.....	500	---	---	---
Total, Forest Research.....	137,867	133,799	149,435	+15,636

In addition to providing funds to restore the base research program to the 1989 level, the Committee has included funds to address two areas of critical concern: global climate change and tropical forestry. The amounts for these initiatives are discussed under each program. In addition, the Committee has provided a total increase of \$2,010,000 for acceleration and expansion of the spotted owl research program, and \$1,000,000 to initiate the old growth management project. Together with \$200,000 provided under the National Forest System account, this experimental research and demonstration project will involve implementing landscape ecosystem management in three geographic locations (western Washington, western Oregon and northwestern California). The goal of the project will be to perpetuate old growth characteristics for wildlife while sustaining timber yield.

Forest protection research.—An increase of \$3,478,000 is recommended for forest protection research, as follows:

Insect and disease research:

Pineville, LA—southern pine beetle.....	\$113,000
Berkeley, CA—pesticide development.....	106,000
Durham, NH—air pollution.....	51,000
Delaware, OH—air pollution and gypsy moth.....	95,000
Hamden, CT—tree stresses and gypsy moth.....	198,000
Morgantown, WV—gypsy moth.....	344,000
Moscow, ID—root rot.....	106,000
Athens, GA—fusiform rust.....	106,000
Stoneville, MS—oak wilt.....	106,000
Gulfport, MS—fusiform rust.....	106,000
Corvallis, OR—gypsy moth.....	159,000
Madison, WI—wood decay.....	106,000
Ft. Collins, CO—mountain pine beetle.....	125,000
Broomall, PA—pear thrips.....	148,000

Subtotal..... 1,869,000

Fire research:

East Lansing, MI—fire ecology.....	106,000
Missoula, MT—fire suppression.....	407,000

Subtotal..... 513,000

Global climate change:

Delaware, OH—effects of organic compounds.....	146,000
Seattle, WA—effects of global warming.....	106,000
Durham, NH—canopy/atmosphere interactions.....	424,000

Riverside, CA—long-term weather forecasting	120,000
Subtotal	796,000
Tropical forestry:	
Insect and disease problems associated with tropical reforestation	300,000
Total	3,478,000

The \$148,000 included for pear thrips is for development of management strategies in Somerset County, Pennsylvania. This research will be conducted by Pennsylvania State University to address the recent forest tree damage on sugar maples in the county, and to develop appropriate intervention strategies.

Resource analysis research.—The Committee recommends an increase of \$1,316,000 as follows:

Inventory:	
Anchorage, AK—inventory cycle and techniques	\$159,000
Portland, OR—inventory cycle	318,000
Subtotal	477,000
Economics research:	
Ft. Collins, CO—benefits of commodities	65,000
New Orleans, LA—tax research	65,000
Portland, OR—international trade	159,000
Riverside, CA—fire economics	180,000
Burlington, VT—economics of recreation	85,000
Subtotal	554,000
Recreation:	
Seattle, WA—wildland/urban interaction	53,000
Riverside, CA—urban forests	32,000
Subtotal	85,000
Tropical forestry:	
Effectiveness of public investment and subsidies to encourage tropical forest regeneration	200,000
Total	1,316,000

The Committee is concerned about the stretched out inventory cycle in Region 9, and urges the Forest Service to take steps to shorten the inventory cycle to 10 years.

Timber management research.—An increase of \$4,006,000 is recommended, as follows:

Silviculture:	
Grand Rapids, MN—short rotation intensive culture	\$53,000
Redding, CA—vegetation management	53,000
Honolulu, HI—Western Pacific research	212,000
Subtotal	318,000
Productivity research:	
Rhineland, WI—Northern hardwoods	53,000
Durham, NH—timber/wildlife interactions	120,000
Corvallis, OR—FIR/COPE	106,000
Pineville, LA—pine research	212,000
Moscow, ID—growth and yield	142,000
St. Paul, MN—growth and yield modeling	104,000
Research Triangle Park, NC—nitrogen-fixing plants	106,000
Macon, GA—vegetation control	106,000
Portland, OR—long term productivity	124,000

Bend, OR and Wenatchee, WA—silviculture of eastside forests .	159,000
Subtotal.....	1,232,000
Biotechnology and genetics:	
Madison, WI—theoretical population genetics.....	106,000
Berkeley, CA—biotechnology.....	106,000
Subtotal.....	212,000
Global climate change:	
Burlington, VT—atmospheric/ecological effects.....	159,000
Ft. Collins, CO—atmospheric deposition	185,000
Subtotal.....	344,000
Tropical forestry:	
Measurement and maintenance techniques for biodiversity.....	500,000
Rapid, inexpensive reforestation technologies.....	400,000
Subtotal.....	900,000
Old growth management project	1,000,000
Total.....	4,006,000

Forest environment research.—An increase of \$5,206,000 is recommended, as follows:

Wildlife and fish:	
Warren, PA—wildlife research	\$74,000
LaGrande, OR—tracking of elk.....	106,000
Missoula, MT—grizzly bear.....	159,000
Arcata, CA—anadromous fish and spotted owl.....	159,000
Albuquerque, NM—rangeland research.....	159,000
Fresno, CA—riparian vegetation	53,000
Olympia, WA—wildlife and old growth.....	106,000
Portland, OR—spotted owl and old growth.....	265,000
Blacksburg, VA—Coldwater fish habitat	212,000
Rhineland, WI—biodiversity research.....	106,000
Wenatchee, WA—spotted owl.....	159,000
Subtotal.....	1,558,000
Watershed management:	
Tempe, AZ—watershed quality	58,000
Laramie, WY—blowing snow.....	425,000
Logan, UT—mined land rehabilitation.....	113,000
Corvallis, OR—herbicide use and FIR/COPE.....	106,000
Berkeley, CA—watershed management	53,000
Otto, NC—effects of climate change.....	106,000
Boise, ID—sedimentation research.....	269,000
Subtotal.....	1,130,000
Global climate change:	
Research Triangle Park, NC—effects of climate change and atmospheric deposition.....	212,000
Riverside, CA—global effects of pollutants.....	106,000
Oxford, MS—impacts on water quality.....	125,000
Subtotal.....	443,000
Tropical forestry:	
Tree/crop/livestock interactions in agroforestry systems.....	400,000
Spotted owl:	
Dispersal-genetics-small populations.....	500,000

Population-habitat relationships.....	1,175,000
Subtotal.....	1,675,000
Total.....	5,206,000

Forest products and harvesting research.—The Committee recommends an increase of \$1,630,000, as follows:

Forest products:

Madison, WI:	
Biopulping.....	\$125,000
Timber bridges.....	212,000
Preservation systems.....	106,000
Nonchlorine bleaching.....	169,000
Products of combustion.....	106,000
Portland, OR—silviculture treatments.....	53,000
Oregon Graduate Center and Forest Products Laboratory—surface metallurgy.....	500,000
Subtotal.....	1,271,000

Harvesting:

Houghton, MI—harvesting research.....	106,000
Seattle, WA—west coast harvesting systems.....	53,000
Subtotal.....	159,000

Tropical forestry:

Use of secondary tropical forest species for locally-made wood products and energy.....	200,000
Total.....	1,630,000

Within the total provided, there is \$500,000 to continue the challenge cost-share program.

STATE AND PRIVATE FORESTRY

Appropriation enacted, 1989.....	\$86,668,000
Budget estimate, 1990.....	48,606,000
Recommended, 1990.....	89,906,000
Comparison:	
Appropriation, 1989.....	+3,238,000
Budget estimate, 1990.....	+41,300,000

The recommendation for state and private forestry is \$89,906,000, an increase of \$41,300,000 over the budget estimate.

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 amounts recommended by the Committee for fiscal year 1990 compared to the budget estimates by activity are shown in the following table:

	FY 1989 Enacted	(in thousands of dollars) Budget Estimates	Committee Bill	Change from Estimates
Forest Pest Management				
Federal lands.....	31,200	37,604	34,604	-3,000
Cooperative lands.....	12,877	4,002	13,002	+9,000
Subtotal, Forest Pest Management.....	44,077	41,606	47,606	+6,000
Appalachian integrated pest management.....	5,600	---	---	---
Fire protection.....	13,851	4,000	14,400	+10,400
Forest Management and Utilization				
Forest resource management.....	4,983	---	10,000	+10,000
Wood utilization.....	991	---	---	---
Seedlings, nursery and tree improvement.....	1,795	---	1,900	+1,900
Urban forestry.....	2,496	---	2,800	+2,800
Subtotal, Forest Management and Utilization.....	10,265	---	14,700	+14,700
Special Projects				
Boundary Waters Canoe Area.....	2,800	3,000	3,000	---
Gifford Pinchot Institute.....	200	---	200	+200
Lake Tahoe.....	1,400	---	1,400	+1,400
Spokane River Centennial Trail.....	3,600	---	3,600	+3,600
Idaho Centennial Trail.....	1,350	---	---	---
New England timber resource analysis.....	250	---	---	---
Timber Bridge initiative.....	2,700	---	---	---
Two Forks resource analysis, CO.....	75	---	---	---
Economic diversification studies.....	500	---	---	---
Tropical forestry initiative.....	---	---	5,000	+5,000
Subtotal, Special Projects.....	12,875	3,000	13,200	+10,200
Total, State and Private Forestry.....	86,668	48,606	89,906	+41,300

Forest pest management.—An increase of \$6,000,000 is recommended. Included is a decrease of \$3,000,000 to pest suppression, Federal lands, which will maintain the 1989 level. This is almost \$4,000,000 higher than the current estimate of need for this program, which will result in an estimated carryover of funds into fiscal year 1990 of this amount. There is an increase of \$9,000,000 for pest suppression on cooperative lands, which will maintain the 1989 level of funding.

The Committee notes that the Buck Moth caterpillar has threatened many of the live oak trees in southeast Louisiana, particularly in New Orleans, and is aware that the U.S. Forest Service entered into a cooperative control project in early 1989 with the Louisiana Department of Forestry, the City of New Orleans, and Louisiana State University. The Committee commends these efforts and strongly encourages the agency to provide both continued financial and technical assistance in the coming year if such assistance is needed.

Fire protection.—The Committee recommends an increase of \$10,400,000, which will restore the program to the 1989 level. These funds will help protect 834 million acres of non-Federal lands from wildfire. They also help to maintain non-Federal firefighting forces which are trained and available to help fight fires on Federal lands when needed.

Forest management and utilization.—The Committee recommends \$14,700,000, which includes \$10,000,000 for forest resource management, \$1,900,000 for seedlings, nursery and tree improvement, and \$2,800,000 for urban forestry. The increase of \$5,000,000 over the 1989 level for forest resource management is to initiate the stewardship initiative, which has as its aim increasing productivity on the nation's private non-industrial forest lands while encouraging sound environmental management practices. Only one out of four acres on such lands is reforested following harvest, and

this initiative will begin to address this situation. Of this increase, \$750,000 should be evenly divided between the State foresters of Oregon and Washington to initiate technical assistance programs for nonindustrial private forest landowners in their respective States.

Special projects.—An increase of \$10,200,000 is recommended, including \$200,000 for the Gifford Pinchot Institute. The Committee understands approximately \$800,000 will be made available from other Forest Service programs for the Institute in fiscal year 1990. There is also \$1,400,000 to restore the Lake Tahoe erosion control program to the 1989 level. Finally, there is an increase of \$3,600,000 to provide the second and final year of funding for a grant to the Washington State Parks and Recreation Commission to complete the Spokane River Centennial Trail.

An increase of \$5,000,000 is recommended for initial funding of the Forest Service's tropical forestry action plan. The overall goal of the plan is to assist national forestry and related agencies in developing countries, international organizations, and non-governmental organizations to reduce tropical deforestation, and to manage, use, and protect vital tropical forest resources. Included is \$2,300,000 for technical assistance, \$2,500,000 for training, and \$200,000 for support to international organizations.

NATIONAL FOREST SYSTEM

Appropriation enacted, 1989.....	\$1,045,781,000
Budget estimate, 1990	1,016,410,000
Recommended, 1990	1,132,426,000
Comparison:	
Appropriation, 1989	+86,645,000
Budget estimate, 1990	+116,016,000

The Committee recommends an appropriation of \$1,132,426,000 for the National Forest System, an increase of \$116,016,000 over the budget estimate. The amounts recommended by the Committee for fiscal year 1990 compared to the budget estimates by activity are shown in the following table:

	(in thousands of dollars)			Change from Estimates
	FY 1989 Enacted	Budget Estimates	Committee Bill	
Minerals.....	28,439	29,623	28,807	-816
Real estate management.....	25,503	22,694	26,260	+3,566
Land line location.....	28,678	28,898	28,979	+81
Maintenance of facilities.....	17,553	16,953	19,600	+2,647
Fuels management.....	7,909	8,935	8,935	---
Cooperative law enforcement.....	10,615	11,245	11,205	-40
Road maintenance.....	80,729	68,133	70,386	+2,253
Trail maintenance.....	20,797	17,366	25,044	+7,678
Timber resource inventory.....	17,278	19,450	22,989	+3,539
Silvicultural examination.....	27,608	31,806	32,946	+1,139
Sales preparation.....	105,096	114,612	112,014	-2,598
Harvest administration.....	67,556	66,967	66,967	---
Timber sales pipeline initiative.....	---	---	15,000	+15,000
Reforestation.....	47,527	50,730	50,680	-50
Stand improvement.....	31,899	18,156	28,156	+10,000
Nurseries.....	15,859	19,346	18,346	-1,000
Recreation management.....	111,583	99,418	117,378	+17,960
Wilderness.....	14,692	12,585	17,585	+5,000
Cultural resources.....	15,979	13,843	19,843	+6,000
Wildlife and fisheries support.....	34,792	36,000	40,112	+4,112
Habitat improvement.....	30,202	24,000	41,000	+17,000
Range vegetation management.....	26,966	23,884	31,967	+8,083
Range improvements.....	1,861	1,103	1,903	+800
Wild horse and burro management.....	181	183	263	+80
Noxious weed control.....	1,559	1,161	1,161	---
Soil, water and air operations.....	29,922	27,029	32,932	+5,903
Soil and water resource improvements.....	6,248	2,777	10,777	+8,000
Soil and water resource inventories.....	6,634	4,177	7,177	+3,000
General administration.....	272,116	275,336	274,015	-1,321
Reforestation trust fund transfer.....	-30,000	-30,000	-30,000	---
Total, National Forest System.....	1,045,781	1,016,410	1,132,426	+116,016

The Committee understands that the Forest Service is planning to spend \$12,000,000 in fiscal year 1990 related to the planned Geographic Information System (GIS), which is about the same level as is planned to be spent in fiscal year 1989. In a report released in March, the GAO raised concerns regarding the potential total costs of the GIS, including costs for the GIS data base. The GAO also noted the ambitious schedule the Forest Service has established for completing key studies before releasing the request for proposals in December, 1989. The Committee expects the Forest Service will not proceed with the procurement before all studies are completed and have been analyzed, and all necessary information has been incorporated into the procurement documents.

The Committee is also concerned that the unstructured nature of the field evaluations being conducted by the Forest Service will not yield the hard cost/benefit data needed to judge whether the proposed system will be the most cost-effective, and the information needed for input into the procurement cycle. The Committee also questions whether the system needs to be as large or as extensive as currently planned by the Forest Service, since a system concentrated in locations most in need of the data provided by the system could result in significant savings over a widely-dispersed system. The Forest Service also needs to consider providing more central guidance for data base development and maintenance. The Committee expects a full report on these issues before the RFP is released, and expects the Forest Service to include a section explaining the funding for the GIS included in the fiscal year 1991 budget, along with an update on total estimated costs, and any changes in plans or schedules.

In another area, GAO has continued to work with the Forest Service on preparing for full implementation of the Timber Sales Program Information Reporting System (TSPIRS), now scheduled for October, 1989. The Committee encourages the Forest Service to continue to work with GAO to improve the system wherever possi-

ble. In particular, the Committee requests GAO and the Forest Service to review the way in which road construction costs are handled in the system. Currently, these costs are being treated as a cost to be amortized over the rotation cycle of the timber to be removed over the road. This has the result of allowing these costs to be written off over extremely long periods, even up to hundreds of years, thereby significantly understating the real costs of the roads to the timber program in any given year. It would present a more realistic picture of the costs incurred to prepare and sell timber if the roads were treated as assets in their own right, the costs of which would be amortized over the expected life of the assets themselves. The Committee believes this change should be incorporated in the system for fiscal year 1990. The Committee also supports continued efforts by the Forest Service to improve the usefulness and validity of information in Reports 2 and 3 of the system.

GAO has also continued to review the proposed all-resource accounting system. The Committee expects the Forest Service to continue to work with the GAO to develop and test the proposed system in the coming year. The Committee also expects the Forest Service to continue to follow the direction to "charge as worked" and will review GAO's audit of the results of this direction when it is available later this year.

The Committee's Investigative Staff prepared a report which examined the issue of timber theft in the Pacific Northwest Region of the U.S. Forest Service. The report found that seven major timber theft cases on various National Forests in the Pacific Northwest Region have recently been or are currently being tried in the courts. Total losses for these thefts are estimated at at least \$1,500,000 but could be much higher. Some officials familiar with the situation believe that only 5 percent of the thefts are actually being surfaced. The Forest Service has issued both a short-term and long-term theft prevention plan in response to the problem, and the Committee hopes that these actions will help to control the situation. The Committee is concerned, however, that a similar plan instituted in 1978 was apparently not as effective as it might have been, since the problem has continued to be significant. The Forest Service should report on the status of the items in the action plan prior to the 1991 hearing. The Committee also believes the Forest Service should continue to work on the eventual elimination of log scaling and move more rapidly into tree measurement sales at all locations. The Forest Service should also continue to work on changes to the residual value appraisal system and move wherever possible to more lump sum sales, since the report makes clear this is a major contributing factor to the problem. Another problem that was found in many instances is skewed bidding. None of these problems are new, having been discussed in numerous reports in the past, and the Committee hopes the Forest Service will use this occasion to make more progress in changing from sale methods that are more subject to abuse, as well as economically less efficient, to other more effective methods in the timber sales program.

Another area discussed at length in the report was that of law enforcement. The Forest Service intends to study its law enforcement operations in 3 regions this year, to evaluate alternative or-

ganizational and supervisory arrangements, and to improve investigative effectiveness and ensure independence. The Committee agrees that more independence is required, and requests the Forest Service to report on the results of its reviews as soon as possible, along with recommended changes.

The Committee understands the Forest Service is continuing to use land management service contracts to enhance reforestation, silviculture, wildlife habitat and recreational needs. The Committee believes it is appropriate for the Forest Service to continue to review the use of such contracts, and particularly to ensure that the potential costs and benefits of such contracts are compared with other methods of accomplishing the work involved, to ensure the most cost effective method is selected.

The Committee is proposing that the funds for the Tongass National Forest in Alaska be deleted from the National Forest System and Construction accounts, and included under the Tongass Timber Supply Fund, which is funded by a permanent appropriation. To accomplish this, bill language has been included under Administrative Provisions, Forest Service, which will cap the total budget authority from the Timber Supply fund for the Tongass at \$48,535,000 in fiscal year 1990 and provide that all expenditures on the Tongass in fiscal year 1990 should come only from the fund, except for trust funds and other permanent appropriations. The level of funding provided should allow a timber sales program of 300 million board feet (MMBF), compared to 370 MMBF proposed in the budget. It will also allow the non-timber programs, such as recreation, wildlife and fish, and soil and water, to continue to be funded at the 1989 level. In total, the amount recommended represents a decrease of \$3,916,000 from the total amount proposed in the budget, as shown in the following table:

[In thousands]

	Estimate	Recommendation	Difference
Tongass Timber Supply Fund:			
Research	\$1,821	\$1,800	—\$21
Timber resource planning and inventory	4,501	3,501	—1,000
Timber sales preparation	2,250	2,200	—50
Timber sales administration	4,244	3,644	—600
Timber support	1,833	1,333	—500
Timber stand improvement	1,520	920	—600
Facilities construction	45	.....	—45
PCP support	5,012	5,012	.....
Road construction	10,742	6,742	—4,000
Log transfer site	1,725	1,725	.....
Tongass plan revision	897	897	.....
General administration	6,395	6,195	—200
Subtotal, Tongass Timber Supply Fund	40,985	33,969	—7,016
National Forest System:			
Minerals management	895	807	—88
Real estate management	234	234	.....
Land line location	594	494	—100
Facilities maintenance	353	370	+17
Cooperative law enforcement	40	25	—15
Forest road maintenance	1,247	1,030	—217
Forest trail maintenance	322	728	+406

[In thousands]

	Estimate	Recommendation	Difference
Timber sales.....	75	69	-6
Reforestation and TSI.....	50	42	-8
Recreation use.....	2,622	3,522	+900
Wildlife and fish.....	2,500	3,500	+1,000
Soil, water and air management.....	655	1,855	+1,200
General administration.....	1,321	1,321	
Subtotal, National Forest System.....	10,908	13,997	+3,089
Construction:			
Road construction.....	80	80	
Recreation facilities construction.....	89	89	
Trail construction.....	389	400	+11
Subtotal, construction.....	558	569	+11
Total, appropriated funds.....	52,451	48,535	-3,916
Trust funds.....	2,572	2,572	
Brush disposal.....	93	93	
Timber salvage.....	640	640	
Land acquisition.....	25	25	
Subtotal.....	3,330	3,330	
Total, Tongass National Forest.....	55,781	51,865	-3,916

Recreation and tourism have steadily grown in southeast Alaska. Tourism, much of which is related in some way to the Tongass National Forest, has grown to over 350,000 annual visits. The Tongass National Forest program is in part designed to encourage commercial recreation and tourism growth and to maintain and expand the forest's public recreation and wilderness management programs. The Forest Service has also indicated that it is experiencing an unfulfilled demand for recreation facilities in areas accessed by ferry terminals and roads.

The Forest Service, in cooperation with the South East Alaska Marketing Council, has conducted a survey of tourism in the area. These survey data are currently being analyzed to determine the impact of recreation and tourism on the local economy. While the Committee is interested in the results of this ongoing analysis, the analysis should be expanded to include an assessment of what new demands this growth in tourism is placing on the Forest Service and recommendations as to how to address any new and unmet needs. The Forest Service should report to the Committee before the fiscal year 1991 hearing. No additional funds should be spent on timber demand related studies.

Minerals management.—The Committee recommends a decrease of \$816,000 to minerals management, which includes a decrease of \$895,000 for the Tongass National Forest. An increase of \$79,000 is included for increased timber support related to the Committee's recommendation for increased timber sales preparation in Regions 6 and 8, which is discussed under the timber sales line item.

Real estate management.—An increase of \$3,566,000 is recommended, which includes \$3,800,000 to restore the program to the

base level, and a decrease of \$234,000 related to the Tongass proposal.

Land line location.—An increase of \$81,000 is recommended, which consists of an increase of \$500,000 to restore partially the program to the base level, an increase of \$175,000 for timber support, and a decrease of \$594,000 related to Tongass.

Facilities maintenance.—The Committee recommends an increase of \$2,647,000, which includes a decrease of \$353,000 for Tongass. There is an increase of \$3,000,000 which includes \$1,500,000 to restore the program to the base level, and an additional \$1,500,000 for reducing the backlog and continuing to remove asbestos in Forest Service facilities.

Fuels management.—The Committee recommends an appropriation of \$8,935,000, the budget estimate, for fuels management. The funds for fire presuppression, as well as for firefighting, have been included under the new account proposed in the Bureau of Land Management, which will include all of the firefighting and fire presuppression funds recommended in the bill.

Cooperative law enforcement.—A decrease of \$40,000 is recommended, related to the Tongass proposal.

Road maintenance.—An increase of \$2,253,000 is recommended, which includes \$3,500,000 transferred from the road construction account for maintenance engineering support. There is a decrease of \$1,247,000 for Tongass.

Trail maintenance.—The Committee recommends an increase of \$7,678,000, including an increase of \$8,000,000 to restore to the base level, and a decrease of \$322,000 related to Tongass.

Timber sales.—An increase of \$17,080,000 is recommended for the timber sales program. For timber sales preparation, there is a decrease of \$2,598,000. Included are decreases of \$75,000 related to the Tongass proposal, and \$200,000 related to the transfer of National Forest lands to the Quinault Tribe under Public Law 100-638. There is also a decrease of \$1,600,000, which is based on the Committee's recommended timber sales program in fiscal year 1990 of 11.210 billion board feet (BBF). This level assumes an increase of 50 million board feet (MMBF) in Region 8, as discussed below, and no change to the sales programs as proposed in the budget for Regions 5 (1.8 BBF), 6 (4.8 BBF) and 9 (810 MMBF).

The Committee has included an additional \$10,777,000 for timber sales preparation, which is to be used to prepare, but not necessarily to offer, 4.5 BBF of net merchantable saw timber in Region 6 during fiscal year 1990, and to increase the Region 8 offer by 50 MMBF. Additional amounts for timber support related to this increase are discussed under other sections of this account. There are also increases of \$2,339,000 each for timber resource inventory and for silvicultural examination related to this recommendation. The balance of the increase for timber resource inventory is \$1,200,000, which will provide a total increase of \$3,539,000. Within this amount, \$3,000,000 is to be used for accelerating spotted owl surveys in Regions 3, 5 and 6. An additional \$200,000 of the increase is to be used for the old growth management project discussed under the Research appropriation. For silvicultural examination, there is a decrease of \$1,200,000 to the base program, which will still leave an increase of about \$3,000,000 over the 1989 level.

There is an increase of \$15,000,000 which is to be used to prepare sales for the "pipeline" for future years, in order to enable the Forest Service to return over the next several years to the position of having 100 percent of sales prepared and ready to offer at the beginning of the year. The Forest Service has received an additional \$7,300,000 in the fiscal year supplemental to be used for this purpose, and another \$30,000,000 is available from timber salvage receipts and can be used for this purpose, under the authority of the language contained in the fiscal year 1989 appropriations Act, which is continued in the 1990 bill. This recommendation does not take into account the changes in the timber sales program that might occur in Regions 5 and 6 based on pending court action related to the spotted owl issue, and the decision to list the owl as a threatened species by the Fish and Wildlife Service. Depending on the outcome of these issues over the next few months to a year, it is possible that the program and funding could be affected significantly. The Committee expects to be kept informed of any changes to the program that might result from these issues, and will take action accordingly.

The Committee recommends an additional decrease of \$11,500,000 to timber sales preparation. As stated earlier, the Forest Service is planning to implement fully the TSPIRS accounting system in fiscal year 1990. The 1988 test of the system found that of the 120 forests in the system, 65 showed a loss in their timber sales program, before payments to States were considered; and that number increased to 74 after payments to States were deducted. When this system was initially under discussion at this Committee's direction several years ago, it was indicated that the system would be used to enable the Forest Service to pinpoint which forests have the most significant amounts of below cost timber sales, and to take action to begin to decrease the number of such sales. The Committee is proposing this reduction on the basis that with the system in place, the Forest Service should be able to begin to analyze where below cost sales are occurring and are not able to be made profitable, and to begin to implement a phased reduction of the sales that are the least cost effective. This would not mean that a below cost sale that would otherwise be affected by this direction could not be offered if an analysis is done that results in a decision to offer the sale for a particular purpose, i.e., fuels management for fire presuppression purposes, to create improved wildlife habitat, or to expand a recreation area, and the sale would then be funded from the appropriate program. However, the Committee believes that there must be specific direction to use the system to begin to address the large number of below cost sales and to begin to phase out the least cost efficient sales. In this regard, the Committee expects that the Forest Service will also take up again consideration of the use of a minimum bid in timber sales, which was put in abeyance while the accounting system was being developed, to ensure that at a minimum, the costs incurred in preparing and offering such sales will be recovered.

For the first time since the timber contract return legislation was enacted several years ago, there will be no returned timber included in the 1990 sales program. The net cost of the program to

date, as reported by the Forest Service, has been over \$2,000,000,000.

Reforestation and stand improvement.—An increase of \$8,950,000 is recommended, which includes a decrease of \$50,000 related to the Tongass proposal. There is an increase of \$10,000,000 for timber stand improvement, which will allow a total of 350,000 acres to be accomplished if unit costs are held to reasonable levels. The Forest Service has consistently underestimated accomplishments and overestimated costs in the last several years. A decrease of \$1,000,000 is included for nursery and tree improvement, which will still allow an increase of 11 per cent over 1989. The Forest Service should review whether seedling production can be reduced at certain locations, in order to cut back on the amount of surplus seedlings destroyed each year and thereby reduce costs.

Recreation use.—The Committee recommends an increase of \$28,960,000. Included is an increase of \$20,000,000 for recreation management, which is partially offset by a decrease of \$2,622,000 to the Tongass. There is also an increase of \$582,000 for timber support. Also included are increases of \$5,000,000 for wilderness management and \$6,000,000 for cultural resources management. A proportional amount of these increases may be used for additional challenge cost share projects.

Wildlife and fish habitat.—An increase of \$21,112,000 is recommended, which includes a decrease of \$2,500,000 for the Tongass. Included are \$6,000,000 to accelerate and expand spotted owl habitat surveys (\$5,000,000) and population monitoring (\$1,000,000), and \$612,000 for timber support. The Forest Service is requested to track the spotted owl funding, and provide a report on how the funds were spent as soon after the end of the fiscal year as possible. Also included is \$4,000,000 for initiatives related to waterfowl habitat, elk habitat, bighorn sheep, wild turkey and watchable wildlife. There is an increase of \$2,000,000 for inland fish habitat, which includes \$1,000,000 for the Rise to the Future initiative and \$1,000,000 for mitigation work. For endangered, threatened and sensitive species, there is an increase of \$7,000,000 which includes \$900,000 for the grizzly bear, \$500,000 for the eastern timber wolf, and \$1,600,000 for additional plant protection. An increase of \$4,000,000 is included for anadromous fish habitat, which includes \$400,000 for the Green Mountain and White Mountain National Forests. A proportional share of the recommended increases may be used for challenge cost share projects, to include at least \$2,000,000 in total for the endangered and threatened species program.

Range management.—The Committee recommends an increase of \$8,963,000 for range management. Included is an increase of \$8,083,000 for range vegetation management, including \$8,000,000 to carry out the recommendations in the recent GAO reports, particularly with regard to improvements in riparian areas and reducing overstocked areas, and \$83,000 for timber support. There is an increase of \$800,000 for range improvements, which restores the program to the 1989 level. For wild horses and burros, there is an increase of \$80,000, for management of the additional territories acquired from the BLM and additional territory management plans.

Soil, water and air management.—An increase of \$16,903,000 is recommended, which includes a decrease of \$655,000 for Tongass. There is an increase of \$6,558,000 for operations, which will restore the program to the 1989 level, and provide an additional \$2,000,000 for the Federal facility compliance program and \$558,000 for timber support. There are increases of \$8,000,000 for the improvements program, and \$3,000,000 for inventory. Within the funding provided, a total of \$400,000 is included to continue water quality monitoring in the Bull Run watershed, Mount Hood National Forest.

General administration.—A decrease of \$1,321,000 is recommended for general administration, related to the Tongass National Forest.

Administrative provisions.—The Committee has continued bill language carried in previous years to permit reimbursement of other accounts from which funds are borrowed when necessary to fight forest fires, and to retain 65 percent of funds received under the Land and Water Conservation Fund Act, as authorized. Other bill language which is continued allows the Forest Service to use \$1,000,000 of available funds for a Youth Conservation Corps program, and prohibits the issuance of a special use authorization for a project on the Lewis Fork Creek in California, pending completion of two required studies. Although the Forest Service has submitted its study on the impact of the project on the aesthetic value of Corlieu Falls, this report has been criticized on the grounds that it was not a new study as requested, that it did not adequately review non-restricted pre-project flow conditions, and that the methodology used was not statistically valid. The Forest Service should review the issue again with particular attention to these concerns. In addition, the second study on the impact on a local Indian tribe, which is to be completed by the developer, has not been done. Language is also retained which prohibits changing boundaries, appropriations structure, or certain transfers of funds without prior approval of the Appropriations Committees, and maintaining the amount authorized for official representation expenses at \$1,500 each year. The Committee has also modified the language carried in prior years with regard to tropical forestry activities. Under Title III, the Committee has deleted language regarding timber sales in the Mapleton district of the Siuslaw NF.

The Committee has retained the excess receipts language first contained in the fiscal year 1989 Act, with a cap of \$35,000,000 on the amount to be made available. Within the amount provided under this language for timber sales administration, the Forest Service should use \$1,000,000 to accelerate Region 6 forest inventories.

CONSTRUCTION

Appropriation enacted, 1989	\$225,518,000
Budget estimate, 1990	221,000,000
Recommended, 1990	222,199,000
Comparison:	
Appropriation, 1989	−3,319,000
Budget estimate, 1990	+1,199,000

The Committee recommends \$222,199,000, an increase of \$1,199,000 over the budget estimate, for the construction/reconstruction of roads and trails, and the construction of facilities on National Forest System lands.

The amounts recommended by the Committee for fiscal year 1990, compared to the budget estimates by activity, are shown in the following table:

	(in thousands of dollars)			
	FY 1989 Enacted	Budget Estimates	Committee Bill	Change from Estimates
Facilities.....	33,914	17,000	39,232	+22,232
Roads and trails				
Direct road construction.....	175,657	186,000	164,356	-21,644
Trail construction.....	15,947	18,000	13,611	+611
Timber receipts transfer to General Fund.....	(-79,100)	(-92,000)	(-92,000)	---
Timber purchaser credits.....	(75,000)	(139,579)	(139,579)	---
Mount St. Helens (contract authority).....	(5,333)	---	---	---
Total, Construction.....	225,518	221,000	222,199	+1,199

Facilities.—The Committee recommends an increase of \$22,232,000 for facilities construction. Included is \$17,000,000 for recreation construction and rehabilitation, which includes the \$7,500,000 which was budgeted under the proposed Operation and Maintenance of Recreation Facilities, since that account requires new legislation which has not yet been enacted. Included within the increase is \$490,000 for the Leith Run Recreation Area in the Wayne National Forest, OH. There is also an increase of \$5,238,000 for recreation projects in the Mount St. Helens Volcano National Monument, including the Coldwater Lake-Johnston Ridge Complex. These funds are to be combined with the \$773,000 already in the budget, and \$2,950,000 to be made available from State and private funds, to provide a total of \$8,961,000 for these projects in fiscal year 1990. Under administrative facilities, the Committee recommendation includes \$83,000 for planning for a combined research/national forest facility in Asheville, NC. A decrease of \$89,000 is included for the Tongass National Forest.

Included within the funds for recreation construction is \$155,000 for the Coronado NF, AZ. There is also \$123,000 provided under trail construction. These funds will provide for construction of trails and trailheads, and associated recreation facilities in the vicinity of Mount Graham. All of the work will be outside the area designated as a red squirrel refuge area, but within low level habitat, and therefore, the Forest Service will consult with the U.S. Fish and Wildlife Service on all of the projects.

There is no objection to the use of \$108,000 included in the 1990 budget for Lander Office Stage II construction, Shoshone National Forest, instead of for remodeling the Wapiti Office, as proposed.

Road construction.—A decrease of \$21,644,000 is recommended for road construction. Included is a decrease of \$3,500,000 for the transfer of road maintenance engineering support to the road maintenance program. There is a reduction of \$5,000,000 for purchaser construction/purchaser election preconstruction engineering, which will leave a 7 percent increase over 1989. There is also a decrease of \$4,000,000 for PCP/PEP construction engineering, which is partially offset by an increase of \$336,000 related to the

increased sales preparation program in Region 6, and a decrease of \$400,000 to the augmentation program. A decrease of \$9,000,000 is recommended to forest road construction/reconstruction, which is tied to the reduction in below cost sales discussed earlier. There is a decrease of \$80,000 for the Tongass National Forest.

The Committee has included bill language providing additional purchaser construction ceiling of \$112,000,000, which, together with the currently estimated 1989 year-end balances, will provide sufficient authorization for the total program the Forest Service currently estimates will be necessary in 1990.

Trail construction.—The Committee recommends an increase of \$611,000, which includes a decrease of \$389,000 for the Tongass. An increase of \$1,000,000 is included, to restore the program to the 1989 level. Included within the total is \$642,000 for Mount St. Helens trail construction, \$400,000 for the Wayne NF, OH, and \$150,000 for planning the Tehipite Valley Trail along the Kings River in California. The Forest Service should identify potential sources of State and private funding and voluntary construction labor to supplement Federal construction costs.

LAND ACQUISITION

Appropriation enacted, 1989.....	\$64,205,000
Budget estimate, 1990.....	64,831,000
Recommended, 1990.....	61,988,000
Comparison:	
Appropriation, 1989.....	—2,217,000
Budget estimate, 1990.....	—2,843,000

The amount recommended includes \$6,054,000 for acquisition management and \$55,934,000 for the following areas:

	Fiscal year 1990 request	Committee recommendation	Change
Allegheny NF, PA.....		\$1,010,000	+\$1,010,000
Appalachian Trail.....	\$3,000,000	3,000,000	
Boundary Water Canoe Area.....	500,000	500,000	
Caribbean NF, PR.....	430,000	430,000	
Carson NF, NM.....	375,000	375,000	
Carson-Iceberg Wilderness, CA.....		2,000,000	+2,000,000
Cascade Head, OR.....	1,000,000		—1,000,000
Chattooga WSR NC/SC/GA.....	1,000,000	1,000,000	
Chequamegon NF, WI.....		157,000	+157,000
Clear Creek RCA, AL.....		500,000	+500,000
Columbia Gorge NSA, OR/WA.....	5,000,000	4,500,000	—500,000
Daniel Boone NF, KY.....		1,000,000	+1,000,000
DeSoto NF, MS.....	700,000	700,000	
Flaming Gorge NRA, WY.....	12,000	12,000	
Flathead WSR, MT.....	1,500,000	1,500,000	
Gallatin NF, MT.....	1,000,000	3,500,000	+2,500,000
Green Mountain NF, VT.....	1,750,000	1,750,000	
Hells Canyon NRA, ID.....	500,000		—500,000
Hiawatha NF, MI (Grand Island).....	3,500,000	3,500,000	
Humboldt NF, NV.....	1,400,000	1,400,000	
Inyo NF, CA.....	1,400,000		—1,400,000
Lake Tahoe Basin, CA/NV.....	3,500,000	7,000,000	+3,500,000
Los Padres NF, CA (Ventana Wilderness).....		200,000	+200,000
Monongahela NF, WV.....	2,800,000		—2,800,000
Mt Baker-Snoqualmie NF, WA.....	2,000,000	2,000,000	
Mt. Hood NF, OR (Squaw Meadow).....		500,000	+500,000
Ocala NF, FL.....	4,000,000	4,000,000	

	Fiscal year 1990 request	Committee recommendation	Change
Oregon Dunes NRA, OR.....	500,000		- 500,000
Osceola NF, FL.....	1,750,000		- 1,750,000
Ouachita NF AR/OK.....	5,000,000		- 5,000,000
Ozark NF, AR.....	2,000,000		- 2,000,000
Pacific Crest Trail.....	1,000,000	1,000,000	
Pere Marquette WSR, MI.....	500,000		- 500,000
Roosevelt NF, CO.....	960,000	900,000	- 60,000
San Bernardino NF, CA.....	2,000,000		- 2,000,000
Sawtooth NRA, ID.....	2,000,000		- 2,000,000
Shawnee NF, IL.....		1,500,000	+ 1,500,000
Siuslaw NF, OR.....	2,500,000	3,000,000	+ 500,000
Spruce Knobs-Seneca Rocks, WV.....	500,000		- 500,000
Talladega NF, Al.....		3,000,000	+ 3,000,000
Toiyabe NF, CA.....	4,000,000	4,000,000	
Wayne NF, OH.....		2,000,000	+ 2,000,000
Wenatchee NF, WA.....	700,000		- 700,000
Acquisition management.....	6,054,000	6,054,000	
Total.....	64,831,000	61,988,000	- 2,843,000

The Pere Marquette WSR, MI acquisition is to be funded from unobligated balances available from a prior appropriation for Kirtlands warbler habitat.

The \$1,000,000 recommended for land acquisition at the headwaters of the Chattooga River is the first installment for purchase of an approximately 828 acre estate. It is the Committee's expectation that the balance of \$1,485,000 will be provided as soon as possible.

OPERATION AND MAINTENANCE OF RECREATION FACILITIES

Appropriation enacted, 1989.....	
Budget estimate, 1990.....	\$9,000,000
Recommended, 1990.....	
Comparison:	
Appropriation, 1989.....	
Budget estimate, 1990.....	- 9,000,000

The Committee has deleted the \$9,000,000 budget estimate for this proposed new account. The Forest Service proposed to use these funds, from the return of recreation user fees and special use fee receipts, for the construction and reconstruction of recreation facilities and trails. The proposed legislation has not been enacted. Therefore, the Committee has provided funds for this purpose under the facilities construction program, as discussed earlier.

The Committee has also included bill language under the "National Forest System" account which will allow the use of an estimated \$7,500,000 in existing recreation user fees for operation and maintenance of recreation facilities.

ACQUISITION OF LANDS FOR NATIONAL FORESTS, SPECIAL ACTS

Appropriation enacted, 1989.....	\$966,000
Budget estimate, 1990.....	1,068,000
Recommended, 1990.....	1,068,000
Comparison:	
Appropriation, 1989.....	+ 102,000
Budget estimate, 1990.....	

The Committee recommends an appropriation of \$1,068,000, the budget estimate, for land acquisition in the San Bernardino, Cleveland, Angeles, Toiyabe, Uinta-Wasatch, and Cache National Forests. Bill language has also been included to reference the Sequoia National Forest, in accordance with the authority in Public Law 76-637.

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

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

(INDEFINITE)

Appropriation enacted, 1989.....	\$335,000
Budget estimate, 1990.....	1,070,000
Recommended, 1990.....	1,070,000
Comparison:	
Appropriation, 1989.....	+735,000
Budget estimate, 1990.....	

The Committee recommends an appropriation of \$1,070,000, 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

(INDEFINITE)

Appropriation enacted, 1989.....	\$3,946,000
Budget estimate, 1990.....	4,700,000
Recommended, 1990.....	4,700,000
Comparison:	
Appropriation, 1989.....	+754,000
Budget estimate, 1990.....	

The Committee recommends an appropriation of \$4,700,000, the budget estimate, to be derived from grazing receipts from the National Forest (Public Law 94-579, as amended) and to be used for range rehabilitation, protection, and improvements including seeding, reseeding, fence construction, weed control, water development and fish and wildlife habitat enhancement in 16 western States.

GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND RANGELAND RESEARCH

Appropriation enacted, 1989.....	\$90,000
Budget estimate, 1990.....	30,000
Recommended, 1990.....	30,000
Comparison:	
Appropriation, 1989.....	-60,000
Budget estimate, 1990.....	

The Committee recommends an appropriation of \$30,000, 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 recommends advance appropriations for two additional procurements of \$600,000,000 each for clean coal retrofit and repowering technology. The first procurement would be initiated in 1990 and the second would be initiated in 1991, as requested by the Administration. In view of the contemplated active consideration of clean air legislation by Congress, the Committee believes that such advance appropriations are necessary in order to assure that adequate support will be available for demonstrating advanced technologies should their use be assumed by the resulting legislation. Many of the technologies would be attractive in terms of efficiency or pollution reduction absent legislation. The Committee also recommends changing the availability of \$575,000,000 in funds made available for fiscal year 1990 in the fiscal year 1989 Appropriations Act for a third clean coal technology procurement. The recommendation would make \$500,000,000 available in fiscal year 1990, and make \$75,000,000 available in fiscal year 1991. This action, which is similar to that taken last year with regard to the second clean coal procurement, is taken solely because of budget authority limitations and, based on data provided by the Department, will have no effect on the pace of the program. That is the Committee's intent.

Response to the first two clean coal procurements indicates a high level of interest and support for the program by industry and its sponsors. Although few projects are operating at this point, most appear to be proceeding on reasonable schedules. For those projects which are experiencing difficulties the Committee urges a rapid resolution by the Department and project sponsors.

In addition to providing funding as described above, the Committee has included several provisions affecting the operation of the clean coal program. Bill language is included expressly providing for the use of funds excess to the needs of the procurement to which they originally were allocated for other procurements for which requests for proposals have not been issued. Language also is recommended prohibiting the use of backup, supplemental, or contingent project selections in procurements. The potential extended period of time projects could remain in such status and the fact that several similar procurements are expected to proceed makes such lists unnecessary, if not unwise. Projects not selected originally should compete on an unbiased basis with new projects in a subsequent procurement, rather than receiving possible preference if projects selected for negotiation fail to mature. Likewise, being on such a list could also discourage worthy projects from responding to subsequent requests for proposal. Finally, bill language is included allowing projects for which required reports to Congress are re-

ceived near the end of a session of Congress to proceed 30 calendar days after receipt of the report by Congress, rather than after the usual 30 legislative day period. This provision is meant to avoid unnecessary delays in projects while still providing adequate time for Congressional review.

Current allocations for manpower in the clean coal account are for fifty-eight personnel. The Committee believes that additional personnel are necessary both in fiscal year 1989 and fiscal year 1990 based on the increasing number of active projects, and the plans for continued procurements. This additional workload would fall mainly on the Energy Technology Centers, and the Committee does not want additional manpower to be assigned from personnel currently assigned to and paid from the fossil energy research and development account. Although, the Committee is not recommending an employment floor in bill language, it expects the Department to provide adequate staffing, which is estimated to be eighty to eighty-five people by fiscal year 1990. Increased costs of personnel in fiscal year 1990 should be absorbed within the \$22,548,000 provided for operating expenses in the account. Technology transfer and program analysis contracts in headquarters should also be minimized.

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

Appropriation enacted, 1989.....	\$380,595,000
Budget estimate, 1990.....	163,574,000
Recommended, 1990.....	422,660,000
Comparison:	
Appropriation, 1989.....	+42,065,000
Budget estimate, 1990.....	+259,086,000

The amount recommended by the Committee for fiscal year 1990 compared to the budget estimate by activity is shown in the following table:

	(in thousands of dollars)			
	FY 1989 Enacted	Budget Estimates	Committee Bill	Change from Estimates
Coal				
Control Technology and Coal Preparation				
Advanced research.....	1,774	1,871	1,871	---
Coal preparation and analysis.....	17,680	11,318	21,208	+9,890
Flue gas cleanup.....	16,375	11,398	17,598	+6,200
Gas stream cleanup.....	11,574	4,585	17,585	+13,000
Waste management technology.....	1,524	3,089	1,839	-1,250
Subtotal, Control Technology & Coal Preparation.....	48,927	32,261	60,101	+27,840
Advanced research and technology development.....	25,564	25,543	26,178	+635
Coal Liquefaction				
Advanced research.....	6,902	3,099	7,824	+4,725
Direct liquefaction.....	17,333	2,913	18,113	+15,200
Indirect liquefaction.....	6,580	2,687	9,787	+7,100
Support studies and engineering evaluations.....	1,574	958	1,958	+1,000
Subtotal, Coal Liquefaction.....	32,389	9,657	37,682	+28,025
Combustion Systems				
Advanced research.....	2,972	1,141	3,041	+1,900
Atmospheric fluidized beds.....	2,735	1,650	2,850	+1,200
Pressurized fluidized beds.....	9,267	6,634	12,634	+6,000
Advanced combustion technology.....	6,201	2,629	6,329	+3,700
Alternative fuels utilization.....	5,521	3,711	10,411	+6,700
Subtotal, Combustion Systems.....	26,696	15,765	35,265	+19,500
Fuel Cells				
Advanced research.....	1,597	977	1,477	+500
Phosphoric acid systems.....	9,500	---	8,900	+8,900
Molten carbonate systems.....	7,069	3,399	15,399	+12,000
Advanced concepts.....	8,368	2,125	12,625	+10,500
Subtotal, Fuel Cells.....	26,534	6,501	38,401	+31,900
Heat engines.....	22,832	8,919	20,019	+11,100
Underground coal gasification.....	1,371	426	426	---
Magnetohydrodynamics.....	37,000	---	42,900	+42,900
Surface Coal Gasification				
Advanced research.....	2,679	652	2,652	+2,000
Systems for power production.....	5,926	1,201	4,401	+3,200
Systems for industrial fuel gas production.....	848	831	1,331	+500
Systems for synthesis gas production.....	2,503	1,147	1,747	+600
Systems for co-products production.....	9,084	4,906	9,506	+4,600
Great Plains coal gasification project.....	517	---	---	---
Subtotal, Surface Coal Gasification.....	21,557	8,737	19,637	+10,900
Subtotal, Coal.....	242,870	107,809	280,609	+172,800
Petroleum				
Advanced Process Technology				
Advanced exploratory research.....	3,749	4,621	3,600	-1,021
Arctic and offshore research.....	452	---	---	---
Subtotal, Advanced Process Technology.....	4,201	4,621	3,600	-1,021
Enhanced Oil Recovery				
Heavy oil.....	4,245	4,067	4,067	---
Light oil.....	16,738	14,176	22,020	+7,844
Tar sands.....	2,600	---	1,500	+1,500
Subtotal, Enhanced Oil Recovery.....	23,583	18,243	27,587	+8,344
Oil shale.....	10,530	1,683	8,183	+6,500
Subtotal, Petroleum.....	38,314	24,547	39,370	+14,823
Gas				
Unconventional gas recovery.....	11,384	4,070	13,170	+8,100
Equipment not related to construction.....	500	---	1,500	+1,500
Fossil Energy Construction				
General plant projects.....	1,750	---	1,800	+1,800
Headquarters program direction.....	16,207	9,139	16,439	+7,300
Energy Technology Center program direction.....	50,821	16,451	52,451	+36,000
Use of prior year funds.....	-1,000	-1,630	-1,630	---
Federal inspector for the Alaska gas pipeline.....	249	249	249	---
Cooperative R&D.....	---	---	4,795	+4,795
Facilities.....	19,500	1,896	10,196	+8,300
Fossil energy environmental restoration.....	---	1,043	1,043	---
Fuels conversion, natural gas, and electricity.....	---	---	2,668	+2,668
Total, Fossil Energy Research and Development.....	380,595	163,574	422,660	+259,086

The Committee recommends an appropriation of \$422,660,000, an increase of \$259,086,000 over the budget estimate of \$163,574,000.

Control technology and coal preparation.—The Committee recommends an increase of \$9,890,000 in coal preparation and analysis.

The increase consists of \$1,140,000 for Ames Laboratory, \$3,500,000 to continue contract support for the clean coal research initiative, \$250,000 for research on selective coalescence, \$1,000,000 for bench scale testing at the Pittsburgh Energy Technology Center (PETC) hi-bay facility, \$2,000,000 for an additional test project in the joint DOE/Electric Power Research Institute (EPRI) program, and \$2,000,000 for additional testing of the Gravimelt process.

In flue gas cleanup the Committee recommends an increase of \$6,200,000, consisting of \$2,600,000 for acid rain control technology including the Tung process, \$1,800,000 to support advanced NO_x projects from a fiscal year 1989 procurement, \$1,000,000 to support advanced separations contracts, and \$800,000 for scale-up of combined SO_x/NO_x technology.

An increase of \$13,000,000 is recommended in gas stream clean-up. The increase includes \$4,000,000 for the Calderon project, based on a 20 percent cost-share by project sponsors. These funds provide for extended operation of the facility which was not included in the original agreement on the project. No additional funds are expected to be required. Also included in the increase are \$1,000,000 for Morgantown Energy Technology Center (METC) cleanup facilities and supporting research for integrated gasification combined cycle, \$400,000 for pressurized fluidized bed (PFB) cleanup testing, \$1,000,000 for supporting research at the base level, \$600,000 for acoustic agglomeration work for coal-fired turbines, and \$6,000,000 for a joint industry/DOE particle control test facility. The particle control facility should be at least 20% cost-shared by industry and be applicable to both gasification and combustion technology.

Waste management.—The Committee agrees there is some merit in evaluating the waste water characteristics of lower rank coals, but believes the proposal in the budget, which includes facility construction, is overly elaborate. Therefore, the Committee is providing a total of \$1,500,000 for the project, including \$854,000 in unobligated prior year funds, which is a decrease of \$1,250,000 from the budget. The Department should enter into a two-year cooperative research agreement to evaluate waste water characteristics of lower rank coals when subjected to conditions of temperature and pressure. Such a project should be at an existing facility, should be at least 20 percent cost-shared, and should evaluate at least two lignites and two subbituminous coals to determine effluent constituents and approaches to satisfactory disposal of waste liquids. The Committee has no objection to performing such research under the memorandum of understanding with the State of Wyoming.

Advanced research and technology development.—The Committee recommends an increase of \$635,000 in advanced research and technology development. Within the net increase are increases of \$1,500,000 to restore the base level for materials research; \$800,000 for solids transport (for a total program of \$1,655,000); \$800,000 to restore the base level for bioprocessing; \$1,000,000 for instrumentation, components, and coal utilization; \$1,565,000 to restore the base level for university coal research, and \$225,000 to retain employment floors. Those increases are offset by decreases of \$2,371,000 for the University of North Dakota Energy and Minerals Center (UNDEMRC) cooperative work which is placed in a separate budget category, \$1,500,000 for the joint DOE/Italy agreement on

superclean coals which is included in the alternative fuels budget category, \$384,000 for the Lesser Developed Countries (LDC) initiative, and \$1,000,000 for technical and economic analyses. The Committee does not believe that the LDC initiative will result in significant export of either technology or coal.

Coal liquefaction.—In advanced research, the Committee recommends an increase of \$4,725,000, consisting of \$3,900,000 to restore base level activity, and \$825,000 to retain employment floors.

The Committee recommends an increase of \$15,200,000 in direct liquefaction. The increase includes \$8,800,000 to continue operation of the Wilsonville pilot plant, \$1,500,000 to continue construction of a generic bench-scale process unit at PETC, \$3,900,000 to restore the base level for ongoing contract activities, and \$1,000,000 for new work on advanced processes.

For indirect liquefaction, the Committee recommends an increase of \$7,100,000. Included in the increase are \$3,000,000 to operate the Laporte pilot facility in a modified methanol mode, \$1,500,000 to continue construction of a generic bench-scale process unit at PETC, \$1,600,000 to maintain ongoing contract work, and \$1,000,000 for work on advanced processes and catalysts.

In support studies an increase of \$1,000,000 is recommended, including \$500,000 to maintain base level support and \$500,000 for a new base case economic analysis for indirect liquefaction.

Combustion systems.—The Committee recommends an increase of \$1,900,000 in advanced research, including \$1,800,000 to restore base funding and \$100,000 to retain employment floors.

For atmospheric fluidized beds (AFBs) an increase of \$1,200,000 is recommended for continuation of funding for multiple projects in special applications and advanced concepts. No funds are to be provided for construction of a hospital waste combustion project without at least fifty percent cost-sharing from other sources.

In pressurized fluidized beds (PFBs) the Committee recommends an increase of \$6,000,000 for continued construction of a slip stream test facility for gas stream cleanup at the TIDD PFB plant, and for procurement of devices to be tested.

The Committee recommends an increase of \$3,700,000 in advanced combustion. The increase includes \$1,400,000 to continue industrial combustor development, \$1,300,000 for proof-of-concept systems, and \$1,000,000 for beginning high efficiency, low emission, advanced combustion systems development.

For alternative fuels utilization, the Committee recommends an increase of \$6,700,000. The increase includes \$1,500,000 to continue the joint superclean coal project with Italy originally contained in the advanced research and technology development budget activity, \$700,000 for combustion testing of beneficiated coals, \$1,300,000 for contracts for testing of storage and handling of alternative fuels, \$700,000 for combustion testing in fire tube boilers, and \$2,500,000 for DOE participation in a gas reburning project in a cyclone boiler at the Ohio Edison plant in Niles, Ohio.

Fuel cells.—The Committee recommends an increase of \$500,000 for advanced research to restore the base level.

For phosphoric acid systems the Committee recommends an increase of \$8,900,000 to continue the Westinghouse program. This is the first year of a modified program that is expected to cost \$21

million to complete development of the technology by fiscal year 1992.

The Committee recommends an increase of \$12,000,000 for molten carbonate systems to continue stack development technology by three contractors. The Committee believes the Department should continue with all three contractors to attain stack development because there is no sound basis upon which to choose a single developer at this point. Therefore, the Department should continue present or modified contracts rather than initiating a new competitive procurement late this fiscal year as previously planned.

An increase of \$10,500,000 is recommended in advanced concepts, including \$8,500,000 for tubular solid oxide work, and \$2,000,000 for monolithic and other advanced concepts. The Committee is aware of a long-range plan by the developer for tubular solid oxide fuel cells which would require substantial funding over many years. Prior to committing to such a program, the Committee expects the Department to provide an analysis of options for development, and the estimated cost of each, in cooperation with the process developer. This analysis should be prepared as quickly as possible so that these options can be considered immediately.

Heat engines.—The Committee recommends an increase of \$11,100,000 for heat engines, including \$4,000,000 to continue three coal-fired turbine contracts and \$7,100,000 to continue three coal-fired diesel contracts.

Magnetohydrodynamics (MHD).—The Committee recommends an increase of \$42,900,000 for MHD in order to keep the program on schedule for completion of proof-of-concept testing by fiscal year 1993. Because the recommended funding will allow the program to continue on schedule, cost-sharing percentages included in the bill have been increased to 35 percent, an increase of 5 percent over this year.

The Committee continues to support the diagnostic instrumentation work at Mississippi State University, particularly the innovative mobile equipment testing laboratory and related activity, and expects the Department to continue current levels of support for the university. Construction of additional facilities is deferred for later consideration.

Surface coal gasification.—The Committee recommends an increase of \$2,000,000 for advanced research to continue the base level of support. The increase includes funds for biogasification of coal to methane.

For systems for power production, the Committee recommends an increase of \$3,200,000, including \$800,000 to continue construction of the METC fixed-bed gasifier and related research, and \$2,400,000 to continue work with Texaco on hot gas cleanup systems.

An increase of \$500,000 is recommended for systems for industrial fuel gas production to continue work on oxygen production.

In synthesis gas production the Committee recommends an increase of \$600,000 to continue research on novel gas separation techniques.

The Committee recommends an increase of \$4,600,000 for systems for co-products production. The increase consists of \$1,600,000 to continue support for existing contracts and \$3,000,000 to initiate

scale-up of one mild gasification process to approximately a one ton per hour scale. The selection should be based on technical maturity, a well-defined commercialization plan, the ability to use the full range of U.S. coals, and cost-sharing of not less than 20 percent of the total project cost. The Committee intends to provide the remainder of funding required for the facility once the total scope and cost of the project is known.

Advanced exploratory research.—The Committee recommends a decrease of \$1,021,000 for advanced exploratory research. The recommendation includes a decrease of \$2,321,000 for Western Research Institute (WRI) cooperative work which is placed in a separate budget category, and an increase of \$1,300,000 for continuing work on contracts awarded under the fiscal year 1989 geosciences procurement (PRDA).

The Committee believes that the Department should consider strongly identifying the research in this activity to the specific resource (oil, gas, or shale) to which it applies and including it as an “advanced research” activity in those resource budget categories.

Arctic and offshore research.—Arctic and offshore research, if required, should be funded under applicable oil or gas programs.

Enhanced oil recovery—light oil.—An increase of \$7,844,000 is recommended for enhanced oil recovery for light oil. The increase consists of \$2,000,000 for continuing work begun under the fiscal year 1989 geosciences procurement (PRDA), \$3,000,000 for an additional cost-shared competitive procurement for light oil geosciences, and \$2,844,000 to continue the cost-shared oil mining project.

Enhanced oil recovery—tar sands.—The Committee recommends an increase of \$1,500,000 to continue work on alternative tar sands recovery techniques.

Oil shale.—For oil shale the Committee recommends an increase of \$6,500,000 including \$3,000,000 for continued work on eastern shale projects; \$3,000,000 for continued work on the hot solids retort at Lawrence Livermore National Laboratory (LLNL); and \$500,000 to support industry/government site, environmental, and engineering studies on the desirability and feasibility of a “proof-of-concept” oil shale test facility.

Unconventional gas recovery.—The Committee recommends an increase of \$9,100,000 for gas recovery programs. The increase consists of \$3,000,000 for eastern shales, \$3,000,000 for Western tight sands, \$600,000 for the cost-shared secondary gas recovery program, \$1,000,000 for geoscience activity in deep deposits, and \$1,500,000 for work on conversion of gas to liquids.

Equipment.—The Committee recommends an increase of \$1,500,000 for equipment, including \$500,000 for retaining the base level and \$1,000,000 to begin upgrading of PETC computer facilities under DOE procedures. The Committee agrees to continue to allow up to 5 percent of internal (non-contract) research and development funds for METC, PETC, WRI, UNDEMRC, and the National Institute for Petroleum and Energy Research (NIPER) to be used for equipment, and such use should continue to be reported on a quarterly basis.

General plant projects.—An increase of \$1,800,000 is recommended for general plant projects to restore the base level.

Facilities.—The Committee recommends an increase of \$8,300,000 for facilities construction, including \$4,800,000 to continue renovation of PETC administrative facilities and \$3,500,000 for continued construction of the administrative building addition at METC.

Policy and Management.—For headquarters program direction the Committee recommends an increase of \$7,300,000, including \$1,300,000 to retain employment floors, \$4,000,000 for Small Business Innovative Research (SBIR), and \$2,000,000 for travel and miscellaneous support contracts.

For Energy Technology Center program direction an increase of \$36,000,000 is recommended. The increase consists of \$5,700,000 to retain employment floors and \$30,300,000 for travel and contractual services.

The Committee expects that no more than one percent of each budget category will be used for technical and program management support, which is shown separately for each such research and development activity.

Cooperative research and development.—The Committee recommends a new category for cooperative research and development containing \$4,795,000 transferred from other activities. This amount consists of \$2,474,000 for UNDEMRC and \$2,321,000 for WRI. These funds along with specific research funds included in various other program categories, as budgeted, will allow support for each organization at a level of \$5,225,000 in fiscal year 1990. The Committee supports the intent of the cooperative work to fund cost-shared research with UNDEMRC, WRI, and industry, and requests a report by May 1, 1990, on the success of this endeavor.

Fuels conversion, natural gas, and electricity.—The Committee agrees with the transfer of fuels conversion, natural gas, and electricity functions from the Economic Regulatory Administration (ERA) to the Assistant Secretary for Fossil Energy and has included \$2,668,000 in this account for those functions.

General.—The Committee, as can be observed from its recommendations, disagrees with the Administration on what the scope of the fossil energy research and development program should be. Although this can be considered a problem it is at least one which can be dealt with on a straightforward basis. However, in fiscal year 1990, the budget request as submitted to Congress presented information in less than a forthright manner with regard to funding program direction (overhead) costs at the Energy Technology Centers. The budget shows a mere \$2,233,000 for the non-personnel overhead costs of running the two ETCs. The fiscal year 1989 costs will be about \$31,329,000. Only after repeated questioning did the Department agree that at least an additional \$12.5 million would be required to maintain minimal support at the centers even with the reduced budget request for fossil energy. The Department when queried as to how these costs would be paid indicated that they would institute a new policy to charge the programs directly for the \$12.5 million shortfall. The Committee observes the following:

- (1) the change in accounting for overhead costs was not revealed in the budget and was not presented until detailed questioning by the Committee;

(2) the change, if implemented, has the effect of overstating the amount of research that could be accomplished for the funds included in the budget. Based on the budget submitted, and the estimate of increased overhead costs required, this overstatement approximates at least 9% of the budget;

(3) The change in accounting for program direction is in direct opposition to the reasons for establishing the program direction activity in the first place. The activity was established to isolate overhead expenses, and to accurately represent the direct costs of research.

The Committee directs the Department to reflect accurately the costs of program direction in future budgets, and not inflate what can be accomplished in research programs as has occurred in fiscal year 1990.

The Committee notes the increased use of memoranda of understanding with States to pursue research on a non-competitive basis. Executed and pending agreements in fiscal year 1989 total approximately \$4.3 million and even the drastically reduced fiscal year 1990 budget assumes funding of approximately \$5.7 million for these agreements. The vast majority of the existing and pending agreements relate to oil and gas work. The Committee believes that, although these agreements involve cost-sharing and in many cases industrial participation, extensive use of such mechanisms should not be pursued in lieu of competitive processes. The competitive process allows the comparison of national objectives and approaches thereto on a wide basis, and direct comparison of proposals to each other. The tendency of such non-competitive agreements is to become akin to "entitlements", where research is continued at constant or increasing levels with little consideration to overall program needs. The Committee expects, particularly with regard to oil, gas and geosciences related activity that no major commitments of funds be made through non-competitive processes.

Fiscal year 1990 is the third year the Committee has recommended increased funding for geoscience related research. Still, a comprehensive geoscience research strategy is not complete although it should be available soon. Once such a strategy is in place it is important that the fossil energy organization develop an implementation plan, so that the Congress can assess the effect that increased funding has had, and what additional steps are necessary to fully implement the plan. The Committee expects such an implementation plan to be completed and submitted to the Committee, with funding options, by March 31, 1990.

The Committee expects the Department to support the programs of Argonne National Laboratory at levels equivalent to fiscal year 1989 with maximum emphasis on its core R&D program.

NAVAL PETROLEUM AND OIL SHALE RESERVES

Appropriation enacted, 1989.....	\$185,071,000
Budget estimate, 1990.....	192,124,000
Recommended, 1990.....	192,124,000
Comparison:	
Appropriation, 1989.....	+7,053,000
Budget estimate, 1990.....	

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 Reserve No. 2 in Utah. The government's share of oil and liquid product production from the Naval Petroleum Reserves is expected to average 87,000 barrels per day in fiscal year 1990. Total receipts for fiscal year 1990 are estimated to be \$510 million.

The amount recommended by the Committee for fiscal year 1990 compared with the budget estimate by activity is shown in the following table:

	(in thousands of dollars)			Change from Estimates
	FY 1989 Enacted	Budget Estimates	Committee Bill	
Oil Reserves				
Naval petroleum reserves Nos. 1 & 2.....	161,616	180,082	180,082	---
Naval petroleum reserve No. 3.....	17,336	15,607	15,607	---
Program direction (headquarters).....	5,919	6,236	6,236	---
Subtotal, Oil Reserves.....	184,871	201,924	201,924	---
Shale oil development program				
Shale reserves development.....	200	200	200	---
Use of prior year balance.....	---	-10,000	-10,000	---
Total, Naval Petroleum and Oil Shale Reserves...	185,071	192,124	192,124	---

The Committee recommends an appropriation of \$192,124,000, the budget estimate, for the Naval Petroleum and Oil Shale Reserves.

The Committee once again rejects the Administration's proposal to sell the Naval Petroleum Reserves. For fiscal year 1990 the proposal is to sell the Reserves for an upfront cash payment and delivery of 50,000 barrels a day to the Strategic Petroleum Reserve from fiscal year 1990 through fiscal year 1995. At best, such a transaction is "a wash" according to the testimony of the Secretary of Energy. The Committee believes that is the most optimistic assessment that can be made, and that the bulk of the risk in this kind of transaction would be taken by the government. In addition, the defense petroleum inventory proposed as an adjunct is minimal compared to amounts that readily could be made available to the military from the Strategic Petroleum Reserve in the event of a military emergency.

Benefits included in the budget, such as the delivery of oil to the Strategic Petroleum Reserve, are unlikely to occur in fiscal year 1990 as projected. Even based on what the Committee considers an optimistic schedule, which includes passage of legislation by September, title to the Reserves would not pass to the private sector until September, 1990, after Congressional review. It is difficult to postulate that significant oil deliveries would occur before then. Therefore, fill rates assumed in the budget cannot be met without additional direct funding, even if the sale were to go forward. The Committee has included such funding in the SPR petroleum account.

The Committee has included a general provision in the bill, which is identical to the provision carried in the fiscal year 1989 supplemental appropriation. The provision, which is permanent in nature, allows no further contract studies relating to Federal dives-

titute of the Reserves, and precludes the negotiation of changes to the unit plan contract with Chevron which governs operation of Elk Hills, where the purpose of the changes is to prepare for the divestiture of the Reserve. If the provision becomes law in the supplemental Act, the Committee intends to delete the provision from this bill.

Finally, a provision is included providing that receipts in fiscal year 1990 in excess of the budget estimate of \$510,000,000 be deposited in the "SPR petroleum account" for the purchase of oil for the Strategic Petroleum Reserve. This provision, which was also included in the fiscal year 1988 appropriations Act, will have no net effect on government outlays anticipated in the budget resolution because any purchases will be offset by unanticipated revenues.

ENERGY CONSERVATION

Appropriation enacted, 1989.....	\$372,502,000
Budget estimate, 1990.....	95,528,000
Recommended, 1990.....	411,367,000
Comparison:	
Appropriation, 1989.....	+38,865,000
Budget estimate, 1990.....	+315,839,000

The amount recommended by the Committee for fiscal year 1990 compared with the budget estimate by activity is shown in the following table:

[The following table is extremely faint and largely illegible. It appears to be a detailed breakdown of the Energy Conservation budget comparison by activity for fiscal year 1990.]

(in thousands of dollars)

	FY 1989 Enacted	Budget Estimates	Committee Bill	Change from Estimates
Buildings and Community Systems				
Building systems.....	9,197	4,257	9,357	+5,100
Community systems.....	3,100	500	3,580	+3,080
Technology and consumer products.....	11,050	3,800	13,100	+9,300
Analysis and technology transfer.....	2,150	1,000	2,500	+1,500
Appliance standards.....	1,700	1,800	1,800	---
Federal energy management program.....	1,000	1,000	1,000	---
Capital equipment.....	1,100	714	1,114	+400
Program direction.....	3,370	2,500	3,487	+987
Subtotal, Buildings & Community Systems.....	32,667	15,571	35,938	+20,367
Industrial				
Waste energy reduction.....	11,150	6,400	14,400	+8,000
Process efficiency.....	9,350	5,300	28,800	+23,500
Cogeneration.....	4,600	1,630	5,130	+3,500
Implementation and deployment.....	3,262	1,100	3,500	+2,400
Program direction.....	2,100	1,700	2,205	+505
Subtotal, Industrial.....	30,462	16,130	54,035	+37,905
Transportation				
Vehicle propulsion R&D.....	16,435	7,230	18,480	+11,250
Alternative fuels utilization.....	2,160	2,835	6,125	+3,290
Electric/hybrid vehicle program.....	13,918	4,870	16,675	+11,805
Technology assessment and transfer.....	2,291	1,000	2,300	+1,300
Advanced materials development.....	15,000	10,330	15,000	+4,670
High temperature materials lab.....	2,000	2,000	2,500	+500
Capital equipment.....	500	---	2,236	+2,236
Program direction.....	2,280	1,489	2,310	+821
Subtotal, Transportation.....	54,584	29,754	65,726	+35,972
Multi Sector				
Energy conversion and utilization technology.....	23,500	18,350	25,350	+7,000
Inventions and innovation.....	4,850	3,850	4,950	+1,100
National Appropriate Technology Assistance Service..	1,400	500	1,400	+900
Technology assessment and transfer.....	932	759	1,059	+300
Capital equipment.....	500	100	1,000	+900
Program direction.....	1,175	544	1,205	+662
Subtotal, Multi Sector.....	32,357	24,103	34,965	+10,862
State/Local Programs				
Energy policy and conservation grants (EPCA).....	9,519	---	9,519	+9,519
Energy extension service.....	3,968	---	3,968	+3,968
Schools and hospitals.....	25,156	---	25,156	+25,156
Weatherization.....	161,357	---	161,357	+161,357
Program direction.....	11,195	7,564	16,900	+9,336
Subtotal, State/Local Programs.....	211,195	7,564	216,900	+209,336
Policy and management.....	2,664	2,406	3,803	+1,397
Facilities.....	13,000	---	---	---
Total, Energy Conservation.....	376,929	95,528	411,367	+315,839

The Committee recommends an appropriation of \$411,367,000, an increase of \$315,839,000 over the budget estimate of \$95,528,000. Of this amount an indefinite portion is to be derived from the excess amount for fiscal year 1990, 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 \$42,914,000.

Buildings and community systems.—The Committee recommends an increase of \$5,100,000 for building systems. The increase consists of \$800,000 for non-CFC insulation materials; \$300,000 for walls and foundations; \$300,000 for roofs; \$1,200,000 for windows, including superwindow research and window labeling efforts; \$600,000 for indoor air quality; \$600,000 for advanced energy design in commercial buildings using integrated computer systems; \$1,000,000 for industrialized housing research in conjunction with the University of Oregon and the Florida Solar Energy Center; and \$300,000 for building performance simulation.

In community systems the Committee recommends an increase of \$3,080,000, including \$2,000,000 for the energy task force of the Urban Consortium; \$750,000 for district heating and cooling, including cost-shared field testing of new technology; \$180,000 for the final increment of the Scranton mine water heat recovery project;

and \$150,000 for the final increment of the Scranton district heating and cooling project. Within the funds for the energy task force of the Urban Consortium the Committee expects the task force to give priority consideration to applied research projects that use emerging technologies applicable to low income weatherization and building retrofit and to assist in transferring this kind of technology to the private sector.

An increase of \$9,300,000 is recommended for technology and consumer products. Included in the increase are \$4,000,000 for heat pumps, including desiccant cooling research; \$2,500,000 for refrigeration for work on CFC substitutes; \$800,000 for combustion for advanced oil heating technology; and \$2,000,000 for advanced lighting, including advanced phosphors, surface-wave lamps, and collaborative field testing. Work on substitutes for CFCs should be done on a collaborative basis with industry and coordinated with EPA so that efforts are not duplicative. The Committee has no objection to cost-shared work with industry consortia.

For analysis and technology transfer an increase of \$1,500,000 is recommended for least cost utility planning (LCUP). Cost-shared proposals should be emphasized, based on competitive procurements.

The Committee also recommends an increase of \$400,000 for capital equipment and an increase of \$987,000 for program direction to retain employment floors.

Industrial conservation.—An increase of \$8,000,000 is recommended in waste energy reduction. The increase consists of \$600,000 for improved combustion; \$1,500,000 for industrial heat pumps; \$1,500,000 for ceramic composites, including \$500,000 for continuous fiber composite research initiatives; \$1,700,000 for liquid/solid waste conversion; \$1,700,000 for utilization of waste stack gas; and \$1,000,000 for National Lab support. Within funds available the Department should complete a comprehensive continuous fiber composite research and development plan. Such a plan, with financing options, should be forwarded to Congress no later than May 1, 1990.

The Committee recommends an increase of \$23,500,000 in industrial process efficiency. The increase consists of \$1,500,000 for aluminum anode work in process electrolysis, \$15,000,000 in the metals initiative, \$1,500,000 for materials processing other than the metals initiative, \$2,500,000 for sensors, and \$3,000,000 for separations, including black liquor projects. Within the metals initiative totals, \$11.9 million is estimated for ongoing projects and \$4.1 million for new proposals. Scale-up of aluminum cells should be encouraged under the 30% cost-shared metals initiative program.

In industrial cogeneration an increase of \$3,500,000 is recommended, consisting of \$3,000,000 for high performance steam turbine development and \$500,000 for thermal to electric conversion.

The Committee recommends an increase of \$2,400,000 for implementation and deployment. The increase includes \$400,000 for technical evaluation and planning, \$1,600,000 to continue the Energy Analysis and Diagnostic Centers (EADCs) and \$400,000 for technology and information transfer. The Committee also recommends an increase of \$505,000 in program direction to retain employment floors.

Transportation conservation.—For vehicle propulsion research and development the Committee recommends an increase of \$11,250,000 consisting of \$7,500,000 to continue development of automotive gas turbine ceramic components with two industry teams, \$2,750,000 for continued support of adiabatic diesel engine component development, and \$1,000,000 for development of non-CFC automotive air conditioning systems and cooling load research in window glazing.

An increase of \$3,290,000 is recommended in alternative fuels utilization. The increase includes \$150,000 for the Hawaii methanol program, \$800,000 to continue testing of synthetic fuels, \$500,000 for development of user groups for alternative fueled vehicles and for data collection, and \$1,840,000 for full implementation of the Alternative Motor Fuels Act of 1988. Funding for the Alternative Motor Fuels Act includes \$700,000 for the competitive demonstration of natural gas-powered heavy duty vehicles in conjunction with engine manufacturers. The Committee is concerned that the purchase and demonstration of vehicles by the Federal and other sectors yield significant data on the performance of alternative fueled vehicles and expects the Department to emphasize the collection and analysis of data. With regard to the Federal purchase of vehicles the Committee expects to be kept informed of the plans and circumstances of such vehicle purchases if assisted by funds in this appropriation.

The Committee recommends an increase of \$11,805,000 for electric and hybrid vehicles. Included in the increase are \$4,000,000 for battery research and development, \$2,500,000 for the modular electric vehicle propulsion program, \$2,000,000 to continue Phase II of the fuel cell bus program, \$1,000,000 for transportation applications of fuel cell technology, \$1,500,000 for test and evaluation, \$575,000 for the site operators' user task force, and \$230,000 for National Lab management support. The Committee has not earmarked funds for specific battery technologies and expects the Department to fund the most promising and innovative concepts.

The Committee does not recommend the purchase of large numbers of electric vehicles at this time. Limited demonstration of existing technology has been underway for years under the site operators' user task force, and can continue with current funding. Within the total amount of \$1,000,000 for the electric vehicle site operator's user task force, a limited number of new vehicles may be purchased, consistent with the overall operation of the task force, and under the condition that no more than 50 percent of the cost of any vehicle will be borne by the Federal government. Demonstration at this time would take place with vehicles using lead-acid batteries, whose performance is well-documented. The contemplated demonstrations are a marketing, not a technological tool without improved batteries. Proposed programs would cost the Federal government tens of millions of dollars over several years without significant technological advancement, at least in the next few years. Even when improved batteries are available, only limited demonstrations should be considered.

An increase of \$1,300,000 is recommended for technology assessment and transfer, including funds for Gas Mileage Guide publication.

For advanced materials development, the Committee recommends an increase of \$4,670,000 to continue this highly successful advanced technology program at current levels. To establish two new user centers and adequately staff the High Temperature Materials Laboratory (HTML) an increase of \$600,000 is recommended.

For capital equipment an increase of \$2,236,000 is recommended, including \$500,000 for electric vehicle needs, \$1,000,000 for advanced materials, and \$736,000 specifically for the HTML.

The Committee recommends an increase of \$821,000 in program direction to maintain employment floors.

Multisector.—For energy conversion and utilization technology (ECUT) the Committee recommends an increase of \$6,900,000. The increase consists of \$1,800,000 in combustion, \$3,000,000 in materials, \$1,300,000 in catalysis and biocatalysis, and \$800,000 in tribology. An additional \$900,000 is recommended for ECUT related capital equipment.

The Committee also recommends an increase of \$100,000 for international research monitoring, \$1,000,000 for the inventors' program, \$100,000 for innovative concepts, \$900,000 to restore the base level for the National Appropriate Technology Assistance Service (NATAS), \$300,000 for technology assessment and transfer, and \$662,000 for program direction to retain employment floors.

State and local programs.—The Committee recommends an increase of \$209,336,000 for State and local conservation programs. The increase maintains State grants at \$200,000,000, including \$161,357,000 for low income weatherization, \$25,156,000 for schools and hospitals, \$9,519,000 for State energy conservation grants, and \$3,968,000 for the Energy Extension Service. Program direction is \$16,900,000 including an increase of \$9,336,000 for salaries and expenses to maintain employment floors and contractual support.

The Committee continues its commitment to fund the State grant programs at constant levels despite decreasing availability of funds declared "excess" to direct restitution needs from settlement of oil overcharge cases. These "excess" funds are estimated to be \$42,914,000 in fiscal year 1990 and provision for using the funds as an offset to appropriations requirements is once again included in the bill by the Committee.

With respect to the schools and hospitals program, a State may use up to 100 percent of its allocation from the Department solely for technical assistance activities when it can be certified that (a) the State will provide, from some other source, funding for implementation activities, (b) the funds utilized for technical assistance activities will not exceed 15 percent of the total of allocated and State funds available for schools and hospitals conservation programs, and (c) administration of implementation activities will be in accordance with applicable program law and regulations.

Policy and management.—The Committee recommends an increase of \$1,397,000 for policy and management, including \$97,000 to retain employment floors and \$1,300,000 for Small Business Innovative Research (SBIR).

ECONOMIC REGULATION

Appropriation enacted, 1989.....	\$21,372,000
Budget estimate, 1990.....	20,346,000

Recommended, 1990	18,300,000
Comparison:	
Appropriation, 1989	-3,072,000
Budget estimate, 1990	-2,046,000

The economic regulation account funds the Economic Regulatory Administration and 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 recommended by the Committee for fiscal year 1990 compared with the budget estimate by activity is as follows:

	(in thousands of dollars)			
	FY 1989 Enacted	Budget Estimates	Committee Bill	Change from Estimates
Compliance	12,511	11,674	11,674	---
Fuels conversion	356	362	---	-362
Natural gas and electricity operations	2,265	2,306	---	-2,306
Program administration	712	761	761	---
Office of Hearings and Appeals	5,528	5,243	5,865	+622
Total, Economic Regulation	21,372	20,346	18,300	-2,046

The Committee recommends an appropriation of \$18,300,000 for economic regulation, a decrease of \$2,046,000 under the budget estimate of \$20,346,000. Decreases of \$362,000 in fuels conversion and \$2,306,000 in natural gas and electricity operations result from the transfer by the Secretary of Energy of these functions to the Assistant Secretary for Fossil Energy, and those amounts are reflected in the fossil energy research and development account. The recommended increase of \$622,000 for the Office of Hearings and Appeals is to continue the fiscal year 1989 staffing level of 89 FTEs in order to process the large volume of refund applications that has resulted from oil overcharge cases.

EMERGENCY PREPAREDNESS

Appropriation enacted, 1989	\$6,154,000
Budget estimate, 1990	6,641,000
Recommended, 1990	6,641,000
Comparison:	
Appropriation, 1989	+487,000
Budget estimate, 1990	

The activities funded in this account include developing, testing, and evaluating energy emergency preparedness related to national security and defense operations and energy requirements; maintaining systems to ensure communications and operations during an emergency; and other IEA emergency programs and civil emergency preparedness activities.

The Committee recommends an appropriation of \$6,641,000, the budget estimate, for emergency preparedness.

STRATEGIC PETROLEUM RESERVE

Appropriation enacted, 1989	\$173,421,000
Budget estimate, 1990	194,999,000
Recommended, 1990	194,999,000
Comparison:	
Appropriation, 1989	+21,578,000
Budget estimate, 1990	

The amount recommended by the Committee for fiscal year 1990 compared with the budget estimate by activity is shown in the following table:

	(in thousands of dollars)			
	FY 1989 Enacted	Budget Estimates	Committee Bill	Change from Estimates
Storage facilities development and operations.....	160,021	181,877	181,877	---
Management.....	13,400	13,122	13,122	---
Total, Strategic Petroleum Reserve.....	173,421	194,999	194,999	---

The Committee recommends an appropriation of \$194,999,000, the budget estimate, for construction and operation of the Strategic Petroleum Reserve. The recommended appropriation will continue construction and solution mining on a schedule to achieve a storage capacity of 750 million barrels by the end of fiscal year 1991 and a distribution capacity of 4.5 million barrels a day by the end of fiscal year 1992. Current distribution capacity is 3.25 million barrels a day.

SPR PETROLEUM ACCOUNT

Appropriation enacted, 1989.....	\$242,000,000
Budget estimate, 1990.....	35,407,000
Recommended, 1990.....	319,407,000
Comparison:	
Appropriation, 1989.....	+77,407,000
Budget estimate, 1990.....	+284,000,000

The Committee recommends a new appropriation of \$319,407,000 for acquisition and transportation of oil for the Strategic Petroleum Reserve, an increase of \$284,000,000 over the budget estimate. In combination with \$91,555,000 appropriated in advance for fiscal year 1990 in last year's Act, this appropriation will allow a fill rate for the Reserve of about 71,000 barrels a day based on prices contained in the budget estimate and an outlay limitation of \$263,000,000 for the new budget authority included in the bid. This fill rate would result in approximately 608 million barrels of oil being in storage by the end of fiscal year 1990.

The Committee also recommends an advance appropriation of \$108,458,000 for fiscal year 1991 to allow prior ordering of the oil to be delivered in the first quarter of fiscal year 1991. This amount is \$71,000,000 above the budget estimate because of the higher level of oil fill recommended by the Committee.

The Committee also recommends retaining bill language, included for the past two 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, 1989.....	\$62,856,000
Budget estimate, 1990.....	65,232,000
Recommended, 1990.....	65,232,000
Comparison:	
Appropriation, 1989.....	+2,376,000
Budget estimate, 1990.....	

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 amount recommended by the Committee for fiscal year 1990 compared with the budget estimate by activity is shown in the following table:

	(in thousands of dollars)			
	FY 1989 Enacted	Budget Estimates	Committee Bill	Change from Estimates
National Energy Information System.....	62,798	65,281	65,281	---
Policy and management.....	10,058	9,951	9,951	---
Total, Energy Information Administration.....	62,856	65,232	65,232	---

The Committee recommends an appropriation of \$65,232,000, the budget estimate, for the Energy Information Administration (EIA).

The Committee has also recommended bill language providing that \$2,000,000 used for end use energy consumption surveys remain available until expended in order to facilitate contracting for these multi-year surveys.

ADMINISTRATIVE PROVISIONS

The Committee has included bill language, as requested by the Administration, to make permanent the provision included in the fiscal year 1989 appropriations Act which allows the use of receipts from the Department of Energy Alcohol Fuels Loan Guarantee program and unobligated balances in the alternative fuels production account for costs associated with the Alcohol Fuels Loan Guarantee program.

Also included, as requested by the Administration, is a provision allowing obligations for contracts for durations not exceeding twelve months to be made at any time during the fiscal year. This provision allows needed administrative flexibility for annual appropriations accounts.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

Appropriation enacted, 1989.....	\$1,020,106,000
Budget estimate, 1990.....	1,083,399,000
Recommended, 1990.....	1,189,330,000
Comparison:	
Appropriation, 1989.....	+169,224,000
Budget estimate, 1990.....	+105,931,000

The amounts recommended by the Committee for fiscal year 1990, compared with the budget estimates, are shown in the following table:

	(in thousands of dollars)			
	FY 1989 Enacted	Budget Estimates	Committee Bill	Change from Estimates
Hospital and health clinic programs.....	581,143	611,941	678,618	+66,677
Dental health program.....	31,485	33,148	33,356	+208
Mental health program.....	13,091	13,582	20,713	+7,131
Alcoholism program.....	31,159	32,935	32,935	---
Maintenance and repair.....	11,756	---	12,177	+12,177
Contract care.....	214,454	226,656	240,656	+14,000
Sanitation.....	24,654	25,759	25,895	+136
Public health nursing.....	14,467	14,976	15,215	+239
Health education.....	4,651	4,843	4,883	+40
Community health representative program.....	29,282	30,978	31,478	+500
Immunization.....	417	438	438	---
Urban health projects.....	9,952	10,164	12,664	+2,500
Indian health manpower.....	7,896	8,161	9,651	+1,500
Tribal management.....	3,218	2,594	2,594	---
Direct operations.....	42,471	45,047	45,047	---
Facilities.....	---	22,177	---	-22,177
Tribal contract conversion.....	---	---	23,000	+23,000
Medicaid/Medicare reimbursements.....	(66,000)	(73,000)	(73,000)	---
Total, Indian Health Services.....	1,020,106	1,083,399	1,189,330	+105,931

The Committee recommends an appropriation of \$1,189,330,000, an increase of \$105,931,000 over the budget estimate. The recommended level will essentially maintain Indian Health Service programs at the 1989 level, plus provide funding for a number of requirements contained in the Indian Health Care Amendments of 1988 and the Indian Self-Determination and Education Assistance Act Amendments of 1988.

The Committee has not agreed to proposed bill language which would have provided two separate accounts, one for tribal health administration and one for Federal health administration. The Committee believes this would create a cumbersome funding mechanism which is not necessary in order to support and encourage more tribal contracting of IHS programs, as the Committee always has. The Committee continues to believe that the best way to encourage more tribal contracting is to provide adequate funding, including funds for contract indirect costs, and has therefore provided increased funds aimed at accomplishing this purpose.

Bill language has been included under Administrative provisions which will prohibit the expenditure of funds to implement the proposed IHS eligibility regulations until a budget request accurately reflecting the changes in costs likely to occur as a result of the regulations has been submitted to the Congress, and enacted into law. A report submitted by the Department on the estimated impact of the new regulations estimated that implementation would increase contract care costs by \$26,000,000, while the small reduction in direct care workload is not expected to have any budgetary impact on the direct program.

Hospitals and health clinics.—The Committee recommends an increase of \$66,677,000 for hospital and health clinic programs. Included is \$1,748,000 for staffing for new facilities at Sacaton, AZ, Fort Thompson, SD, Wolf Point, MT, and Toppenish, WA, and \$600,000 for funding for two newly-recognized tribes. An increase of \$470,000 is provided to equip and staff the new Siletz clinic. Also included is an increase of \$2,000,000 for the loan repayment program, as authorized in section 108 of the Health Care Improvement Amendments Act (Public Law 100-713). Other increases related to the Amendments Act are \$5,000,000 for health promotion/disease prevention activities (section 203), to include community grants,

teen pregnancy reduction outreach, community injury control and cancer prevention; \$1,500,000 for 5 additional model diabetes centers and related costs (section 204); and \$10,000,000 for initial funding of the Indian health care improvement fund (section 201).

Additional increases include \$3,150,000 for operating costs for the regional substance abuse youth treatment centers; \$2,500,000 to offset partially the absorption of within grade increases; \$7,359,000 to cover the costs of special pay for physicians and nurses, due to increased pay rates or bonuses approved by the Office of Personnel Management and the Department of Defense; and \$10,000,000 to restore funds for medical supplies, equipment and contractual health care due to higher medical inflation costs. A decrease of \$650,000 is included, which reflects application of a 25 percent lapse rate to 72 new positions included in the budget request for computer support. Finally, there is an increase of \$23,000,000, which is required to fully fund tribal contractor indirect costs in fiscal year 1990. The budget had proposed meeting these costs by using insurance reimbursements. However, fiscal year 1990 will be the first year such reimbursements will be collected, under authorization provided in Public Law 100-713, and it is unlikely the amount estimated will be available. It is also the Committee's understanding that the use of these funds to offset the required contract indirect costs is not authorized.

The Committee understands that the Lac Courte Oreilles tribe in Wisconsin is funded below both the average level for the Bemidji area and for IHS nationwide, and expects IHS will address this matter to the extent possible within available funding.

The Committee urges IHS to work with the Hoopa tribe in California, if a proposal is submitted by the tribe, and to provide research and evaluation funds if justified, to assist in developing a plan for a community health care facility.

Dental health.—An increase of \$208,000 is recommended, for staffing at Sacaton, Fort Thompson, and Toppenish.

Mental health.—The Committee recommends an increase of \$7,131,000 for mental health, of which \$131,000 is for staffing at Sacaton, Wolf Point, and Toppenish. The balance of \$7,000,000 is to provide initial funding for a mental health initiative focusing on improving mental health services to American Indian/Alaska Native children and families. The incidence of child abuse, family violence, substance abuse, and suicide among American Indians/Alaska Natives is epidemic, with youth particularly at risk. Less than one-half of the need for services can be met by the current numbers of mental health professional staff; few are trained to deliver specialized services for children. The recommended funds will provide for hiring additional child and family mental health specialists (approximately 190 FTE's), to staff and operate day programs for the chronically mentally ill, provide technical assistance to Indian communities, and provide culturally relevant mental health training. Of the funds provided, \$100,000 is for the Hopi Special Child Abuse Project.

Alcoholism.—The Committee recommends \$32,935,000, the budget estimate, for the alcoholism program. Of these funds, \$100,000 is earmarked to continue the FAS research project at the University of Washington. Within available funds, the Committee

expects the Navajo alcoholism treatment demonstration project in Gallup, NM to continue at the \$200,000 level.

Maintenance and repair.—The Committee recommends \$12,177,000, the budget estimate, for maintenance and repair, and restores this program to its original position in the budget, rather than funding it as part of a proposed facilities program within the health services appropriation. The facilities program will continue to be funded in a separate appropriation.

Contract care.—An increase of \$14,000,000 is recommended for the contract care program. The increase includes \$12,000,000 for the shortfall in contract care services, and \$2,000,000 to fund the catastrophic health emergency fund up to the authorized level of \$12,000,000 (section 202 of Public Law 100-713). Included within the total funds provided is \$5,000,000 to address the backlog of deferred services.

The Committee expects the IHS to work with Sage Memorial Hospital in Arizona and the Mid-Dakota Hospital in South Dakota to provide for ongoing contract care services in their areas.

Preventive health.—The Committee recommends an increase of \$915,000, which includes \$415,000 for staffing at Sacaton, Fort Thompson, Wolf Point, and Toppenish. There is also \$500,000 to establish community health representative programs for the Grande Ronde and Klamath tribes in Oregon.

Urban health.—An increase of \$2,500,000 is recommended, which will provide initial funding for the alcohol and substance abuse prevention and treatment programs for urban Indians authorized by Public Law 100-690, the Omnibus Drug Act of 1988. Included within this amount is \$300,000 for the Thunderbird Center in Seattle.

The Committee notes that a total of \$992,000 has been budgeted for AIDS programs in the Indian Health Service in fiscal year 1990, under another appropriation. The Committee expects all of these funds will be transferred to IHS, with at least \$350,000 going to the urban programs.

Health manpower.—The Committee recommends an increase of \$1,500,000, which will allow for additional scholarships to be awarded, in order to address the continuing problems with staff shortages in the Indian Health Service.

Tribal management.—The Committee recommends \$2,594,000 for tribal management, the budget estimate. Within the total, the IHS is expected to continue the Tohono O'odham demonstration program at the 1989 level of \$275,000.

Facilities.—A decrease of \$22,177,000 is recommended, which results from transferring \$12,177,000 back to the maintenance and repair line item, and \$10,000,000 for repair and improvement projects to the facilities appropriation.

Tribal contract conversion.—The Committee recommends an increase of \$23,000,000, along with bill language, to carry out the requirements of section 204(d)(1) of Public Law 100-472, the Indian Self-Determination and Education Assistance Act Amendments of 1988. This section requires the Secretary, no later than 1990, to begin using the calendar year as the basis for tribal contracts and agreements, unless the Secretary and tribe agree on a different period. This is the amount of budget authority which IHS estimates

will be needed to accomplish this requirement in fiscal year 1990. No outlays are associated with the conversion.

INDIAN HEALTH FACILITIES

Appropriation enacted, 1989.....	\$61,668,000
Budget estimate, 1990.....	
Recommended, 1990.....	75,420,000
Comparison:	
Appropriation, 1989.....	+13,752,000
Budget estimate, 1990.....	+75,420,000

The amounts recommended by the Committee for fiscal year 1990 compared to the budget estimates by activity are shown in the following table:

	(in thousands of dollars)			
	FY 1989 Enacted	Budget Estimates	Committee Bill	Change from Estimates
Hospitals				
New and replacement.....	2,700	---	3,400	+3,400
Repair and improvement.....	5,307	---	10,000	+10,000
Subtotal, Hospitals.....	8,007	---	13,400	+13,400
Outpatient care facilities.....	11,661	---	14,049	+14,049
Sanitation facilities.....	42,000	---	35,000	+35,000
Personnel quarters.....	---	---	13,671	+13,671
Unobligated balances.....	---	---	-700	-700
Total, Indian Health Facilities.....	61,668	---	75,420	+75,420

Bill language has been included to clarify that IHS is authorized to use construction funds for site acquisition in connection with approved construction projects. However, the Committee intends that the reprogramming guidelines apply in all such cases, and that any proposals to use construction funds for site acquisition, when such use has not specifically been approved in bill or report language in advance, be submitted to the Appropriations Committees for advance approval.

The Committee understands that the Office of Construction Management in the Department of the Interior has had discussions with the Indian Health Service, regarding the need to work together to address the provision of alcohol detoxification services in BIA detention facilities. The Committee expects IHS to cooperate to the fullest extent possible with OCM and BIA in planning for and implementing such programs in the future.

The Confederated Tribes of the Warm Springs Reservation are reviewing the possibility of securing non-Federal funds for the construction of a clinic on the reservation. The Committee requests IHS to work with the tribes to study this proposal, and report back to the Committee by March 1, 1990 on the feasibility and estimated costs of such an approach.

The Committee urges IHS to move expeditiously to complete planning and design of the Inland Tribal Consortium's youth alcohol and substance abuse treatment facility. The IHS should use available funds for this purpose, as well as to acquire a site, and should inform the Committee of the amount required for construction and whether additional funds will be needed for this purpose, as soon as possible. If the design is completed and funds are available, construction activities may begin during fiscal year 1990.

Hospitals.—A total of \$13,400,000 is recommended for the design and construction of new and replacement hospitals, and for repair and improvement projects, as follows:

New and replacement:

Kotzebue, AK—complete design and start sitework	\$3,150,000
Crow, MT—complete design.....	250,000
Subtotal.....	3,400,000

Repair and improvement:

Cass Lake, MN.....	845,000
Whiteriver, AZ.....	510,000
Keams Canyon, AZ.....	1,360,000
Colville, WA.....	940,000
Crow, MT.....	310,000
Rapid City, SD.....	630,000
Standing Rock, SD.....	600,000
Navajo Area.....	1,215,000
Mount Edgecumbe, Kotzebue, Barrow, AK.....	585,000
Lame Deer, MT.....	240,000
Albuquerque, NM.....	290,000
Lawton, OK.....	310,000
Tuba City, AZ.....	1,165,000
Emergencies and small projects.....	500,000
Design fund.....	500,000
Subtotal.....	10,000,000

Over half of the repair and improvement funds are for asbestos removal projects.

Outpatient care facilities.—The Committee recommends \$14,049,000 for the design and construction of outpatient care facilities as follows:

Sallisaw, OK—design and construction.....	\$4,165,000
Puyallup, WA—construction.....	8,168,000
Taos, NM—planning and design.....	216,000
Second Mesa, AZ—planning and design.....	650,000
Pinon, AZ—planning and design.....	850,000
Subtotal.....	14,049,000

Sanitation facilities.—The Committee recommends an appropriation of \$35,000,000 for sanitation facilities. This level of funding will provide services to approximately 3,000 homes to be constructed or repaired by the Bureau of Indian Affairs, tribes or other groups (\$27,000,000); and will provide \$8,000,000 for the backlog of existing homes requiring services, which is estimated to be \$65,000,000 in fiscal year 1990.

Within the funds provided, the Committee intends \$1,644,000 to be provided to complete the Seneca, NY water project, and \$1,471,000 for Tohono O'odham. The Committee is also aware of many other urgent needs for assistance with water and sewer problems, and expects the IHS to work with the Quileute, Zuni, Oglala Sioux and Passamaquoddy Tribes to begin at least to address their needs in fiscal year 1990.

Personnel quarters.—The Committee recommends an appropriation of \$13,671,000 for personnel quarters, as follows:

Kotzebue, AK-site purchase and design.....	\$1,728,000
Pine Ridge, SD-site development.....	2,000,000
Barrow, AK-Phase I construction.....	9,010,000

Belcourt, ND-design.....	933,000
Subtotal.....	13,671,000

Unobligated balances.—The Committee understands that there is a total unobligated balance of approximately \$4,100,000 remaining on the Rosebud, SD hospital construction project. Of this amount, approximately \$530,000 is estimated to be needed to complete the project, and another \$1,000,000 may be requested for reprogramming to other projects. From the balance, the Committee proposes that \$1,300,000 be used to complete a surgical suite at the hospital, so that this capability will be available if the decision to have the Rosebud hospital serve as a community hospital facility is made. An additional \$303,000 should be used for the asbestos abatement project at Wagner, SD. The Committee recommends that an additional \$700,000 of these balances be used to offset some of the proposed facilities costs listed above.

DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

INDIAN EDUCATION

Appropriation enacted, 1989.....	\$71,553,000
Budget estimate, 1990.....	74,168,000
Recommended, 1990.....	74,149,000
Comparison:	
Appropriation, 1989.....	+2,596,000
Budget estimate, 1990.....	-19,000

The Indian Education Act of 1972 (Public Law 93-318, Title IV), amended by Public Law 100-297, provides support for the special educational needs of American Indians and Alaskan Native children, college students and adults. Through this Act, the Secretary of Education is given the authority to operate a variety of programs, including supplementary educational services, and experimental, demonstration, and dissemination activities. Indians have traditionally been among the most disadvantaged, and the special programs authorized and funded under this Act are directed at their special educational needs.

The Committee is pleased to see the Administration request a budget which provides funding to ameliorate some of the educational disadvantages faced by Indians. The Committee is recommending \$74,149,000 for fiscal year 1990, a net decrease of \$19,000 under the Administration's request of \$74,168,000. The amount included is shown in the following table:

	(in thousands of dollars)			Change from Estimates
	FY 1989 Enacted	Budget Estimates	Committee Bill	
Subpart 1 - Grants to LEAs & Indian-controlled schools	52,748	54,541	55,041	+500
Subpart 2 - Special programs for Indian students.....	12,307	12,725	12,225	-500
Subpart 3 - Special programs for Indian adults.....	4,000	4,136	4,136	---
Administration.....	2,498	2,766	2,747	-19
Total, Indian Education.....	71,553	74,166	74,149	-19

Subpart 1 (Part A).—The Committee recommends \$55,041,000 for Subpart 1 grants, an increase of \$500,000 over the Administration's

request. Of this amount, \$51,541,000 is for grants to Local Educational Agencies (LEAs) and \$3,500,000 is for Indian-controlled schools. The Committee recommendation will provide for continuing to slowly narrow the gap between per pupil expenditures at LEAs and Indian-controlled schools. In fiscal year 1990, at the recommended level, the per pupil expenditures are expected to be \$147 at LEAs and \$648 at Indian-controlled schools. The Committee encourages the Office to explore the identification of equalizing educational benefits under the two Subpart 1 programs in addition to narrowing the large gap with respect to per pupil expenditures.

Subpart 2 (Part B).—The Committee recommends \$12,225,000 for Subpart 2 grants, a reduction of \$500,000 under the Administration's request. Public Law 100-297 authorized the development of a gifted and talented program under the Subpart 2 program. In fiscal year 1989, \$500,000 was appropriated to initiate a pilot gifted and talented program. The Department of Education was to assess the costs associated with this program as compared to programs benefiting more students and report to the Committee. Absent this report and because the Department will not obligate the funds to begin this project until the end of fiscal year 1989, the Committee recommendation does not include funding for this program in fiscal year 1990.

Subpart 3 (Part C).—The Committee recommends the requested funding level of \$4,136,000 for Subpart 3 adult education. The Department testified before the Committee that 44 percent of the Indian adults aged 25 and older had not graduated from high school and that 8 percent of this age group had less than a fifth-grade education. There is a pressing need for funding in this area and the resources provided by the Committee are a small step in that direction.

Administration.—The Committee recommends \$2,747,000 for program administration, a reduction of \$19,000 under the fiscal year 1990 budget request. Of this amount, \$2,437,000 is for salaries and expenses and \$310,000 is for the National Advisory Council on Indian Education (NACIE). The Council consists of 15 members appointed by the President. As specified in Public Law 100-297, the Council is to advise the Secretary of Education with respect to education programs related to Indian children and adults. The Committee has provided funding for 5 NACIE meetings which is the same frequency of meetings held in fiscal year 1989. The Committee supports the Department's efforts to measure program effectiveness and expects to discuss this issue during the fiscal year 1991 budget hearing.

OTHER RELATED AGENCIES

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

Appropriation enacted, 1989.....	\$27,373,000
Budget estimate, 1990.....	31,218,000
Recommended, 1990.....	36,818,000
Comparison:	
Appropriation, 1989.....	+9,445,000
Budget estimate, 1990.....	+5,600,000

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.

In 1986, 365,000 acres, known as the New Lands, were identified in Arizona for Navajo families moving from the partitioned lands. An additional 35,000 acre ranch, the Paragon Resources Ranch, was also acquired in New Mexico.

At this time, approximately 1,024 households remain to be relocated, of which 182 are full-time residents on the Hopi Partitioned Land. Ninety-eight Navajo households have settled on the New Lands, and 32 additional Navajo households are having homes constructed on the New Lands. Progress to accomplish the 1974 mandate, despite development of the New Lands, has been slow. Completion is not anticipated, at the current level of activity, until 1993.

In fiscal year 1988, the Congress amended the Relocation Act through Public Law 100-666. This legislation abolished the 3 member Relocation Commission and created an Office of Navajo and Hopi Indian Relocation under the direction of a single Commissioner.

The Committee recommends an appropriation of \$36,818,000, an increase of \$5,600,000 over the fiscal year 1990 request of \$31,218,000. The recommended increase is to fund continued road development on the New Lands. The Committee expects the Office to budget for New Lands road development in the future so that reprogramming of housing funds is not required to support this project. The Committee expects the Office, within available funds, to conduct a study of the cost of, and need for, establishing a fire substation and rescue squad on the New Lands.

While relocation is moving forward, the Committee remains concerned about the welfare of those awaiting relocation, be they voluntary relocatees who have left the Hopi Partitioned Land, or those remaining on the land who are unable to repair their homes while they await relocation. At the Committee's request, the Commission conducted a survey of those families who had voluntarily

left the Hopi Partitioned Land. The Committee stresses the need for the Office to use the information collected from the survey to address the needs of those who are living in adverse conditions while awaiting relocation. Now that the Office has established contact with these households, it is important to keep current on their welfare and assist them in any way possible.

In fiscal years 1988 and 1989 the Committee provided \$500,000 for the repair of homes constructed prior to 1980 which, because of Commission negligence, were not decent, safe and sanitary dwellings. The Committee was also concerned about the employment of relocatees and directed the Office, in cooperation with the Navajo Tribe and the Bureau of Indian Affairs to conduct training courses on home repair—plumbing, electricity, carpentry—and then have relocatees assist contractors with the housing repair program to enable them to undertake future home repairs. The Committee is to be kept apprised of the status of this program. With respect to the repair to homes for those awaiting relocation who are residing on the Hopi Partitioned Land, the Hopi are encouraged to work with the Navajo tribe to allow repairs on these homes until these individuals are relocated. In the event problems arise, the Navajo should continue to consult with the BIA about assisting in any repairs that protect the rights of these individuals until they are relocated.

There is no forced eviction in this relocation program. Only those who have voluntarily applied to the Office and are certified eligible for relocation are presently being moved. The Committee recommends continuing language it has carried in prior years stating that there will be no evictions of families physically domiciled on the lands partitioned to the Hopi Tribe unless a new or replacement home is provided. Only those who are willing to relocate will receive a new relocation home and the benefits accompanying voluntary relocation.

The United States Geological Survey undertook a study of the Puerco River to determine water quality on the new lands. In fiscal year 1988, Congress reprogrammed additional Commission funding to assist in a continuation of this effort. The current study of the Puerco and Little Colorado Rivers is a five year effort. The recommendation includes continued funding for this effort as requested by the Administration. The Committee expects to be kept informed on the status of this project, including the funding sources and the status of obligations.

The Committee is most concerned about the housing situation in Tuba City. The Office proposes to develop 280 lots in the Tuba City subdivision; however, to date only 25 lots will be provided for relocatees. The Committee does not accept the Office's speculation that 140 lots will be made available to relocatees. Therefore, the Committee directs that no funds be obligated for development of the Tuba City subdivision in fiscal year 1990 prior to a written agreement between the Office, the Tuba City Chapter of the Navajo Tribe and, as appropriate, the Navajo Housing Authority as to the distribution of lots between the Chapter and the Office's clients. The Committee is to be notified as soon as said agreement is reached and advised of the distribution of lots and of the cost-sharing arrangements with the Tribe.

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND
ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

Appropriation enacted, 1989	\$3,094,000
Budget estimate, 1990	3,000,000
Recommended, 1990	4,650,000
Comparison:	
Appropriation, 1989	+1,556,000
Budget estimate, 1990	+1,650,000

The Committee recommends an appropriation of \$4,650,000 for the Institute of American Indian and Alaska Native Culture and Arts Development, an increase of \$1,650,000 over the budget estimate. However, this amount is a decrease of \$473,000 from the request of the Board of Trustees of the Institute, which under the legislation establishing the Institute as an independent, non-profit corporation, is to be submitted directly to the Congress, and is not to be adjusted by the Administration. The Committee expects that this requirement will be followed by the Administration in the future.

For operations of the Institute, the Committee has provided \$4,300,000, a decrease of \$323,000 from the request of the Board. It is assumed that the Institute may not be able to spend all of the funds requested for facilities purposes in fiscal year 1990, by the time plans are completed. It also appears the amount needed to replace dormitory furniture may have been overstated.

The Committee has included \$350,000 for the Federal contribution to the endowment fund, a decrease of \$150,000 from the request of the Board, but an increase of \$100,000 over fiscal year 1989. The Committee has also included bill language providing that the endowment funds will remain available for two years, to allow extra time to obtain matching funds.

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 143 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 31,718,000 visitors in 1988 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 13 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 in cooperation with the community; 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, 1989.....	\$211,240,000
Budget estimate, 1990.....	227,737,000
Recommended, 1990.....	231,981,000
Comparison:	
Appropriation, 1989.....	+20,741,000
Budget estimate, 1990.....	+4,244,000

The amount recommended by the Committee for fiscal year 1990, compared with the budget estimate by activity, is shown in the following table:

	(in thousands of dollars)			
	FY 1989 Enacted	Budget Estimates	Committee Bill	Change from Estimates
Research.....	40,097	42,383	44,000	+1,617
Museums.....	81,362	84,721	92,462	+7,741
Public service.....	2,637	2,736	2,844	+108
International activities.....	791	839	879	+40
Special programs.....	7,267	7,476	7,635	+60
Administration.....	18,098	21,187	20,257	-930
Office of Design and Construction.....	2,504	2,933	2,795	-138
Office of Protection Services.....	21,088	23,641	23,534	-107
Office of Plant Services.....	37,496	41,822	37,675	-4,147
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Total, Salaries and Expenses.....	211,240	227,737	231,981	+4,244
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The Committee commends the Smithsonian for the progress it has begun to make in increasing the number of women in high level positions in the Institution, and expects these efforts to continue. However, the record with regard to minorities has not been as successful, and the Committee urges the Smithsonian to do whatever is possible to increase its efforts in this area, and expects to receive a report of additional progress in the next year. The Smithsonian should continue to submit a report to the Committee every six months on the progress made.

Research.—The Committee recommends an increase of \$1,617,000 for research, which includes a decrease of \$31,000 for the Smithsonian Astrophysical Observatory as a result of applying a 25 percent lapse rate to three new positions. There is an increase of \$230,000 for the Tropical Research Institute, including \$30,000 for the Quincentenary program and \$200,000 for staffing and equipping the new

laboratory on Barro Colorado Island. An increase of \$40,000 is included for security and maintenance staff for the Environmental Research Center. An increase of \$150,000 for the National Zoo will provide 4 positions and exhibit support for the new biopark theme. For the Smithsonian Libraries, an increase of \$113,000 is recommended for the brittle books preservation program. These funds are to be combined with the \$200,000 in the base which was originally provided for a feasibility study related to the Museum of the American Indian, to provide a total program of \$313,000.

The Committee recommends an increase of \$1,115,000 for a tropical forestry initiative. Included is \$500,000 for the Tropical Research Institute, for climatology and canopy access research; \$120,000 for the Man and the Biosphere program, for biological diversity training and research in Latin America; \$300,000 for the National Zoo, for cryobiology and endangered species breeding; \$130,000 for the Environmental Research Center, for a comparative study of carbon dioxide with the Tropical Research Institute; and \$65,000 for the National Air and Space Museum for global-scale environmental studies.

Museums.—An increase of \$7,741,000 is recommended for museums. Included is an increase of \$155,000 for the Assistant Secretary for Museums, for activities related to African-American programs, including collection activities. An increase of \$730,000 is recommended for the National Museum of Natural History, including \$570,000 for the Quincentenary program, \$100,000 for continued efforts to revitalize the Native American exhibition hall, and \$60,000 for the effort to document Native American remains for repatriation. For the National Museum of American History, there is an increase of \$360,000 for the Quincentenary program. An increase of \$80,000 is recommended for the National Museum of American Art, including \$20,000 for the Quincentenary program and \$60,000 for a curator of 19th-century art.

The Committee recommends an increase of \$6,000,000 for the proposed National Museum of the American Indian. This is the amount estimated to be needed for project planning, coordination and administration, including establishing the initial board of trustees; care and custody of the collection, including maintenance and security costs; and the transfer to the Smithsonian of current staff of the Museum of the American Indian, Heye Foundation.

For the Cooper-Hewitt Museum, the Committee recommends an increase of \$246,000. This includes \$85,000 for building and facilities support for the existing buildings of the museum, and \$161,000 for maintenance costs for a new building acquired in fiscal year 1989. There is an increase of \$170,000 for the Traveling Exhibition Service, for a participation fee subsidy and minority outreach program.

The Committee expects that the Smithsonian will proceed with the master plan for the Anacostia Museum in fiscal year 1990, as noted in the budget justification, and expects that a full report on this activity will be provided prior to the fiscal year 1991 hearing.

Public Service.—The Committee recommends an increase of \$108,000 for public service. Included are 2 positions for the Office of Conference Services to assist in planning and conducting conferences, seminars and symposia; 1 position in the Office of Public Af-

fairs to encourage Asian and Native American populations to participate in Smithsonian activities; and 1 position for clerical services for the Assistant Secretary. There is also \$25,000 for preventive maintenance, parts, and technical support costs for office automation equipment.

International activities.—An increase of \$40,000 is recommended, for the Office of Quincentenary Programs.

Special programs.—The Committee recommends an increase of \$60,000 for special programs. This consists of an increase of \$230,000 to the Office of Folklife Programs, including \$30,000 for the Quincentenary program and \$200,000 for the French Bicentennial observance; and a decrease of \$170,000 to the Museum Support Center, to offset move funds which were transferred to GSA in 1988 due to the delay in the move.

Administration.—A decrease of \$930,000 is recommended for administration. Included is a decrease of \$730,000 to FERS, since \$839,000 for FERS funds that were used for special initiatives in 1989 will be available to use for FERS costs in 1990. There is a decrease of \$200,000 to the Office of Accounting and Financial Services, which represents a decrease of 4 positions from the 15 requested, and applies a lapse rate of 25 percent to the balance of the positions.

Facilities services.—The Committee recommends a decrease of \$4,392,000 for facilities services. Included is a decrease of \$138,000 for the Office of Design and Construction, which deletes 3 of the positions requested, and applies a 25 percent lapse rate to the remaining 3 positions. For the Office of Protection Services, there is a net decrease of \$107,000, which represents a decrease of \$362,000 due to the revised estimate for increased pay for guards, and an increase of \$255,000 for an additional 10 positions (including a 25 percent lapse rate). For the Office of Plant Services, there is a decrease of \$4,147,000, which includes a decrease of \$3,675,000 for water and sewer costs to be paid to the District of Columbia government. These costs will continue to be provided in the D.C. appropriations bill until authorizing legislation changing the method of payment is enacted. There are also decreases of \$428,000 for utilities, and \$44,000 for rent. The Committee continues to believe the increases in rent should be shared in a more balanced manner between Federal and Trust funds.

CONSTRUCTION AND IMPROVEMENTS, NATIONAL ZOOLOGICAL PARK

Appropriation enacted, 1989.....	\$5,305,000
Budget estimate, 1990.....	6,500,000
Recommended, 1990.....	6,500,000
Comparison:	
Appropriation, 1989.....	+1,195,000
Budget estimate, 1990.....	

The Committee recommends an appropriation of \$6,500,000, the budget estimate, for construction and improvements at the National Zoological Park. Included is \$4,500,000 for Phase II of the Amazonia Exhibit, \$1,400,000 for improvements at the Rock Creek facility, and \$600,000 for improvements at the Front Royal facility.

REPAIR AND RESTORATION OF BUILDINGS

Appropriation enacted, 1989.....	\$20,735,000
Budget estimate, 1990.....	26,653,000
Recommended, 1990.....	26,869,000
Comparison:	
Appropriation, 1989.....	+6,134,000
Budget estimate, 1990.....	+216,000

The Committee recommends an appropriation of \$26,869,000, an increase of \$216,000, for repair and restoration of buildings. Included is \$13,625,000 to continue the major capital renewal program. The increase of \$216,000 will provide for renovation of the new building recently acquired by the Cooper Hewitt Museum in New York.

CONSTRUCTION

Appropriation enacted, 1989.....	\$8,655,000
Budget estimate, 1990.....	10,000,000
Recommended, 1990.....	12,900,000
Comparison:	
Appropriation, 1989.....	+4,245,000
Budget estimate, 1990.....	+2,900,000

The amount recommended by the Committee for fiscal year 1990, as compared with the budget estimate by activity, is shown in the following table:

	(in thousands of dollars)			
	FY 1989 Enacted	Budget Estimates	Committee Bill	Change from Estimates
General Post Office Building.....	---	1,750	1,750	---
Smithsonian Tropical Research Institute.....	2,700	3,480	3,480	---
Fred Lawrence Whipple Observatory.....	3,185	---	---	---
Museum of the American Indian.....	---	---	2,900	+2,900
Minor construction, alterations and modifications.....	2,020	4,040	4,040	---
Construction planning.....	750	730	730	---
Total, Construction.....	8,655	10,000	12,900	+2,900

The Committee recommends an appropriation of \$12,900,000 for construction, an increase of \$2,900,000 for planning and initial design related to the National Museum of the American Indian. It is expected that construction costs for the Museum will be cost-shared with non-Federal funds.

NATIONAL GALLERY OF ART

SALARIES AND EXPENSES

Appropriation enacted, 1989.....	\$37,981,000
Budget estimate, 1990.....	40,376,000
Recommended, 1990.....	40,789,000
Comparison:	
Appropriation, 1989.....	+2,808,000
Budget estimate, 1990.....	+413,000

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 an appropriation of \$40,789,000 for salaries and expenses, an increase of \$413,000 over the budget estimate. The amounts recommended by the Committee, compared to the budget estimates, are shown in the following table:

	(in thousands of dollars)			
	FY 1989 Enacted	Budget Estimates	Committee Bill	Change from Estimates
Care and utilization of art collections.....	13,851	14,441	14,982	+541
Operation and maintenance of buildings and grounds....	11,322	11,873	11,393	-480
Protection of buildings, grounds and contents.....	7,738	8,590	8,805	+215
General administration.....	5,070	5,472	5,609	+137
Total, Salaries and Expenses.....	37,981	40,376	40,789	+413

Care and utilization of art collections.—The Committee recommends an appropriation of \$14,982,000, an increase of \$541,000. Included is \$500,000 for the costs in fiscal year 1990 related to the 1492 Columbus exhibition, and \$41,000 for two new positions: a secretary for prints and drawings and the administrator for the Education Division. The amount provided includes a 25 percent lapse rate.

Operations and maintenance.—A decrease of \$480,000 is recommended for operations and maintenance, which reflects estimated savings in utility costs (\$120,000), and deletion of funds for District of Columbia water and sewer costs (\$397,000). These funds will continue to be provided in the D.C. appropriations bill until authorizing legislation changing the method of funding is enacted. These decreases are offset by an increase of \$37,000 for a manager of the work control center, with a 25 percent lapse rate.

Protection of buildings, grounds and contents.—A net increase of \$215,000 is recommended, which includes a decrease of \$160,000 to reflect the reestimate of costs needed for special pay for guards. There is also an increase of \$375,000, to restore summer hours.

General administration.—The Committee recommends an appropriation of \$5,609,000, an increase of \$137,000. Included are increases of \$17,000 for a secretary for the General Counsel (including a lapse rate of 25 percent); \$50,000 for a shortfall in supplies; and \$70,000 to meet an estimated increased need for telephone and postage costs.

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

Appropriation enacted, 1989.....	\$750,000
Budget estimate, 1990.....	2,305,000
Recommended, 1990.....	1,905,000
Comparison:	
Appropriation, 1989.....	+1,155,000
Budget estimate, 1990.....	-400,000

The Committee recommends an appropriation of \$1,905,000, a decrease of \$400,000 from the budget estimate, for repair, restoration and renovation projects in both the East and West buildings of the National Gallery of Art. The decrease to the amount provided for the Sculpture Garden will leave \$1,596,000 for construction of the Garden in fiscal year 1990.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

SALARIES AND EXPENSES

Appropriation enacted, 1989.....	\$4,240,000
Budget estimate, 1990.....	4,700,000
Recommended, 1990.....	4,611,000
Comparison:	
Appropriation, 1989.....	+371,000
Budget estimate, 1990.....	-89,000

The Woodrow Wilson International Center for Scholars is a unique institution with a special mission to serve as a living memorial to the late president. 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 amount recommended by the Committee for fiscal year 1990 by activity is as follows:

	(in thousands of dollars)			
	FY 1989 Enacted	Budget Estimates	Committee Bill	Change from Estimates
Fellowship program.....	1,382	1,580	1,549	-31
Scholar support.....	295	298	298	---
Public service.....	1,059	1,090	1,090	---
General administration.....	741	754	754	---
Smithsonian fee.....	75	75	75	---
Conference planning.....	568	571	571	---
Space.....	120	332	274	-58
Total, Salaries and Expenses.....	4,240	4,700	4,611	-89

The Committee recommends \$4,611,000 for fiscal year 1990, a reduction of \$89,000 under the fiscal year 1990 request of \$4,700,000. This reduction consists of \$31,000 from fellowship support. The recommended level provides for 35 fellowship years at the requested average annual stipend of \$44,265. Further the maximum fellowship salary is recommended to be set at the rate of a GS-14, Step 1. Information provided to the Committee did not present a convincing case for the establishment of one of the fellowships to be compensated at the statutorily established maximum pay rate. The Committee also has recommended a reduction of \$58,000 in space rental for the Wilson Quarterly. These costs are provided out of nonappropriated funds currently, and the Committee believes that this practice should continue.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

The National Foundation on the Arts and the Humanities was created by Congress in 1965. Since its establishment, it has received strong bipartisan support over the years both in Congress and in the White House. Presidents Johnson, Nixon, Ford, and Carter, who were men of strongly different philosophies on the purpose and function of government, all approved the Congressional declaration that financial assistance for the arts and the humanities is a proper responsibility of the Federal Government in encouraging and enriching the human mind and spirit and in fostering the creativity of the American people. These Presidents re-

requested increased amounts in support of our cultural heritage and development in their budgets, and each year this Committee and the Congress overwhelmingly approved such increases.

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

Appropriation enacted, 1989.....	\$141,890,000
Budget estimate, 1990.....	142,950,000
Recommended, 1990.....	144,250,000
Comparison:	
Appropriation, 1989.....	+2,360,000
Budget estimate, 1990.....	+1,300,000

The amount recommended by the Committee for fiscal year 1990 compared to the budget estimate by activity is shown in the following table:

	(in thousands of dollars)			
	FY 1989 Enacted	Budget Estimates	Committee Bill	Change from Estimates
Grants				
Program Grants				
Arts in Education.....	5,600	6,600	5,600	-1,000
Dance.....	8,850	8,750	8,950	+200
Design arts.....	4,200	4,150	4,200	+50
Expansion arts.....	6,500	6,500	6,500	---
Folk arts.....	3,000	3,200	3,200	---
Inter-arts.....	4,100	4,000	4,100	+100
Literature.....	5,000	5,000	5,000	---
Media arts.....	12,000	11,700	12,000	+300
Museums.....	11,400	11,200	11,500	+300
Music.....	12,200	11,950	12,300	+350
Opera-Musical Theater.....	4,200	4,100	4,200	+100
Local Programs.....	2,500	2,500	2,500	---
Theater.....	10,800	10,700	10,900	+200
Visual arts.....	6,100	6,100	6,100	---
Advancement.....	1,200	1,300	1,300	---
Challenge.....	300	300	300	---
Subtotal, Program Grants.....	97,950	98,050	98,650	+600
State programs.....	25,500	25,500	26,000	+500
Subtotal, Grants.....	123,450	123,550	124,650	+1,100
Administrative Areas				
Policy planning and research.....	1,000	1,000	1,000	---
Administration.....	17,440	18,400	18,600	+200
Subtotal, Administrative Areas.....	18,440	19,400	19,600	+200
Total, Grants and Administration.....	141,890	142,950	144,250	+1,300

It is now almost 25 years since the National Endowment for the Arts was established. During the period its work has been performed in a manner that has won the approval of the Congress and the country and has justified the vision of those on the commission who wrote the report preceding passage of the NEA legislation by the Congress in which they said:

The panel is motivated by the conviction that the arts are not for a privileged few but for the many, that their place is not on the periphery of society but at its center, that they are not just a form of recreation but are of central importance to our well-being and happiness.

During its existence, NEA has approved approximately 85,000 grants to arts organizations and to individuals, of which less than 20 have been charged with violating public interest because of frivolity, obscenity, indecency or ethnic disparagement. In other

words, less than $\frac{1}{4}$ of $\frac{1}{10}$ of 1 percent of the total number of grants aroused protest.

Recently, the Committee has been made aware of two visual arts grants made by NEA which have aroused great controversy because of the content of their subject matter.

Recently, the Committee has been made aware of two visual arts grants made by NEA which have aroused great controversy because of the content of their subject matter.

In 1985, the question of grant subject matter received the attention of the Subcommittee on Post Secondary Education of the House Committee on Education and Labor, which has legislative jurisdiction over NEA when the subcommittee reviewed a controversial grant which was alleged to be pornographic. That subcommittee was aware of the difficulty of the subject. There was no question that a considerable number of people objected to the use of public funds to subsidize pornographic material. At the same time the subcommittee did not want to approve any provision that would have a chilling effect on freedom of artistic expression, knowing that artists traditionally have explored the outer limits of public acceptance. To meet the challenge that subcommittee recommended that NEA panelists "recommend for funding only applications and projects that in the context in which they are presented, in the experts' view, foster excellence, are reflective of exceptional talent, and have significant literary, scholarly, cultural or artistic merit". That provision is now the law (20 U.S.C. 959).

The art of our country leads the world, attributable in significant measure to the role played by NEA. In every field our artists, our composers, our writers, our musicians are among the greatest because they can work, our musicians are among the greatest because they can work in freedom without the restraints on their thinking and their work which are found in communist countries where the state dictates the artistic paths which must be taken. Citizen art experts make up the peer panels which make funding recommendations, not government employees.

The panelists who approve the grants are among the most informed and highly respected in their artistic fields of endeavor. Their recommendations are submitted to the NEA chairman for consideration and to the National Council on the Arts before they can be approved.

It is important, therefore, that adequate time be made available to both the panelists and the Council in order for the procedures and guidelines to function properly. The Committee is concerned with reports it has received that enough time is not available for the panelists or the Council, that they are rushed because of the ever-increasing number of applications flowing into NEA, and that imperfect reviews of applications are taking place. Obviously, this is grossly unfair to the thousands of applicants whose hopes and dreams are riding with the papers they file. Moreover, it does not permit the Council to meet its responsibilities for giving full consideration to the artistic merits of applications placed before them for review.

Therefore, the Committee directs NEA to make very sure that adequate time and opportunity for review of the applications filed with NEA is made available for both the panelists and the Council.

The Committee had occasion recently to look into the extensive practice by NEA and NEH of making grants to persons or organizations as subgrantors who in turn act as grantors to applicants seeking grants. The authorizing legislation for NEA and NEH provides for no such subgranting procedure. On the contrary, the right to approve grants is given only to NEA and NEH chairmen after due consideration by their councils.

It appears that although NEA and NEH make the usual thorough review of their grants to the subgrantors, neither NEA or NEH makes any review of the subgrantees or of their work or of their applications. That review is left to the subgrantors who make the awards, a delegation of the grantmaking authority that is not recognized in the basic statute.

For that reason, because the Committee believed it was the intent of Congress that all grants be approved in accordance with the procedures in the statute, the Committee seriously considered the adoption of an amendment to the law which prohibited subgranting pending an opportunity to hold hearings on the subject. Discussions were held with the chairmen of NEA and NEH, both of whom were quite emphatic in asserting the necessity of continuing subgranting to the proper administration of NEA and NEH. It became clear that the subject is very complex and that in some cases subgranting may be warranted.

It is also clear that if subgranting is permitted it should be undertaken with procedures that will make the chairmen and councils of NEA and NEH as thoroughly informed and responsible for the subgrants as they are for direct grants.

It appears to the Committee that the objective can be achieved by giving subgrantors authority only to recommend to NEA and NEH awards they propose of final approval. NEA and NEH are directed to amend their procedures and guidelines accordingly.

The State, local and regional programs of the Endowments are exempted from the subgranting procedures enumerated above.

Of the \$124,650,000 recommended for the support of projects and productions pursuant to section 5(c) of the Act not less than 20 percentum shall be available for assistance to States.

MATCHING GRANTS

Appropriation enacted, 1989.....	\$27,200,000
Budget estimate, 1990.....	27,150,000
Recommended, 1990.....	27,150,000
Comparison:	
Appropriation, 1989.....	—50,000
Budget estimate, 1990.....	

The Committee recommends an appropriation of \$27,150,000, the budget request, for matching grants, of which \$17,150,000 is for challenge grants and \$10,000,000 is for Treasury funds. Treasury funds are used to accomplish the same goals as definite funds provided under the salaries and expenses account except that they require at least a one-to-one match from private monies.

Challenge grants are awarded to cultural institutions or groups of cultural institutions that have demonstrated a commitment to artistic quality and have arts programs of recognized national significance. The funds are used to broaden the base of contributed

support and achieve financial stability. If one takes into consideration the minimum three-to-one matching element of the challenge grants program, the amount of new money which would be available to cultural institutions during the time period for which funds are being provided should exceed \$68,000,000.

NATIONAL ENDOWMENT FOR THE HUMANITIES

The Committee recommends a total of \$161,330,000 for the National Endowment for the Humanities. This represents an increase of \$8,330,000 above the 1989 appropriation and \$8,080,000 above the 1990 request.

GRANTS AND ADMINISTRATION

Appropriation enacted, 1989.....	\$124,300,000
Budget estimate, 1990.....	126,550,000
Recommended, 1990.....	134,630,000
Comparison:	
Appropriation, 1989.....	+10,330,000
Budget estimate, 1990.....	+8,080,000

The amount recommended by the Committee for fiscal year 1990 compared to the budget estimate by activity is shown in the following table:

	FY 1989 Enacted	(in thousands of dollars) Budget Estimates	Committee Bill	Change from Estimates
Grants				
Program Grants				
Public Programs				
Media Grants.....	9,400	9,180	9,400	+220
Museums and Historical Organizations.....	8,640	8,900	8,900	---
Public humanities projects.....	2,000	2,300	2,300	---
Humanities projects in libraries.....	2,800	2,800	2,800	---
Subtotal, Public Programs.....	22,840	23,180	23,400	+220
Education Programs				
Education programs.....	16,150	16,200	16,200	---
Fellowships				
Fellowships and seminars.....	15,560	15,400	15,560	+160
Research grants.....	16,400	17,000	17,000	---
Subtotal, Program Grants.....	70,950	71,780	72,160	+380
State programs.....	25,000	25,000	26,000	+1,000
Office of Preservation.....	12,500	13,500	19,900	+6,400
Subtotal, Grants.....	108,450	110,280	118,060	+7,780
Administrative Areas				
Administration.....	15,850	16,270	16,570	+300
Total, Grants and Administration.....	124,300	126,550	134,630	+8,080

The Committee recommends an initiative in the Humanities for the Office of Preservation. An increase of \$6,400,000 is provided for matching support for museums, universities and other institutions to assist them in stabilizing collections of material culture and for support of professional conservation training to address the needs of these collections. Testimony before the Committee indicated that the majority of material culture collections are housed in cramped conditions, which not only makes them inaccessible but also threatens their existence.

An increase of \$300,000 has been provided in the administrative area in order to handle the additional workload associated with the new Office of Preservation initiative.

In response to the many proven successes of the State grant programs, a \$1,000,000 increase is recommended for a total of \$26,000,000. This represents an increase of 22 percent above the 1988 appropriation.

Of the \$118,060,000 recommended for the support of projects and productions pursuant to section 7(c) of the Act, not less than 20 percent shall be available for assistance to States.

MATCHING GRANTS

Appropriation enacted, 1989.....	\$28,700,000
Budget estimate, 1990.....	26,700,000
Recommended, 1990.....	26,700,000
Comparison:	
Appropriation, 1989.....	-2,000,000
Budget estimate, 1990.....	

The Committee recommends an appropriation of \$26,700,000 for matching grants, of which \$14,700,000 is for challenge grants and \$12,000,000 is for Treasury funds.

Treasury funds are used to accomplish the same goals as definite funds provided under the salaries and expenses account except that they require at least a one-to-one match from private monies.

The purpose of challenge grants is to encourage new and increased sources of support on a continuing basis for our Nation's artistic and humanistic institutions. The challenge grants, which are of a limited duration, are an important complement to other Endowment program categories which provide ongoing support to groups of highest quality. If one takes into consideration the minimum three-to-one matching element of the challenge grants program, the amount of new money which would be available to cultural institutions during the time period for which funds are being provided should approach \$60,000,000.

INSTITUTE OF MUSEUM SERVICES

GRANTS AND ADMINISTRATION

Appropriation enacted, 1989.....	\$22,270,000
Budget estimate, 1990.....	22,350,000
Recommended, 1990.....	23,000,000
Comparison:	
Appropriation, 1989.....	+730,000
Budget estimate, 1990.....	+650,000

The amount recommended by the Committee for fiscal year 1990 is shown in the following table:

	(in thousands of dollars)			
	FY 1989 Enacted	Budget Estimates	Committee Bill	Change from Estimates
Operating support grants.....	17,700	17,700	18,350	+650
Conservation grants.....	3,200	3,200	3,200	---
Program support.....	250	250	250	---
Program administration.....	1,120	1,200	1,200	---
Total, Institute of Museum Services.....	22,270	22,350	23,000	+650

The \$23,000,000 provided is an increase of \$650,000 over the request. All of the increase is for general operating support grants. It is the Committee's expectation that the increase will arrest the de-

cline in the number of grants awarded. While 400 grants have been awarded in fiscal year 1989, only 375 are estimated to be awarded at the requested level. A total of 1,355 museums applied for grants in fiscal year 1989.

COMMISSION OF FINE ARTS

SALARIES AND EXPENSES

Appropriation enacted, 1989.....	\$475,000
Budget estimate, 1990.....	494,000
Recommended, 1990.....	516,000
Comparison:	
Appropriation, 1989.....	+41,000
Budget estimate, 1990.....	+22,000

The Commission of Fine Arts was established in 1910 to meet the growing 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 \$516,000 for the Commission of Fine Arts, an increase of \$22,000 over the fiscal year 1990 request of \$494,000. The recommendation includes \$11,000 for the administration of the National Capital Arts and Cultural Affairs program, and an increase of \$11,000 for administrative services provided by the Department of the Interior.

The Committee expects the Commission to conduct a final review of the plans for the Franklin Delano Roosevelt Memorial before construction begins.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

Appropriation enacted, 1989.....	\$5,000,000
Budget estimate, 1990.....	.....
Recommended, 1990.....	5,000,000
Comparison:	
Appropriation, 1989.....	.....
Budget estimate, 1990.....	+5,000,000

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. For fiscal year 1990, the Committee recommends \$5,000,000.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

Appropriation enacted, 1989.....	\$1,778,000
Budget estimate, 1990.....	1,795,000
Recommended, 1990.....	1,945,000
Comparison:	
Appropriation, 1989.....	+167,000
Budget estimate, 1990.....	+150,000

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 an appropriation of \$1,945,000, an increase of \$150,000 over the fiscal year 1990 request of \$1,795,000. The increase provides for the costs associated with two additional full-time equivalents; for supporting the increased workload of the Council (\$67,000); for fully funding pay costs and administrative support requirements (\$55,000); and for maintaining the printing budget at the fiscal year 1989 level (\$28,000).

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

Appropriation enacted, 1989	\$2,962,000
Budget estimate, 1990	3,133,000
Recommended, 1990	3,123,000
Comparison:	
Appropriation, 1989	+161,000
Budget estimate, 1990	-10,000

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 \$3,123,000, a net decrease of \$10,000 under the Administration's request. The recommendation includes a reduction of \$50,000 for the topographical mapping project and an increase of \$40,000 for the technological revolution study.

FRANKLIN DELANO ROOSEVELT MEMORIAL COMMISSION

SALARIES AND EXPENSES

Appropriation enacted, 1989	\$28,000
Budget estimate, 1990	28,000
Recommended, 1990	28,000
Comparison:	
Appropriation, 1989	
Budget estimate, 1990	

The 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 the late President Franklin Delano Roosevelt. The Committee recommends an appropriation of \$28,000, the fiscal year 1990 budget request. This appropriation will allow the Commission to operate at the fiscal year 1989 level. The Committee also has recommended funds in the amount of \$5,852,000 in the National Park Service construction ac-

count for initiating construction of the Franklin Delano Roosevelt Memorial. The recommended level for construction, in addition to an unobligated balance of \$317,000 available from a fiscal year 1984 appropriation, will fully fund the cost associated with the first year of construction. The Commission in conjunction with the National Park Service estimates that the total cost to construct the memorial is \$46,000,000, and that it will take four years to complete construction.

The Committee expects the Commission to receive a final review of the memorial plans by the Commission of Fine Arts prior to any obligation of funds by the Park Service for the construction of the memorial. In addition, the Park Service is expected to work with the running community to reach a mutually acceptable agreement on modifications to the current road race site which will be modified to accommodate memorial construction.

PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION

SALARIES AND EXPENSES

Appropriation enacted, 1989.....	\$2,334,000
Budget estimate, 1990.....	2,425,000
Recommended, 1990.....	2,375,000
Comparison:	
Appropriation, 1989.....	+41,000
Budget estimate, 1990.....	-50,000

The Pennsylvania Avenue Development Corporation has made great strides since its establishment in 1972 in rehabilitating and upgrading the area on, and adjacent to, Pennsylvania Avenue between the Capitol and the White House. The corporation has revived a vital component of downtown Washington which serves as a ceremonial link between the Executive and Legislative branches of government.

The Committee recommends an appropriation of \$2,375,000, a reduction of \$50,000, to the fiscal year 1990 request of \$2,425,000. This reduction is the result of savings from salaries, benefits, and other personnel compensation associated with the reduced level of staffing as the corporation approaches the 1992 completion date.

PUBLIC DEVELOPMENT

Appropriation enacted, 1989.....	\$3,175,000
Budget estimate, 1990.....	3,150,000
Recommended, 1990.....	3,150,000
Comparison:	
Appropriation, 1989.....	-25,000
Budget estimate, 1990.....	

The public development appropriation includes relocation assistance for displaced businesses, historic preservation and development rights, demolition, parks and open spaces.

The Committee recommends an appropriation of \$3,150,000, the Administration's request.

The Committee will continue to monitor PADDC's improvements as well as the progress of housing on the Avenue.

LAND ACQUISITION AND DEVELOPMENT FUND

Appropriation enacted, 1989	
Budget estimate, 1990	\$12,000,000
Recommended, 1990	12,000,000
Comparison:	
Appropriation, 1989	+12,000,000
Budget estimate, 1990	

The Committee recommends \$12,000,000, the Administration's request, to provide borrowing authority for land acquisition and development.

The Committee understands that the last area to be developed is square 406 and that these funds would be associated with acquisitions in that area.

UNITED STATES HOLOCAUST MEMORIAL COUNCIL

HOLOCAUST MEMORIAL COUNCIL

Appropriation enacted, 1989	\$2,244,000
Budget estimate, 1990	2,315,000
Recommended, 1990	2,315,000
Comparison:	
Appropriation, 1989	+71,000
Budget estimate, 1990	

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. Physical site work has begun and the Council anticipates that construction will be completed in late 1992. Construction costs for the museum will come solely from donated funds being raised by the U.S. Holocaust Memorial Museum Campaign and appropriated funds will be used for planning and development of programmatic components, overall administrative support and annual commemorative observances.

The Committee recommends an appropriation of \$2,315,000, the Administration's budget request. At this level of funding the Council will be able to continue detailed research and development of the cultural, archival and educational program components of the museum.

TITLE III—GENERAL PROVISIONS

The Committee recommends continuation of several provisions carried in previous bills as follows:

- Limitation on non-competitive leasing of oil and natural gas on the Shawnee National Forest, Illinois;
- Prohibition on assessments unless approved by the Committees on Appropriations;
- Employment funded by this Act shall not be subject to any personnel ceiling;
- Ban on log export of unprocessed timber from Federal lands west of the 100th meridian in the contiguous 48 States;
- Pay raises funded by this Act shall be absorbed within the levels appropriated in this Act; and
- Prohibition on cutting giant sequoias on Federal lands.

In addition, a provision regarding the BACA geothermal project has been deleted. There is no need to continue the provision.

RESCISSION

Pursant to Clause 1(b), Rule X of the House of Representatives, the following table is submitted describing the rescissions recommended in the accompanying bill.

RESCISSIONS RECOMMENDED IN THE BILL

Department and activity	Amounts recommended for rescissions
Department of the Interior	
Land and Water Conservation Fund	\$30,000,000

CHANGES IN APPLICATION OF EXISTING LAW

Pursuant to clause 3, rule XXI of the rules of the House of Representatives, the following statements are submitted describing the effect of provisions in the accompanying bill which directly or indirectly change the application of existing law. In most instances these provisions have been included in prior appropriations Acts.

The bill provides that certain appropriations items remain available until expended or extends the availability of funds beyond the fiscal year where programs or projects are continuing in nature under the provisions of authorizing legislation but for which that legislation does not specifically authorize such extended availability. Most of these items have been carried in previous appropriations Acts. This 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 the Bureau of Land Management, Management of lands and resources, prohibiting the destruction of healthy, unadopted, wild horses and burros. Language is included under the Bureau of Land Management, construction and access, requiring procurement documents for the Oregon Trail Visitor Center be issued so that a construction contract may be issued by February, 1991.

Language included under the Bureau of Land Management, Oregon and California grant lands, provides that a portion of the revenue (25 percent) otherwise due to the Oregon and California

land grant counties under permanent authority from revenues from the Oregon and California grant lands be used instead by the Bureau, the Forest Service, and the Federal Highway Administration for construction, operation, maintenance, and other improvements of the O&C lands. This language or similar language has been carried in annual appropriations acts since 1953.

Language included under the Bureau of Land Management, Oregon and California grant lands, provides for 50 percent of the revenues in fiscal year 1989 which exceed \$174,800,000, the budget estimate, to be used in addition to appropriations for reforestation and forest development and timber management, and includes reporting requirements.

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

Language included under the Bureau of Land Management, Administrative provisions, provides for the protection of lands for the State of Alaska. This activity is not specifically authorized by law. The State currently does not have in-house capability to provide fire protection for selected lands patented to the State. The Bureau of Land Management provides fire protection for the State on a reimbursable basis.

Language included under the Bureau of Land Management, Administrative provisions, provides for surveys on lands other than those under the jurisdiction of BLM.

Language included under the Bureau of Land Management, Administrative provisions, provides that appeals to grazing allotments on public rangelands must be taken within thirty days after receipt of a final allotment.

Language included under the Bureau of Land Management, Administrative provisions, provides for payment of costs connected with using volunteers.

Language included under the Bureau of Land Management, Administrative provisions, provide up to \$400 for uniform allowances for each uniformed employee.

Language is included under the Bureau of Land Management, Administrative provisions, authorizing cooperative agreements for challenge cost-share programs notwithstanding the provisions of the Federal Grants and Cooperative Agreements Act of 1977.

Language is included under the 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 program.

Language is included under the United States Fish and Wildlife Service, Administrative provisions, for repair of damage to public roads, options for the purchase of land of not to exceed \$1; installation of certain recreation facilities; the maintenance and improvement of aquaria and the acceptance of donated aircraft. A separate provision prohibits assessments against the Migratory Bird Conservation Account. These provisions allow for a more efficient operation and management of the programs administered by the Fish and Wildlife Service.

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 the annual appropriations Act since 1954.

Language is included under National Park Service, Operation of the National Park System, to preclude entering into future concessionaire contracts that do not include a termination for cause clause. Language is also included providing for a Youth Conservation Corps program. No fewer than 90 FTE's are provided for Cuyahoga Valley NRA, OH.

Language is included under National Park Service, John F. Kennedy Center for the Performing Arts, to allow the selection of contractors for certain purposes on the basis of contractor qualifications as well as price.

Language is included under National Park Service, Administrative provisions, to allow for the transportation of children in nearby communities to and from any unit of the National Park System; for options for the purchase of land at not to exceed \$1; for procurement and delivery of medical services in park units; for use of helicopters and motorized equipment to remove feral horses and burros at Death Valley National Monument; and for emergency law enforcement situations.

Language is included in the Administrative provisions, National Park Service, to prevent funds appropriated to the National Park Service from being used to add industrial facilities to the list of National Historic Landmarks without the consent of the owner.

Language is included under National Park Service, Administrative provisions, allowing the recovery of costs associated with special use permits and the crediting of reimbursements to the current appropriation; and preventing the implementation of an agreement for the redevelopment of the southern end of Ellis Island until 30 legislative days have elapsed from the time the Congress is notified of the plans.

Language is included under Geological Survey, Administrative provisions, for the reimbursement of 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, Leasing and royalty management, limiting the Federal contribution for data gathering for the Alaskan boundary determination; authorizing the payment of late interest; providing for reasonable expenses related to volunteer beach and marine clean-up activities; providing for refunds for overpayments on Indian allottee leases; and subtracting the costs of collection from mineral receipts prior to distribution.

Language is included under Bureau of Mines, Mines and minerals, prohibiting closure or consolidation of any research center or the sale of any helium facilities currently in operation.

Language is included under Bureau of Mines, Administrative provisions, to allow the sale of metal or mineral products manufactured in pilot plant projects and for the acceptance of contributions from other sources and for cooperative projects.

Language is included under Office of Surface Mining Reclamation and Enforcement, Regulation and technology, to allow use of performance bond forfeitures by the regulatory authority to conduct reclamation activities; provide up to \$400 for uniform allowances for each uniformed employee; and allowing utilization of monies collected pursuant to assessment of civil penalties to reclaim lands affected by coal mining after August 3, 1977.

Language is included under Office of Surface Mining Reclamation and Enforcement, Regulation and technology, providing that the Secretary of the Interior shall abide by the terms of the Kentucky Settlement Agreement, and permitting payment to State and tribal personnel of travel and per diem expenses for training.

Language is included under Office of Surface Mining Reclamation and Enforcement, Abandoned mine reclamation fund, to limit the administrative expenses associated with RAMP type agreements entered into by the States to 15 percent. Language is also included which prohibits the Office of Surface Mining Reclamation and Enforcement from awarding reclamation grants to States which do not have an adequate penalty assessment and violator information system or which are not adequately enforcing section 521(b) of Public Law 95-87.

Language is included under Office of Surface Mining Reclamation and Enforcement, Abandoned mine reclamation fund, which maintains 23 full time equivalents for the Anthracite Reclamation Program at the Wilkes-Barre field office.

Language is included under the Bureau of Indian Affairs, Operation of Indian programs, for advance payments to Indian schools and business enterprises. Language is also included to prohibit BIA funds from being used to match programs funded under the Vocational Educational Act of 1963, as amended.

Language is included under Bureau of Indian Affairs, Operation of Indian programs, providing for the use of funds for maintenance of tribally-owned hatcheries, prohibiting the transfer of tribal or individual trust funds until certain conditions have been met, providing a grant to the CloseUp foundation, providing for the transfer of excess Federal Employee Retirement System (FERS) funds to other accounts to cover FERS costs, and providing that litigation support funds will remain available until expended.

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 that grant repayments under the Housing Improvement Program shall be available for that program, providing for the use of funds for rehabilitation of tribally-owned fish hatcheries, and providing for the transfer of Navajo Irrigation project funds to the Bureau of Reclamation.

Language is included under Territorial and international affairs, Administration of Territories, authorizing Territorial governments to make purchases through the General Services Administration, requiring audits of the financial transactions of the Territorial governments by the General Accounting Office, providing grant funding under the terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the North-

ern Mariana Islands, and providing a grant to the CloseUp foundation.

Language is included under Territorial and international affairs, Trust Territory of the Pacific Islands, authorizing the government of the Trust Territory to make purchases through the General Services Administration, requiring audits of the financial transactions of the Trust Territory government by the General Accounting Office; and providing that if the Palau Compact is implemented before October 1, 1990, all funds appropriated and obligated for Palau under this account, shall be credited as an offset to fiscal year 1990 payments under the compact. Unobligated balances for Palau government operations that remain available on the date of Compact implementation shall be used by Interior to reduce the accumulated debt of the Trust Territory Government.

Language is included under Territorial and international affairs, Compact of Free Association, providing for the effective date of the Palau Compact.

Language is provided under the Office of the Secretary, Salaries and expenses, prohibiting use of funds for an office for the Secretary outside of Washington, DC.

Language is included under Office of the Secretary, Administrative provisions, prohibiting the use of working capital or consolidated working funds to augment certain offices.

Certain transfers are permitted under General provisions, Department of the Interior to meet unforeseen emergencies, including fire suppression, earthquakes, floods, volcanoes, oil spills, Office of Surface Mining emergency enforcement of State regulatory programs, and emergency reclamation projects under section 410 of Public Law 95-87 and grasshopper and Mormon Cricket outbreaks. This language requires that the funds used must be replenished by a supplemental appropriation.

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

Language is included under General provisions, Department of the Interior, to allow for obligations in connection with contracts issued by GSA 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, allowing funds to be used to buy insurance on vehicles in Canada and Mexico; and prohibiting use of funds for certain employee details.

Language is included under General provisions, Department of the Interior, adding a new subsection to section 5 of the Outer Continental Shelf Lands Act stating that new vessels, rigs, platforms, or other structures are to be built from articles, materials, or supplies at least 50 percent of which have been produced or manufactured in the United States. The language also provides for the fabrication of these items in the United States unless a waiver is obtained from the Secretary of the Interior.

Language is included under General provisions, Department of the Interior, prohibiting changing the name of Mount McKinley; moving the Bureau of Mines headquarters operation to Avondale, MD; prohibiting moving the Office of Surface Mining, Reclamation,

and Enforcement to Avondale, MD; prohibiting non-Federal management on Matagorda Island, Texas, unless ratified by law; extending the negotiating period for States and tribes under the Indian Gaming Regulatory Act; and prohibiting the preparation of reports on Congressional contacts by Department employees.

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

Language is included under the Forest Service, State and Private Forestry to provide a grant to the Washington State Parks and Recreation Commission for construction of the Spokane River Centennial Trail.

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

Language is included under the Forest Service, Administrative provisions, permitting funds previously appropriated for salvage sales to be recovered from receipts deposited on the applicable National forest. These funds when recovered, may be spent and recovered on any National forest and for timber sales preparation to replace sales inventory.

Language is included under the 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 emergency rehabilitation of burned-over lands, provide up to \$400 for uniform allowances for each uniformed employee and to provide that proceeds from the sale of aircraft may be used to purchase replacement aircraft.

Language is included under the Forest Service, Administrative provisions, to prevent a change in the Forest Service appropriation structure without advance approval of the House and Senate Committees on Appropriations, and for a Youth Conservation Corps program.

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

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

excess of the 1989 estimate to be made available to the Forest Service, up to a ceiling of \$35,000,000.

Language is included under the Forest Service, Administrative provisions allowing the reimbursement of employees for employment-related expenses, prohibiting issuance of a special use authorization in California until two required studies have been submitted to the Congress and reviewed, providing for nonmonetary awards, providing for cooperative agreements under the challenge cost-share program, providing \$1,500 for representation expenses, and providing that all funds available for the Tongass NF shall come from the Tongass Timber Supply Fund.

Language is included under the Department of Energy, Clean coal technology, allowing unneeded funds from one procurement to be applied to a subsequent procurement prior to its issuance prohibiting contingent selection of projects, and adjusting reporting requirements from legislative to calendar days at the end of a Congressional session.

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

Language is included in the Department of Energy, Naval Petroleum and Oil Shale Reserves, providing that revenues from the sale of products produced at Naval Petroleum Reserves Numbered 1 and 3 in excess of \$510,000,000, the budget estimate, shall be deposited in the "SPR petroleum account" for acquisition and transportation of oil.

Language is included under the Department of Energy, Energy conservation, which provides an allocation of grants to State and local programs, and which provides for a cost-shared steel and aluminum research program.

Language is included under the Department of Energy, SPR petroleum account which allows the sale of Naval Petroleum Reserve oil notwithstanding SPR fill rate limitations.

Language is included under Administrative provisions, Department of Energy, limiting programs of price supports or 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; allowing acceptance of contributions and carrying out cooperative projects; providing for emergency transfer of funds to the Emergency preparedness appropriation; providing that the sale of assets, receipt of other funds and unobligated balances from the alternative fuels production account may be used to pay the guaranteed portion of alcohol fuels loans; and allowing obligations in connection with contracts for supplies and services for a period of not to exceed 12 months at anytime during the fiscal year in annual appropriation accounts.

Language is included under Indian Health Service, Indian health services, for payments for telephone service in private residences in the field and purchase of reprints; providing for expenditure of funds received pursuant to 42 U.S.C. 300cc-2; providing for expend-

iture of funds transferred to IHS from the Department of Housing and Urban Development; providing for a loan repayment program; for purchase and erection of portable buildings; 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, with limitations on types of projects.

Language is included under Indian Health Service, Indian health facilities, for the purchase of trailers and providing that construction funds may be used for site acquisition.

Language is included under Indian Health Service, Administrative provisions, providing that health care may be extended to non-Indians at Indian Health Service facilities.

Language is included under Indian Health Service, Administrative provisions, providing that no funds shall be available for initial lease of permanent structures, and 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, prohibiting imposition of personnel ceilings, specifying that certain funds shall not be subject to certain travel limitations, and prohibiting the expenditure of funds to implement new eligibility regulations.

Language is included under Office of Navajo and Hopi Indian Relocation, Salaries and expenses, prohibiting movement of any single Navajo or Navajo family unless a new or replacement home is available; 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 Construction and improvements, National Zoological Park, and Repair and restoration of buildings, Smithsonian Institution, to construct facilities by contract or otherwise.

Language is included under the 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 Smithsonian Institution, Construction, to authorize the transfer of funds to the State of Arizona to assist in the construction or maintenance of access to the Whipple Observatory.

Language is included under the 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 the Institute of Museum Services, Grants and administration, limiting the Museum Services Board to three meetings during fiscal year 1990.

Language is included under the Advisory Council on Historic Preservation and United States Holocaust Memorial Council, to restrict hiring anyone at Executive Level V or higher positions.

Title III—General provisions contains language carried in previous appropriations Acts, which places limitations on the use of funds in the bill for the export of unprocessed timber from the United States unless it is determined that the timber is surplus to domestic needs. In addition, language 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 officer or employee; and to limit use of consulting services.

Language is included in Title III—General provisions to prohibit oil, gas or geothermal leasing in designated areas of the Mount Baker-Snoqualmie National Forest.

Language is included in Title III—General provisions to allow the Secretaries of Interior, Energy, Agriculture and Smithsonian Institution to enter contracts with State and local governmental entities for services related to fire suppression in any units under their jurisdiction.

Language is included in Title III—General provisions prohibiting assessments against programs funded in this bill, and prohibiting personnel ceilings except as provided by law.

Language is included in Title III—General provisions prohibiting the use of funds for planning, conducting or supervising deer hunting on the Loxahatchee National Wildlife Refuge.

Language is included in Title III—General provisions prohibiting challenges to Forest Service and Bureau of Land Management plans solely on the basis that the plan is outdated or does not incorporate new information.

Language is included in Title III—General provisions prohibiting the sale of giant sequoia trees; prohibiting certain activities relating to divestiture of the Naval Petroleum Reserves; and providing for absorption of the fiscal year 1990 pay raise within amounts in the bill.

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):

At the end of section 5 of the Outer Continental Shelf Lands Act (43 U.S.C. 1334), insert the following new subsection:

(j)(1) Any vessel, rig, platform, or other structure used for the purpose of exploration or production of oil and gas on the Outer Continental Shelf south of 49 degrees North latitude shall be built—

(A) in the United States either by a United States chartered corporation or by a joint venture between a United States chartered corporation and a foreign corporation, with at least 50 percent of total person hours expended in the United States; and

(B) from articles, materials, or supplies at least 50 percent of which by cost, shall have been produced or manufactured, as the case may be, in the United States.

(2) The requirements of paragraph (1) shall not apply to any vessel, rig, platform, or other structure which was built, which is being built, or for which a building contract has been executed, on or before October 1, 1989, and shall expire with respect to any vessel, rig, platform, or other structure for which either the bidding or award process has commenced on or after September 30, 1993.

(3) The Secretary may waive—

(A) the requirement in paragraph (1)(B) whenever the Secretary determines that 50 percent of the articles, materials, or supplies for a vessel, rig, platform, or other structure cannot be produced or manufactured, as the case may be, in the United States; and

(B) the requirement in paragraph (1)(A) upon application, with respect to any classification of vessel, rigs, platforms, or other structures on a specific lease, when the Secretary determines that at least 50 percent of such classification, as calculated by number and by weight, which are to be built for exploration or production activities under such lease will be built in the United States in compliance with the requirements of paragraph (1)(A).

Public Law 100-446, under the heading "Department of Energy, Clean Coal Technology" is amended as follows:

For necessary expenses of, and associated with, Clean Coal Technology demonstrations pursuant to 42 U.S.C. 5901 et seq., ~~[\$575,000,000 shall be made available on October 1, 1989]~~ *\$500,000,000 shall be made available on October 1, 1989, and shall remain available until expended, and \$75,000,000 shall be made available on October 1, 1990, and shall remain available until expended: Provided, That projects selected pursuant to a general request for proposals issued pursuant to this appropriation shall demonstrate technologies capable of retrofitting or repowering existing facilities and shall be subject to all provisos contained under this head in Public Laws 99-190 and 100-202 as amended by this Act.*

Public Law 100-497, section 4(7)(D), is amended as follows:

(D) Notwithstanding any other provision of this paragraph, the term "class II gaming" includes, during the ~~[1 year]~~ period begin-

ning on the date of enactment of this Act and continuing for 365 days from the date on which the Governor of a State provides written notice to Indian tribes which have requested compact negotiations, that the State has a duly authorized negotiator or negotiating team ready to commence compact negotiations with that tribe, any gaming described in subparagraph (B)(ii) that was legally operated on Indian lands on or before May 1, 1988, if the Indian tribe having jurisdiction over the lands on which such gaming was operated requests the State, by no later than the date that is 30 days after the date of enactment of this Act, to negotiate a Tribal-State compact under section 11(d)(3).

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 thousands]

Budget authority.....	\$11,716,840
Fiscal year 1990.....	7,459,773
Fiscal year 1991.....	2,744,482
Fiscal year 1992.....	727,852
Fiscal year 1993.....	305,063
Fiscal year 1994 and future years.....	409,670

In accordance with section 308(a)(1)(C) of the Congressional Budget Act of 1974 (Public Law 93-344), as amended, the following information was provided to the Committee by the Congressional Budget Office.

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 thousands]

New budget authority.....	837,334
Fiscal year 1990 outlays resulting therefrom.....	310,892

**COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1989 AND THE
BUDGET ESTIMATES FOR 1990**

PERMANENT NEW BUDGET (OBLIGATIONAL) AUTHORITY

[These funds become available automatically under earlier, or "permanent" law without further, or annual action by the Congress. Thus, these amounts are not included in the accompanying bill.]

Agency and item (1)	New budget (obligational) authority, fiscal year 1989 (2)	Budget estimates of new (obligational) authority, fiscal year 1990 (3)	Fiscal year 1990 estimate compared with, fiscal year 1989 (4)
FEDERAL FUNDS			
Department of the Interior - Indefinite			
Payments to State and local governments:			
Payments to States (proceeds of sales).....	640,000	640,000	.....
Payments to States from grazing receipts, public lands	2,866,000	2,866,000	.....
Payments to Oklahoma, in lieu of taxes on Kiowa, Comanche, and Apache tribal lands	4,000	4,000	.....

Coos Bay Wagon Road Grant lands, payments to Coos Bay and Douglas Counties, Oreg., in lieu of taxes.....	580,000	580,000	
Oregon and California grant lands, payment to counties.....	84,700,000	74,900,000	-9,800,000
Special acquisition of lands and minerals (authority to borrow).....	1,300,000	1,300,000	
Payment to counties, national grasslands, Bureau of Land Management.....	501,000	501,000	
Payments to Nevada from receipts on land sales.....	450,000	450,000	
Payment to counties under national wildlife refuge fund.....	6,040,000	6,040,000	
Educational expenses, children of employees, Yellowstone National Park.....	590,000	590,000	

**COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1989 AND THE
BUDGET ESTIMATES FOR 1990--Continued**

PERMANENT NEW BUDGET (OBLIGATIONAL) AUTHORITY

[These funds become available automatically under earlier, or "permanent" law without further, or annual action by the Congress. Thus, these amounts are not included in the accompanying bill.]

Agency and item (1)	New budget (obligational) authority, fiscal year 1989 (2)	Budget estimates of new (obligational) authority, fiscal year 1990 (3)	Fiscal year 1990 estimate compared with, fiscal year 1989 (4)
Delaware Water Gap, Route 209 operations.....	315,000	315,000	.....
Payments to Alaska National Petroleum Reserve	1,350,000	1,350,000	.....
Payments to State of Wyoming, in lieu of taxes on lands in Grand Teton National Park, National Park Service.....	39,000	39,000	.....
Payments to States from receipts under Mineral Leasing Act.....	448,692,000	422,720,000	-25,972,000
Claim and treaty obligations, Bureau of Indian Affairs	2,000,000	2,000,000	.....

Operation and maintenance, Indian irrigation systems.....	19,553,000	19,902,000	+ 349,000
Power systems, Indian irrigation projects.....	28,537,000	30,457,000	+ 1,920,000
Payments to the U.S. Territories, fiscal assistance	70,000,000	70,000,000	.....
Total, Payments to State and local governments	668,157,000	634,654,000	-33,503,000
Receipts applied to operations:			
Expenses, road maintenance deposits.....	7,000,000	7,000,000	.....
Migratory bird conservation fund.....	29,440,000	33,340,000	+ 3,900,000
Proceeds from sales, water resources development projects.....	200,000	200,000	.....
Operation, management, maintenace, and demolition of federally acquired properties, Independence			

**COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1989 AND THE
BUDGET ESTIMATES FOR 1990--Continued**

PERMANENT NEW BUDGET (OBLIGATIONAL) AUTHORITY

[These funds become available automatically under earlier, or "permanent" law without further, or annual action by the Congress. Thus, these amounts are not included in the accompanying bill.]

Agency and item (1)	New budget (obligational) authority, fiscal year 1989 (2)	Budget estimates of new (obligational) authority, fiscal year 1990 (3)	Fiscal year 1990 estimate compared with, fiscal year 1989 (4)
National Historical Park.....	9,000	9,000	.....
Total, Receipts applied to operations.....	36,649,000	40,549,000	+ 3,900,000
Federal aid in wildlife restoration:			
Payments to States.....	129,000,000	133,000,000	+ 4,000,000
Land acquisition (contract authority).....	30,000,000	30,000,000	.....
Total, Department of the Interior.....	863,806,000	838,203,000	-25,603,000

Department of Agriculture - Forest Service

Payments to States and local governments (indefinite):

Payments to States, National Forests Fund

(25 percent fund)

338,825,000

347,725,000

+ 8,900,000

Payment to Minnesota (Cook, Lake, and St. Louis
Counties)

716,000

716,000

.....

Payments to counties, National Grasslands

16,413,000

16,675,000

+ 262,000

Total, Payments to States and local governments.....

355,954,000

365,116,000

+ 9,162,000

Receipts applied to operations:

Expenses, brush disposal (indefinite)

54,680,000

64,662,000

+ 9,982,000

Licensee programs (Smokey Bear-Woodsy Owl)
(indefinite).....

109,000

119,000

+ 10,000

**COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1989 AND THE
BUDGET ESTIMATES FOR 1990--Continued**

PERMANENT NEW BUDGET (OBLIGATIONAL) AUTHORITY

[These funds become available automatically under earlier, or "permanent" law without further, or annual action by the Congress. Thus, these amounts are not included in the accompanying bill.]

Agency and item (1)	New budget (obligational) authority, fiscal year 1989 (2)	Budget estimates of new (obligational) authority, fiscal year 1990 (3)	Fiscal year 1990 estimate compared with, fiscal year 1989 (4)
Restoration of forest lands and improvements (indefinite).....	107,000	106,000	-1,000
Timber purchaser roads constructed by Forest Service (indefinite)	9,837,000	4,878,000	-4,959,000
Timber salvage sales.....	47,561,000	29,997,000	-17,564,000
Tongass timber supply fund .....	.....	40,985,000	+ 40,985,000
Resource management, timber receipts.....	73,125,000	.....	-73,125,000
Federal wildland firefighting .....	.....	281,992,000	+ 281,992,000

Operations and maintenance of quarters	5,869,000	5,852,000	-17,000
Total, receipts applied to operations	191,288,000	428,591,000	+ 237,303,000
Total, Department of Agriculture - Forest Service	547,242,000	793,707,000	+ 246,465,000
Department of Health and Human Services			
Health Resources and Services Administration:			
Tribal Health Administration	3,000,000	.....	-3,000,000
Federal Indian Health Administration .....	.....	3,000,000	+ 3,000,000
Department of the Interior			
Compact of Free Association	125,378,000	159,378,000	+ 34,000,000
Geological Survey	250,000	250,000	.....
Operation and maintenance of quarters:			
Bureau of Land Management	250,000	250,000	.....

**COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1989 AND THE
BUDGET ESTIMATES FOR 1990--Continued**

PERMANENT NEW BUDGET (OBLIGATIONAL) AUTHORITY

[These funds become available automatically under earlier, or "permanent" law without further, or annual action by the Congress. Thus, these amounts are not included in the accompanying bill.]

Agency and item (1)	New budget (obligational) authority, fiscal year 1989 (2)	Budget estimates of new (obligational) authority, fiscal year 1990 (3)	Fiscal year 1990 estimate compared with, fiscal year 1989 (4)
Geological Survey.....	75,000	75,000	.....
National Park Service.....	8,632,000	8,632,000	.....
United States Fish and Wildlife Service.....	1,700,000	1,736,000	+ 36,000
Bureau of Indian Affairs.....	7,000,000	7,000,000	.....
Total, operation and maintenance of quarters	17,657,000	17,693,000	+ 36,000
Total, Department of Interior	143,285,000	177,321,000	+ 34,036,000

Total, permanent new budget (obligational) authority, Federal Funds	1,557,333,000	1,812,231,000	+ 254,898,000
TRUST FUNDS			
Department of the Interior - Indefinite			
Land and resource management.....	600,000	600,000	.....
Contributed funds, Fish and Wildlife Service.....	4,165,000	4,165,000	.....
Sport Fish Restoration	192,891,000	190,682,000	-2,209,000
Donations, National Park Service.....	13,059,000	3,400,000	-9,659,000
Birthplace of Abraham Lincoln, preservation of, National Park Service.....	8,000	8,000	.....
Contributed funds, Bureau of Mines.....	500,000	500,000	.....
Cooperative fund, Papago.....	1,300,000	1,232,000	-68,000

**COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1989 AND THE
BUDGET ESTIMATES FOR 1990--Continued**

PERMANENT NEW BUDGET (OBLIGATIONAL) AUTHORITY

[These funds become available automatically under earlier, or "permanent" law without further, or annual action by the Congress. Thus, these amounts are not included in the accompanying bill.]

Agency and item (1)	New budget (obligational) authority, fiscal year 1989 (2)	Budget estimates of new (obligational) authority, fiscal year 1990 (3)	Fiscal year 1990 estimate compared with, fiscal year 1989 (4)
Miscellaneous trust funds of Indian tribes.....	344,705,000	337,267,000	-7,438,000
Total, Department of the Interior.....	557,228,000	537,854,000	-19,374,000
Department of Agriculture - Forest Service			
Reforestation trust fund.....	30,000,000	30,000,000	.....
Cooperative work trust fund.....	267,748,000	315,117,000	+ 47,369,000
Total, Department of Agriculture.....	297,748,000	345,117,000	+ 47,369,000
Other Agencies - Indefinite			

National Foundation on the Arts and the Humanities:

Gifts and donations (Arts) 30,000 30,000

Gifts and donations (Humanities)..... 703,000 700,000 -3,000

Institute of Museums 1,000 1,000

Smithsonian Institution:

Canal Zone biological area fund 150,000 150,000

Woodrow Wilson International Center for Scholars:

Endowment challenge fund..... 160,000 270,000 + 110,000

Donations, Advisory Council on Historic Preservation 5,000 5,000

Gifts and Donations, Holocaust Memorial Council..... 50,000 50,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1989 AND THE BUDGET ESTIMATES FOR 1990--Continued

PERMANENT NEW BUDGET (OBLIGATIONAL) AUTHORITY

[These funds become available automatically under earlier, or "permanent" law without further, or annual action by the Congress. Thus, these amounts are not included in the accompanying bill.]

Agency and item (1)	New budget (obligational) authority, fiscal year 1989 (2)	Budget estimates of new (obligational) authority, fiscal year 1990 (3)	Fiscal year 1990 estimate compared with, fiscal year 1989 (4)
Total, other agencies.....	1,099,000	1,206,000	+ 107,000
Total, permanent new budget (obligational) authority, Trust Funds	856,075,000	884,177,000	+ 28,102,000
Total, Department of Agriculture.....	267,743,000	315,117,000	+ 47,374,000
Other Agencies - Indefinite	856,075,000	884,177,000	+ 28,102,000

**COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1989 AND BUDGET ESTIMATES
AND AMOUNTS RECOMMENDED IN THE BILL FOR 1990**

Agency and item (1)	New budget (obligational) authority appropriated, 1989 (enacted to date) (2)	Budget estimates of new (obligational) authority, 1990 (3)	New budget (obligational) authority recommended in bill (4)	Bill compared with new budget (obligational) authority, 1989 (5)	Bill compared with budget estimates of new (obligational) authority, 1990 (6)
TITLE I - DEPARTMENT OF THE INTERIOR					
Bureau of Land Management					
Management of lands and resources.....	435,586,000	431,632,000	446,296,000	+ 10,710,000	+ 14,664,000
Firefighting.....	739,664,000	363,142,000	740,393,000	+ 729,000	+ 377,251,000
Construction and access.....	5,431,000	2,300,000	2,400,000	-3,031,000	+ 100,000
Payments in lieu of taxes.....	105,000,000	105,000,000	105,000,000	.....	.....
Land acquisition.....	12,290,000	20,885,000	13,490,000	+ 1,200,000	-7,395,000
Oregon and California grant lands.....	57,707,000	62,702,000	64,787,000	+ 7,080,000	+ 2,085,000
Range improvements (indefinite).....	8,506,000	8,406,000	8,406,000	-100,000	.....
Service charges, deposits, & forfeitures (indefinite)	6,000,000	6,000,000	6,000,000	.....	.....
Miscellaneous trust funds (indefinite).....	100,000	100,000	100,000	.....	.....
Total, Bureau of Land Management.....	1,370,284,000	1,000,167,000	1,386,872,000	+ 16,588,000	+ 386,705,000
United States Fish and Wildlife Service					
Resource management.....	357,888,000	339,754,000	375,370,000	+ 17,482,000	+ 35,616,000
Construction and anadromous fish	31,834,000	10,105,000	30,457,000	-1,377,000	+ 20,352,000

Land acquisition	57,529,000	51,415,000	65,790,000	+ 8,261,000	+ 14,375,000
National Wildlife Refuge Fund.....	6,645,000	6,645,000	7,645,000	+ 1,000,000	+ 1,000,000
Total, United States Fish and Wildlife Service.....	453,896,000	407,919,000	479,262,000	+ 25,366,000	+ 71,343,000
National Park Service					
Operation of the national park system	733,516,000	754,614,000	774,179,000	+ 40,663,000	+ 19,565,000
National recreation and preservation	14,608,000	10,204,000	16,029,000	+ 1,421,000	+ 5,825,000
Historic preservation fund.....	30,500,000	.....	30,500,000	.....	+ 30,500,000
Construction	159,108,000	44,112,000	174,210,000	+ 15,102,000	+ 130,098,000
(Liquidation of contract authority).....	(47,000,000)	.....	(12,000,000)	(-35,000,000)	(+ 12,000,000)
Land and water conservation fund (rescission of contract authority)	-30,000,000	.....	-30,000,000	.....	-30,000,000
Land acquisition and state assistance	72,609,000	69,459,000	81,016,000	+ 8,407,000	+ 11,557,000
John F. Kennedy Center for the Performing Arts.....	5,181,000	15,193,000	15,193,000	+ 10,012,000	.....
Illinois and Michigan Canal National Heritage Corridor Commission	250,000	.....	250,000	.....	+ 250,000
American Revolution Bicentennial Administration	4,765,000	.....	.....	-4,765,000	.....
National Film Preservation Board	(250,000)	.....	.....	(-250,000)	.....
Total, National Park Service.....	990,537,000	893,582,000	1,061,377,000	+ 70,840,000	+ 167,795,000
Geological Survey					
Surveys, investigations, and research	451,506,000	452,465,000	486,931,000	+ 35,425,000	+ 34,466,000

**COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1989 AND BUDGET ESTIMATES
AND AMOUNTS RECOMMENDED IN THE BILL FOR 1990--Continued**

Agency and item (1)	New budget (obligational) authority appropriated, 1989 (enacted to date) (2)	Budget estimates of new (obligational) authority, 1990 (3)	New budget (obligational) authority recommended in bill (4)	Bill compared with new budget (obligational) authority, 1989 (5)	Bill compared with budget estimates of new (obligational) authority, 1990 (6)
Minerals Management Service					
Leasing and royalty management	170,744,000	180,461,000	175,066,000	+ 4,322,000	-5,395,000
Payments to States from receipts under Mineral Leasing.....		655,000			-655,000
Total, Minerals Management Service	170,744,000	181,116,000	175,066,000	+ 4,322,000	-6,050,000
Bureau of Mines					
Mines and minerals.....	159,292,000	141,197,000	161,876,000	+ 2,584,000	+ 20,679,000
Office of Surface Mining Reclamation and Enforcement					
Regulation and technology.....	101,095,000	103,738,000	102,728,000	+ 1,633,000	-1,010,000
Abandoned mine reclamation fund (definite, trust fund)	193,160,000	150,387,000	192,772,000	-388,000	+ 42,385,000
Total, Office of Surface Mining Reclamation and Enforcement	294,255,000	254,125,000	295,500,000	+ 1,245,000	+ 41,375,000

Bureau of Indian Affairs					
Operation of Indian Programs.....	967,767,000	917,491,000	1,065,574,000	+ 97,807,000	+ 148,083,000
Construction	79,283,000	100,975,000	134,379,000	+ 55,096,000	+ 33,404,000
Miscellaneous payments to Indians.....	13,952,000	29,255,000	191,864,000	+ 177,912,000	+ 162,609,000
Revolving fund for loans (limitation on direct loans)		(13,000,000)			(-13,000,000)
Indian loan guaranty and insurance fund.....	3,370,000	3,265,000	4,767,000	+ 1,397,000	+ 1,502,000
Indian loan guaranty and insurance fund (limitation on guaranteed loans).....		(45,000,000)			(-45,000,000)
Total, Bureau of Indian Affairs	1,064,372,000	1,050,986,000	1,396,584,000	+ 332,212,000	+ 345,598,000
Territorial and International Affairs					
Administration of territories.....	51,112,000	35,396,000	41,481,000	-9,631,000	+ 6,085,000
Interest rate differential	41,655,000	35,308,000	35,308,000	-6,347,000	
Subtotal.....	92,767,000	70,704,000	76,789,000	-15,978,000	+ 6,085,000
Trust Territory of the Pacific Islands.....	28,434,000	3,300,000	34,102,000	+ 5,668,000	+ 30,802,000
Compact of Free Association.....	12,480,000	14,580,000	11,760,000	-720,000	-2,820,000
Mandatory payments.....	19,880,000	13,000,000	13,000,000	-6,880,000	

**COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1989 AND BUDGET ESTIMATES
AND AMOUNTS RECOMMENDED IN THE BILL FOR 1990--Continued**

Agency and item (1)	New budget (obligational) authority appropriated, 1989 (enacted to date) (2)	Budget estimates of new (obligational) authority, 1990 (3)	New budget (obligational) authority recommended in bill (4)	Bill compared with new budget (obligational) authority, 1989 (5)	Bill compared with budget estimates of new (obligational) authority, 1990 (6)
Advance appropriations, FY 1990.....	(22,000,000)	.....	.....	(-22,000,000)	.....
Subtotal.....	32,360,000	27,580,000	24,760,000	-7,600,000	-2,820,000
Total, Territorial Affairs.....	153,561,000	101,584,000	135,651,000	-17,910,000	+ 34,067,000
Departmental Offices					
Office of the Secretary.....	49,067,000	52,741,000	51,295,000	+ 2,228,000	-1,446,000
Oil spill emergency fund.....	7,300,000	.....	.....	-7,300,000	.....
Office of the Solicitor.....	24,686,000	25,325,000	25,325,000	+ 639,000	.....
Office of Inspector General.....	18,749,000	20,595,000	20,737,000	+ 1,988,000	+ 142,000
Construction Management.....	1,800,000	2,300,000	1,800,000	.....	-500,000
National Indian Gaming Commission.....	.....	2,000,000	.....	.....	-2,000,000
Total, Departmental Offices.....	101,602,000	102,961,000	99,157,000	-2,445,000	-3,804,000
Sport fish restoration.....	.....	-90,682,000	.....	.....	+ 90,682,000
Miscellaneous permanent appropriations.....	.....	-33,200,000	.....	.....	+ 33,200,000

Total, title I, Department of the Interior:					
New budget (obligational) authority (net).....	5,210,049,000	4,462,220,000	5,678,276,000	+ 468,227,000	+ 1,216,056,000
Appropriations.....	(5,240,049,000)	(4,462,220,000)	(5,708,276,000)	(+ 468,227,000)	(+ 1,246,056,000)
Definite.....	(5,225,443,000)	(4,447,714,000)	(5,693,770,000)	(+ 468,327,000)	(+ 1,246,056,000)
Indefinite.....	(14,606,000)	(14,506,000)	(14,506,000)	(-100,000)	.....
Rescission.....	(-30,000,000)	.....	(-30,000,000)	.....	(-30,000,000)
(Liquidation of contract authority).....	(47,000,000)	.....	(12,000,000)	(-35,000,000)	(+ 12,000,000)
(Limitation on direct loans).....	(13,000,000)	(-13,000,000)
(Limitation on guaranteed loans).....	(45,000,000)	(-45,000,000)
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TITLE II - RELATED AGENCIES					
DEPARTMENT OF AGRICULTURE					
Forest Service					
Forest research.....	137,867,000	133,799,000	149,435,000	+ 11,568,000	+ 15,636,000
State and private forestry.....	86,668,000	48,606,000	89,906,000	+ 3,238,000	+ 41,300,000
National forest system.....	1,045,781,000	1,016,410,000	1,132,426,000	+ 86,645,000	+ 116,016,000
Construction.....	225,518,000	221,000,000	222,199,000	-3,319,000	+ 1,199,000
Timber receipts transfer to general fund (indefinite).....	(-79,100,000)	(-92,000,000)	(-92,000,000)	(-12,900,000)	.....
Timber purchaser credits.....	(75,000,000)	(139,579,000)	(139,579,000)	(+ 64,579,000)	.....
Mount St. Helens (liquidation of contract authority)...	(5,333,000)	.....	.....	(-5,333,000)	.....
Land acquisition.....	64,205,000	64,831,000	61,988,000	-2,217,000	-2,843,000

**COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1989 AND BUDGET ESTIMATES
AND AMOUNTS RECOMMENDED IN THE BILL FOR 1990--Continued**

Agency and item (1)	New budget (obligational) authority appropriated, 1989 (enacted to date) (2)	Budget estimates of new (obligational) authority, 1990 (3)	New budget (obligational) authority recommended in bill (4)	Bill compared with new budget (obligational) authority, 1989 (5)	Bill compared with budget estimates of new (obligational) authority, 1990 (6)
Timber Roads, Purchaser Election, Forest Service (rescission)	-40,000,000	.....	.....	+ 40,000,000	.....
Tongass Timber Supply Fund	35,999,000	(40,985,000)	(48,535,000)	-35,999,000	.....
Operation and maintenance of recreation facilities .....	.....	9,000,000	.....	.....	-9,000,000
Acquisition of lands for national forests, special acts	966,000	1,068,000	1,068,000	+ 102,000	.....
Acquisition of lands to complete land exchanges (indefinite)	335,000	1,070,000	1,070,000	+ 735,000	.....
Range betterment fund (indefinite)	3,946,000	4,700,000	4,700,000	+ 754,000	.....
Gifts, donations and bequests for forest and rangeland research	90,000	30,000	30,000	-60,000	.....
Total, Department of Agriculture	1,561,375,000	1,500,514,000	1,662,822,000	+ 101,447,000	+ 162,308,000
DEPARTMENT OF ENERGY					
Clean coal technology:					
Advance appropriations, FY 1989	190,000,000	.....	.....	-190,000,000	.....
Advance appropriations, FY 1990	(710,000,000)	.....	.....	(-710,000,000)	.....
Advance appropriations, FY 1991	(200,000,000)	(600,000,000)	.....	(-200,000,000)	(-600,000,000)

Advance appropriations, FY 1992.....		(600,000,000)			(-600,000,000)
Subtotal, clean coal technology.....	190,000,000			-190,000,000	
Fossil energy research and development.....	380,595,000	163,574,000	422,660,000	+42,065,000	+259,086,000
Alternative fuels production.....	-12,000,000			+12,000,000	
Naval petroleum and oil shale reserves.....	185,071,000	192,124,000	192,124,000	+7,053,000	
Energy conservation.....	372,502,000	95,528,000	411,367,000	+38,865,000	+315,839,000
Economic regulation.....	21,372,000	20,346,000	18,300,000	-3,072,000	-2,046,000
Emergency preparedness.....	6,154,000	6,641,000	6,641,000	+487,000	
Strategic Petroleum Reserve.....	173,421,000	194,999,000	194,999,000	+21,578,000	
SPR petroleum account.....	242,000,000	35,407,000	319,407,000	+77,407,000	+284,000,000
Advance appropriations, FY 1990.....	(91,555,000)			(-91,555,000)	
Advance appropriations, FY 1991.....		(37,458,000)	(108,458,000)	(+108,458,000)	(+71,000,000)
Energy Information Administration.....	62,856,000	65,232,000	65,232,000	+2,376,000	
Total, Department of Energy.....	1,621,971,000	773,851,000	1,630,730,000	+8,759,000	+856,879,000
DEPARTMENT OF HEALTH AND HUMAN SERVICES					
Indian Health Service					
Indian health services.....	1,020,106,000		1,189,330,000	+169,224,000	+1,189,330,000
Tribal health administration.....		266,085,000			-266,085,000

**COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1989 AND BUDGET ESTIMATES
AND AMOUNTS RECOMMENDED IN THE BILL FOR 1990--Continued**

Agency and item (1)	New budget (obligational) authority appropriated, 1989 (enacted to date) (2)	Budget estimates of new (obligational) authority, 1990 (3)	New budget (obligational) authority recommended in bill (4)	Bill compared with new budget (obligational) authority, 1989 (5)	Bill compared with budget estimates of new (obligational) authority, 1990 (6)
Federal Indian health administration		817,314,000			-817,314,000
Indian health facilities	61,668,000		75,420,000	+ 13,752,000	+ 75,420,000
Total, Department of Health and Human Services	1,081,774,000	1,083,399,000	1,264,750,000	+ 182,976,000	+ 181,351,000
DEPARTMENT OF EDUCATION					
Office of Elementary and Secondary Education					
Indian education.....	71,553,000	74,168,000	74,149,000	+ 2,596,000	-19,000
OTHER RELATED AGENCIES					
Office of Navajo and Hopi Indian Relocation					
Salaries and expenses	27,373,000	31,218,000	36,818,000	+ 9,445,000	+ 5,600,000
Institute of American Indian and Alaska Native Culture and Arts Development					
Payment to the Institute.....	3,094,000	3,000,000	4,650,000	+ 1,556,000	+ 1,650,000

Smithsonian Institution					
Salaries and expenses	211,240,000	227,737,000	231,981,000	+ 20,741,000	+ 4,244,000
Construction and improvements, National Zoological Park.....	5,305,000	6,500,000	6,500,000	+ 1,195,000	.....
Repair and restoration of buildings	20,735,000	26,653,000	26,869,000	+ 6,134,000	+ 216,000
Construction	8,655,000	10,000,000	12,900,000	+ 4,245,000	+ 2,900,000
Total, Smithsonian Institution.....	245,935,000	270,890,000	278,250,000	+ 32,315,000	+ 7,360,000
National Gallery of Art					
Salaries and expenses	37,981,000	40,376,000	40,789,000	+ 2,808,000	+ 413,000
Repair, restoration and renovation of buildings.....	750,000	2,305,000	1,905,000	+ 1,155,000	-400,000
Total, National Gallery of Art.....	38,731,000	42,681,000	42,694,000	+ 3,963,000	+ 13,000
Woodrow Wilson International Center for Scholars					
Salaries and expenses	4,240,000	4,700,000	4,611,000	+ 371,000	-89,000
Endowment Challenge Fund.....	300,000	.....	.....	-300,000	.....
Total, Woodrow Wilson International Center for Scholars	4,540,000	4,700,000	4,611,000	+ 71,000	-89,000

**COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1989 AND BUDGET ESTIMATES
AND AMOUNTS RECOMMENDED IN THE BILL FOR 1990--Continued**

Agency and item (1)	New budget (obligational) authority appropriated, 1989 (enacted to date) (2)	Budget estimates of new (obligational) authority, 1990 (3)	New budget (obligational) authority recommended in bill (4)	Bill compared with new budget (obligational) authority, 1989 (5)	Bill compared with budget estimates of new (obligational) authority, 1990 (6)
National Foundation on the Arts and the Humanities					
National Endowment for the Arts					
Grants and administration.....	141,890,000	142,950,000	144,250,000	+ 2,360,000	+ 1,300,000
Matching grants.....	27,200,000	27,150,000	27,150,000	-50,000	.....
Total, National Endowment for the Arts	169,090,000	170,100,000	171,400,000	+ 2,310,000	+ 1,300,000
National Endowment for the Humanities					
Grants and administration.....	124,300,000	126,550,000	134,630,000	+ 10,330,000	+ 8,080,000
Matching grants.....	28,700,000	26,700,000	26,700,000	-2,000,000	.....
Total, National Endowment for the Humanities.....	153,000,000	153,250,000	161,330,000	+ 8,330,000	+ 8,080,000
Institute of Museum Services					
Grants and administration.....	22,270,000	22,350,000	23,000,000	+ 730,000	+ 650,000

Total, National Foundation of the Arts and the Humanities.....	344,360,000	345,700,000	355,730,000	+ 11,370,000	+ 10,030,000
Commission of Fine Arts					
Salaries and expenses	475,000	494,000	516,000	+ 41,000	+ 22,000
National Capital Arts and Cultural Affairs					
Grants	5,000,000	.....	5,000,000	.....	+ 5,000,000
Advisory Council on Historic Preservation					
Salaries and expenses	1,778,000	1,795,000	1,945,000	+ 167,000	+ 150,000
National Capital Planning Commission					
Salaries and expenses	2,962,000	3,133,000	3,123,000	+ 161,000	-10,000
Franklin Delano Roosevelt Memorial Commission					
Salaries and expenses	28,000	28,000	28,000	.....	.....
Pennsylvania Avenue Development Corporation					
Salaries and expenses	2,334,000	2,425,000	2,375,000	+ 41,000	-50,000

**COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1989 AND BUDGET ESTIMATES
AND AMOUNTS RECOMMENDED IN THE BILL FOR 1990--Continued**

Agency and item (1)	New budget (obligational) authority appropriated, 1989 (enacted to date) (2)	Budget estimates of new (obligational) authority, 1990 (3)	New budget (obligational) authority recommended in bill (4)	Bill compared with new budget (obligational) authority, 1989 (5)	Bill compared with budget estimates of new (obligational) authority, 1990 (6)
Public development.....	3,175,000	3,150,000	3,150,000	-25,000	.....
Land acquisition and development fund .....	.....	12,000,000	12,000,000	+ 12,000,000	.....
Total, Pennsylvania Avenue Development Corporation.....	5,509,000	17,575,000	17,525,000	+ 12,016,000	-50,000
United States Holocaust Memorial Council	.....	.....	.....	.....	.....
Holocaust Memorial Council	2,244,000	2,315,000	2,315,000	+ 71,000	.....
Total, title II, Related Agencies:	.....	.....	.....	.....	.....
New budget (obligational) authority (net).....	5,018,702,000	4,155,461,000	5,385,656,000	+ 366,954,000	+ 1,230,195,000
Appropriations, fiscal year 1989 (net).....	(5,018,702,000)	(4,155,461,000)	(5,385,656,000)	(+ 366,954,000)	(+ 1,230,195,000)
Appropriations	(5,058,702,000)	(4,155,461,000)	(5,385,656,000)	(+ 326,954,000)	(+ 1,230,195,000)
Definite	(5,054,421,000)	(4,149,691,000)	(5,379,886,000)	(+ 325,465,000)	(+ 1,230,195,000)
Indefinite	(4,281,000)	(5,770,000)	(5,770,000)	(+ 1,489,000)	.....
Rescission.....	(-40,000,000)	.....	.....	(+ 40,000,000)	.....
(Liquidation of contract authority).....	(5,333,000)	.....	.....	(-5,333,000)	.....
(Timber receipt transfer to general fund, indefinite)	(-79,100,000)	(-92,000,000)	(-92,000,000)	(-12,900,000)	.....
(Timber purchaser credits)	(75,000,000)	(139,579,000)	(139,579,000)	(+ 64,579,000)	.....

Grand total:					
New budget (obligational) authority (net).....	10,228,751,000	8,617,681,000	11,063,932,000	+ 835,181,000	+ 2,446,251,000
Appropriations, fiscal year 1989 (net).....	(10,228,751,000)	(8,617,681,000)	(11,063,932,000)	(+ 835,181,000)	(+ 2,446,251,000)
Appropriations	(10,298,751,000)	(8,617,681,000)	(11,093,932,000)	(+ 795,181,000)	(+ 2,483,801,000)
Definite	(10,279,864,000)	(8,597,405,000)	(11,073,656,000)	(+ 793,792,000)	(+ 2,483,801,000)
Indefinite	(18,887,000)	(20,276,000)	(20,276,000)	(+ 1,389,000)	.....
Rescissions	(-70,000,000)	.....	(-30,000,000)	(+ 40,000,000)	(-30,000,000)
(Liquidation of contract authority).....	(52,333,000)	.....	(12,000,000)	(-40,333,000)	(+ 12,000,000)
(Timber receipt transfer to general fund, indefinite)	(-79,100,000)	(-92,000,000)	(-92,000,000)	(-12,900,000)
(Timber purchaser credits)	(75,000,000)	(139,579,000)	(139,579,000)	(+ 64,579,000)
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TITLE I - DEPARTMENT OF THE INTERIOR					
Bureau of Land Management	1,370,284,000	1,000,167,000	1,386,872,000	+ 16,588,000	+ 386,705,000
United States Fish and Wildlife Service	453,896,000	407,919,000	479,262,000	+ 25,366,000	+ 71,343,000
National Park Service	990,537,000	893,582,000	1,061,377,000	+ 70,840,000	+ 167,795,000
Geological Survey	451,506,000	452,465,000	486,931,000	+ 35,425,000	+ 34,466,000
Minerals Management Service.....	170,744,000	181,116,000	175,066,000	+ 4,322,000	-6,050,000
Bureau of Mines.....	159,292,000	141,197,000	161,876,000	+ 2,584,000	+ 20,679,000
Office of Surface Mining Reclamation and Enforcement	294,255,000	254,125,000	295,500,000	+ 1,245,000	+ 41,375,000
Bureau of Indian Affairs.....	1,064,372,000	1,050,986,000	1,396,584,000	+ 332,212,000	+ 345,598,000
Territorial and International Affairs.....	153,561,000	101,584,000	135,651,000	-17,910,000	+ 34,067,000
Secretarial Offices.....	101,602,000	102,961,000	99,157,000	-2,445,000	-3,804,000

**COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1989 AND BUDGET ESTIMATES
AND AMOUNTS RECOMMENDED IN THE BILL FOR 1990--Continued**

Agency and item (1)	New budget (obligational) authority appropriated, 1989 (enacted to date) (2)	Budget estimates of new (obligational) authority, 1990 (3)	New budget (obligational) authority recommended in bill (4)	Bill compared with new budget (obligational) authority, 1989 (5)	Bill compared with budget estimates of new (obligational) authority, 1990 (6)
Sport fish restoration.....		-90,682,000			+ 90,682,000
Miscellaneous permanent appropriations.....		-33,200,000			+ 33,200,000
Total, Title I - Department of the Interior	5,210,049,000	4,462,220,000	5,678,276,000	+ 468,227,000	+ 1,216,056,000
TITLE II - RELATED AGENCIES					
Forest Service	1,561,375,000	1,541,499,000	1,711,357,000	+ 149,982,000	+ 169,858,000
Department of Energy	1,621,971,000	773,851,000	1,630,730,000	+ 8,759,000	+ 856,879,000
Indian Health.....	1,081,774,000	1,083,399,000	1,264,750,000	+ 182,976,000	+ 181,351,000
Indian Education.....	71,553,000	74,168,000	74,149,000	+ 2,596,000	-19,000
Office of Navajo and Hopi Indian Relocation.....	27,373,000	31,218,000	36,818,000	+ 9,445,000	+ 5,600,000
Institute of American Indian and Alaska Native Culture and Arts Development	3,094,000	3,000,000	4,650,000	+ 1,556,000	+ 1,650,000
Smithsonian.....	245,935,000	270,890,000	278,250,000	+ 32,315,000	+ 7,360,000
National Gallery of Art.....	38,731,000	42,681,000	42,694,000	+ 3,963,000	+ 13,000
Woodrow Wilson International Center for Scholars.....	4,540,000	4,700,000	4,611,000	+ 71,000	-89,000
National Endowment for the Arts.....	169,090,000	170,100,000	171,400,000	+ 2,310,000	+ 1,300,000
National Endowment for the Humanities.....	153,000,000	153,250,000	161,330,000	+ 8,330,000	+ 8,080,000
Institute of Museum Services.....	22,270,000	22,350,000	23,000,000	+ 730,000	+ 650,000
Commission of Fine Arts.....	475,000	494,000	516,000	+ 41,000	+ 22,000

National Capital Arts and Cultural Affairs.....	5,000,000	.....	5,000,000	.....	+5,000,000
Advisory Council on Historic Preservation.....	1,778,000	1,795,000	1,945,000	+167,000	+150,000
National Capital Planning Commission.....	2,962,000	3,133,000	3,123,000	+161,000	-10,000
Franklin Delano Roosevelt Memorial Commission.....	28,000	28,000	28,000	.....	.....
Pennsylvania Avenue Development Corporation.....	5,509,000	17,575,000	17,525,000	+12,016,000	-50,000
Holocaust Memorial Council.....	2,244,000	2,315,000	2,315,000	+71,000	.....
Total, Title II - Related Agencies.....	5,018,702,000	4,155,461,000	5,385,656,000	+366,954,000	+1,230,195,000
Grand total.....	10,228,751,000	8,617,681,000	11,063,932,000	+835,181,000	+2,446,251,000

ADDITIONAL VIEWS OF HON. SILVIO O. CONTE

The Committee recommended an additional \$1.2 billion in advanced funding for the clean coal technology program: \$600 million for fiscal year 1991 and \$600 million for fiscal year 1992. In light of the Federal government's current fiscal situation and considering the implementation schedules of pending acid rain legislation, this recommendation is excessive, unwarranted and unjustifiable.

Since 1985, the Congress has provided \$1.547 billion in Federal funds for this program, spread over six fiscal years. During that time, the Energy Department has spent only \$76 million. That's just 5 percent of the total amount made available. The funds for the first procurement were available in 1985, and the Energy Department has failed to finalize all of the projects selected. Over two-thirds of the funds available from the first procurement remain unobligated, and no projects from the second and third procurements have been finalized.

It is fiscally irresponsible to forward fund an additional \$1.2 billion when such a small amount has actually been spent. This race to spend billions is hauntingly reminiscent of the irresponsible way the old Synfuels Corporation spent us into a fiscal disaster. Billions of dollars have been appropriated with nothing to show for it. Few, if any, projects are currently operating, and there is no way for the Congress or the Energy Department to evaluate the performance and effectiveness of the program. No further funding should be approved until the program has been adequately tested and evaluated. This Committee has an obligation to efficiently spend the taxpayers' money, not to load up an untested program with billions of borrowed dollars.

The programmatic problems are grounds enough to justify a delay in funding the Clean Coal Program, but an even more compelling reason surfaces when the fiscal impact of this excessive spending is closely examined. For fiscal year 1990, \$635 million in budget authority is scored against the programs funded in this bill. That's money approved in previous acts, and it means less for the other programs in this bill.

The outlays from the Clean Coal Program also have a real and substantial impact on the Committee's ability to provide adequate resources for environmental programs, for the Smithsonian, for the National Park Service, for Energy Conservation programs, for the Strategic Petroleum Reserve, for the Forest Service, for the Indian people and for many, many other important agencies funded in this bill. For example, this year, the Committee was faced with \$89 million less in outlays because of previous spending for clean coal. Next year, in fiscal year 1991, the outlay impact will be \$270 million, and in fiscal year 1992, the shortfall is estimated to be \$283 million. That's real money. That's millions less to spend on other important programs already strapped for funds. These corporate

subsidies are eating away at our ability to adequately fund programs in this bill.

For these reasons, I cannot support additional funding for clean coal technologies. With many pressing Federal needs still unmet, the expenditure of billions of dollars on corporate subsidies cannot be justified. Clean coal may be a good idea, but only if we have the emission reduction guarantees of an acid rain control program and if we have the money to pay for it.

SILVIO O. CONTE.

ADDITIONAL VIEWS OF HON. RALPH REGULA, HON. MICKEY EDWARDS, HON. TOM DeLAY, HON. JOHN MYERS, HON. BOB LIVINGSTON, HON. HAROLD ROGERS, HON. LINDY BOGGS, HON. VIRGINIA SMITH, HON. TOM BEVILL, HON. JOE SKEEN, HON. CLARENCE MILLER, HON. JIM KOLBE, HON. JOSEPH McDADE, HON. FRANK R. WOLF, HON. BILL GREEN, HON. RONALD COLEMAN, AND HON. WES WATKINS ON OUTER CONTINENTAL SHELF [OCS] LEASING MORATORIA

Year after year, the Appropriations committee has taken unwarranted action that potentially threatens the long-term energy security of the United States. This year is no exception.

The Committee has unnecessarily locked up some of the most promising potential of the OCS from leasing, including areas off-shore California, Alaska, Florida, and off the east coast between Maryland and Maine. The Committee has gone even further than simply imposing leasing bans. The bill includes bans on prelease activities and would prevent valid existing leases from being drilled. These actions represent a dangerous policy for the future energy security of this Nation.

We depend on oil for 43 percent of our energy. Moreover, oil imports in May of this year reached 46.5 percent and are well on the way to reaching 50 percent by 1990. This compares to 36 percent at the time of the Arab oil embargo in 1973. In 1985, when DOE projected that imports would rise to 40 percent by 1990 this was viewed as a dire prediction.

In December, for the first time in nine years, the United States imported more oil than it produced. In fact, U.S. domestic oil production is at a 25 year low and still declining. Since 1986, nearly 90 percent of the increase in imports has been supplied by OPEC sources, primarily in the unstable Middle East.

The warning signs, for those who are watching, are clear and they are ominous. Another energy crisis is not an impossibility. It is ill advised to continue on a path that will encourage increased imports, discourage domestic production and leave us increasingly more vulnerable to OPEC blackmail.

Proponents of moratoria argue that the risks of OCS production are too high, that the areas under moratoria would produce only a few days oil supply, that conservation measures can save more oil than would be produced, and that alternative fuels should be developed. All of these arguments are by some measure true. All recognize that the Nation and, indeed, the whole world is on a bridge to some as yet unclear post-petroleum energy future. But we cannot simply jump off the bridge, we must cross carefully to the other side.

In the future the United States will rely more on conservation and alternative fuels. Our economy is currently still so widely dependent on oil and natural gas, and the costs of reliance on foreign sources are so high in terms of both the economy and national security, however, that we simply cannot stop exploration and development of the most promising opportunities to find new domestic resources.

Today, the Federal OCS supplies 12 percent of this Nation's oil

and 25 percent of its natural gas. It has the potential to produce even more if industry is allowed access to the most promising acreage. Unfortunately, moratoria have precluded this access by tying up highly prospective acreage off vast portions of the Outer Continental Shelf.

Contrary to what proponents of moratoria suggest, the offshore oil and gas industry has an exemplary environmental record. In fact, environmental groups, in response to questions from a congressional committee, recently stated that the Federal OCS environmental record was "amazingly good." For example, there have been over 19,000 exploratory wells drilled on the OCS, and there has not been a single oil spill from a blowout associated with exploratory drilling operations. Furthermore, out of over 40 million barrels of oil produced on the Federal OCS off California since 1970, there have been only 210 barrels of oil spilled in conjunction with OCS operations. There a few, if any, other energy-related activities which can claim a similar record.

In short, oil spills do not come from offshore oil activities. Oil spills come primarily from tankers, many of which are under foreign registry and carrying imported oil. Banning offshore operations in the federal OCS will only increase our import dependency. As imports continue to rise we insure increased tanker traffic and an increased likelihood of a spill.

Proponents of OCS moratoria have suggested that, as a Nation, we need to develop a comprehensive energy plan. We support the need for a balanced energy policy. Balance, however, means recognizing the fact that oil plays a critical role in our national security and our economy and will continue to do so for the foreseeable future. Exploration for and development of our own domestic resources must play a part in any truly balanced energy plan. The policies embodied in this bill make that impossible. It would be irresponsible for us to assume there will be viable alternative fuels to oil in the foreseeable future or that conservation measures alone will not solve our energy problems. Energy conservation and alternative energy sources hold the prospect for merely affecting the growth of petroleum imports—not replacing them.

Past successes in reducing oil demand through conservation and other means is being outpaced by declining domestic production. It is estimated that domestic oil production will decline by 28 percent by the 2000, a drop of nearly 1 million barrels per day since 1986. Given that fact, it is critical to continue to assess the resources of the OCS in an orderly fashion, particularly since in some areas it can take as long as 15 years to bring those resources into production. In essence, the resources we are leasing currently are the resources we will need in the early part of the 21st century. Given that fact, developing the OCS is an investment in this Nation's energy future—not a "drain America first" policy as some have suggested.

In addition to blinding the Nation to its energy resource potential moratoria also have important economic implications as well. Imported petroleum accounted for over \$38 billion of this Nation's overall trade deficit of \$137 billion in 1988—a staggering 27 percent of the total deficit incurred for that year. In addition, a moratorium which denies the U.S. Treasury the benefit of the substantial

bonus revenues which are generated from leasing is also short-sighted.

The saddest part of this ongoing debate is the fallacy that OCS moratoria are for "one year only." The record clearly shows otherwise, particularly when limiting prelease activity. Even a cursory review of the record shows that what started as 1-year bans are now in their ninth year, even in the absence of imminent lease sales. In addition, the Committee has prohibited prelease activities in some areas, expanded moratoria for no compelling environmental reasons, and even prohibited exploratory drilling. It has become apparent that rather than resolving the issues associated with OCS activities, moratoria have become a means of stopping the program. This is a direct contravention of the explicit policy of Congress with regard to the issue.

In 1978, Congress overwhelmingly passed the OCS Lands Act Amendments. In section 3 of the Act, Congress declared it to be the policy of the United States that:

the OCS is a vital national resource reserve held by the federal government for the public, which should be made available for expeditious and orderly development, subject to environmental safeguards, in a manner which is consistent with the maintenance of competition and other national needs.

In 1989, that policy is still as valid as it was 11 years ago when it was enacted. Yet we have allowed ourselves to stray not only from the Act's mandates, but also from the detailed consultative and administrative provisions it contains. It is time to return to the OCS Lands Act or to change its mandates—not to undermine the policies by piecemeal legislation on appropriations bills. It is our view, that however well intended the Committee has done just that by its repeated actions. We can ill afford to continue these actions when the Nation's long-term energy and national security is at stake.

The continued use of moratoria sets the stage for rushed, environment-threatening decisions and actions in the event of a future cutoff of foreign supply or similar energy crisis.

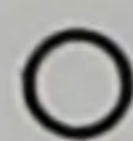
We need only look at the last energy crisis in the 1970s to see how Congress reacted. In 1979, both the House and Senate passed sweeping legislation which would have granted extraordinary powers to an appointed board to waive federal, state, and local environmental laws and regulations. The bill even limited and in some cases, waived judicial review. The proposed Energy Mobilization Board passed the House by a vote of 277-107 and the Senate by a vote of 68-25. The conference agreement, however, was never enacted.

The wide margins in the House and Senate, however, reflected the consensus in Congress that the nation's need to develop its energy resources were sufficiently compelling to merit special treatment outside the regular system of laws and procedures. In the face of another energy crisis, that may well happen again and the current carefully crafted process for balancing environmental risks and energy production benefits may be abandoned in a haste to address a crisis.

As the philosopher George Santayana said so eloquently: "Those who cannot remember the past are condemned to repeat it."

Let us learn from the lessons of the 1970s energy crisis. Let us lift the moratoria and return to an orderly, environmental sound, OCS leasing process which balances the needs for the protection of our environment and the security of our energy future.

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