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MAKING APPROPRIATIONS FOR THE DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 1983, AND FOR OTHER PURPOSES

DECEMBER 17, 1982.—Ordered to be printed

Mr. YATES, from the committee of conference, submitted the following

CONFERENCE REPORT

[To accompany H.R. 7356]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7356) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1983, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 14, 19, 22, 24, 29, 41, 44, 51, 52, 72, 73, 75, 77, 78, 83, 101, 103, 106, 108, 118, 127, 128, 129, and 139.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 4, 6, 13, 17, 27, 28, 31, 32, 33, 34, 35, 38, 39, 49, 50, 53, 54, 55, 56, 57, 66, 68, 71, 79, 80, 81, 82, 86, 89, 99, 109, 117, 124, 132, 133, 134, 135, 140, 142, 144, 146, and 150, and agree to the same.

Amendment numbered 1:

That the House recede from its disagreement to the amendment of Senate numbered 1, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$330,226,000; and the Senate agree to the same.

Amendment numbered 5:



That the House recede from its disagreement to the amendment of Senate numbered 5, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$56,963,000; and the Senate agree to the same.

Amendment numbered 8:

That the House recede from its disagreement to the amendment of Senate numbered 8, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$238,593,000; and the Senate agree to the same.

Amendment numbered 11:

That the House recede from its disagreement to the amendment of Senate numbered 11, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$16,665,000; and the Senate agree to the same.

Amendment numbered 12:

That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$27,200,000; and the Senate agree to the same.

Amendment numbered 16:

That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$564,460,000; and the Senate agree to the same.

Amendment numbered 21:

That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$9,887,000; and the Senate agree to the same.

Amendment numbered 23:

That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$156,096,000; and the Senate agree to the same.

Amendment numbered 26:

That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$142,505,000; and the Senate agree to the same.

Amendment numbered 37:

That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$363,389,000; and the Senate agree to the same.

Amendment numbered 45:



That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *\$843,508,000*; and the Senate agree to the same.

Amendment numbered 47:

That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *\$55,278,000*; and the Senate agree to the same.

Amendment numbered 59:

That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *\$73,892,000*; and the Senate agree to the same.

Amendment numbered 60:

That the House recede from its disagreement to the amendment of the Senate numbered 60, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *\$72,011,000*; and the Senate agree to the same.

Amendment numbered 61:

That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *\$8,028,000*; and the Senate agree to the same.

Amendment numbered 63:

That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *\$95,810,000*; and the Senate agree to the same.

Amendment numbered 64:

That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *\$77,410,000*; and the Senate agree to the same.

Amendment numbered 65:

That the House recede from its disagreement to the amendment of the Senate numbered 65, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *\$18,400,000*; and the Senate agree to the same.

Amendment numbered 67:

That the House recede from its disagreement to the amendment of the Senate numbered 67, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *\$41,589,000*; and the Senate agree to the same.

Amendment numbered 69:



That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment, amended to read as follows:

#### CONSTRUCTION MANAGEMENT

*For necessary expenses of the Office of Construction Management, \$896,000.*; and the Senate agree to the same.

Amendment numbered 70:

That the House recede from its disagreement to the amendment of the Senate numbered 70, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *\$18,404,000*; and the Senate agree to the same.

Amendment numbered 85:

That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *\$105,021,000*; and the Senate agree to the same.

Amendment numbered 91:

That the House recede from its disagreement to the amendment of the Senate numbered 91, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *\$182,500,000*; and the Senate agree to the same.

Amendment numbered 92:

That the House recede from its disagreement to the amendment of the Senate numbered 92, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *\$281,431,000*; and the Senate agree to the same.

Amendment numbered 93:

That the House recede from its disagreement to the amendment of the Senate numbered 93, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *\$26,316,000*; and the Senate agree to the same.

Amendment numbered 94:

That the House recede from its disagreement to the amendment of the Senate numbered 94, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *\$246,115,000*; and the Senate agree to the same.

Amendment numbered 107:

That the House recede from its disagreement to the amendment of the Senate numbered 107, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert *\$279,290,000*; and the Senate agree to the same.

Amendment numbered 113:



That the House recede from its disagreement to the amendment of the Senate numbered 113, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$56,400,000; and the Senate agree to the same.

Amendment numbered 119:

That the House recede from its disagreement to the amendment of the Senate numbered 119, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$34,700,000; and the Senate agree to the same.

Amendment numbered 121:

That the House recede from its disagreement to the amendment of the Senate numbered 121, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$48,465,000; and the Senate agree to the same.

Amendment numbered 126:

That the House recede from its disagreement to the amendment of the Senate numbered 126, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$144,366,000; and the Senate agree to the same.

Amendment numbered 130:

That the House recede from its disagreement to the amendment of the Senate numbered 130, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$32,878,000; and the Senate agree to the same.

Amendment numbered 131:

That the House recede from its disagreement to the amendment of the Senate numbered 131, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$4,900,000; and the Senate agree to the same.

Amendment numbered 138:

That the House recede from its disagreement to the amendment of the Senate numbered 138, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$1,500,000; and the Senate agree to the same.

Amendment numbered 145:

That the House recede from its disagreement to the amendment of the Senate numbered 145, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment, amended to change section from "311" to "309"; and the Senate agree to the same.

Amendment numbered 147:

That the House recede from its disagreement to the amendment of the Senate numbered 147, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment insert "310"; and the Senate agree to the same.



Amendment numbered 148:

That the House recede from its disagreement to the amendment of the Senate numbered 148, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment insert "311"; and the Senate agree to the same.

Amendment numbered 149:

That the House recede from its disagreement to the amendment of the Senate numbered 149, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment, amended to change section from "315" to "312"; and the Senate agree to the same.

Amendment numbered 151:

That the House recede from its disagreement to the amendment of the Senate numbered 151, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment insert "313"; and the Senate agree to the same.

Amendment numbered 152:

That the House recede from its disagreement to the amendment of the Senate numbered 152, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment insert "314"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 3, 7, 9, 10, 15, 18, 20, 25, 30, 36, 40, 42, 43, 46, 48, 58, 62, 74, 76, 84, 87, 88, 90, 95, 96, 97, 98, 100, 102, 104, 105, 110,



111, 112, 114, 115, 116, 120, 122, 123, 125, 136, 137, 141, 143, 153, 154, 155, and 156.

SIDNEY R. YATES,  
 JOHN P. MURTHA,  
 NORMAN D. DICKS,  
 LES AU COIN,  
 JAMIE L. WHITTEN,  
 JOSEPH M. MCDADE,  
 RALPH REGULA,  
 TOM LOEFFLER,  
 SILVIO O. CONTE,  
 WILLIAM R. RATCHFORD,  
*Managers on the Part of the House.*

JAMES A. MCCLURE,  
 TED STEVENS,  
 PAUL LAXALT,  
 JAKE GARN,  
 HARRISON SCHMITT,  
 THAD COCHRAN,  
 MARK ANDREWS,  
 WARREN RUDMAN,  
 ROBERT C. BYRD,  
 J. BENNETT JOHNSTON,  
 WALTER D. HUDDLESTON,  
 PATRICK J. LEAHY,  
 DENNIS DECONCINI,  
 QUENTIN N. BURDICK,  
 DALE BUMPERS,  
*Managers on the Part of the Senate.*



111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.



## JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7356), making appropriations for the Department of the Interior and Related Agencies for the fiscal year ending September 30, 1983, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

### TITLE I—DEPARTMENT OF THE INTERIOR

#### BUREAU OF LAND MANAGEMENT

Amendment No. 1: Appropriates \$330,226,000 for management of lands and resources instead of \$322,963,000 as proposed by the House and \$331,716,000 as proposed by the Senate. The net increase over the amount proposed by the House is \$2,130,000 for coal leasing, \$1,875,000 for oil and gas leasing, \$500,000 for forest management (public domain), \$1,900,000 for grazing, \$1,300,000 for wildlife habitat management, and \$240,000 for maintenance and engineering services; and decreases of \$500,000 for wild horses and burros, \$63,000 for multiple use planning, and \$119,000 for data management.

The managers agree that the coal leasing sale scheduled for the third quarter of fiscal year 1983 (Fort Union) shall be slipped to the fourth quarter, and the coal leasing sale scheduled for the fourth quarter of fiscal year 1983 (San Juan River) shall be slipped to the first quarter of fiscal year 1984. The managers further agree that adoption fees for wild horses and burros shall not be decreased to pre-January, 1982 levels. The managers also agree that the Bureau of Land Management shall reduce grazing AUM's if additional deterioration to the public rangelands occurs under its grazing program, but such reductions shall be made only in proportion to the deterioration which occurs. The managers agree that within available wildlife habitat management funds, \$1,625,000 shall be provided for threatened and endangered species.

Amendment No. 2: Appropriates \$96,320,000 for payments in lieu of taxes as proposed by the Senate instead of \$95,520,000 as proposed by the House.

Amendment No. 3: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides that the payment in lieu of taxes appropriation may be used to correct underpayments in the previous fiscal year.



Amendment No. 4: Appropriates \$311,000 for land acquisition as proposed by the Senate instead of \$468,000 as proposed by the House.

Amendment No. 5: Appropriates \$56,963,000 for Oregon and California grant lands instead of \$46,883,000 as proposed by the House and \$61,533,000 as proposed by the Senate. The increase over the amount provided by the House is \$10,080,000 for renewable resource management.

The managers agree that all funds for management of the Oregon and California grant lands, including those under the jurisdiction of the Forest Service, shall be provided from this account, and shall be distributed as follows: \$47,579,000 for the Bureau of Land Management and \$9,384,000 for the Forest Service. The distribution is consistent with the division of responsibility between the Bureau and the Forest Service, and the managers understand that this will allow adequate management of all Oregon and California grant lands. The managers expect the fiscal year 1984 justification for this activity to fully discuss the allocation of funding and responsibilities between the agencies.

Amendment No. 6: Deletes language proposed by the House which would have prohibited the expenditure of funds to permit establishment of any possessory interest in Federal water rights by any permittee of the Bureau of Land Management.

Amendment No. 7: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides for the development of criteria related to phased livestock reductions on Bureau of Land Management rangelands.

Amendment No. 8: Appropriates \$238,593,000 for resource management instead of \$242,778,000 as proposed by the House and \$227,279,000 as proposed by the Senate. The net decrease under the amount proposed by the House consists of the following decreases of \$250,000 to expand assessment of agricultural chemicals used in forest, range, and crop management; \$250,000 to place additional staff with experience with contaminants at field stations; \$857,000 for permit and license processing in land and water resource development planning; \$250,000 for the Federal coal program; \$2,379,000 for refuge maintenance; \$134,000 in refuge research; \$250,000 to begin a non-game management program; \$2,000,000 in endangered species grants to states; and \$100,000 in the California Condor recovery program; and increases of \$885,000 in fish hatchery operations; \$1,200,000 for the Lower Snake River Compensation Plan; and \$200,000 for facility maintenance at wildlife research facilities. The amount recommended includes \$250,000 to acquire improvements on Kofa, NWR, Arizona and \$150,000 additional for Bogue Chitto NWR equipment and personnel. The managers expect the Department to maintain existing employment levels in the Animal Damage Control program. Funds are included to continue operation of the ADC research facility at Hilo, Hawaii only through fiscal year 1983 with the expectation that no funds will be provided in subsequent fiscal years. The allowance includes termination costs to permit closure of the following fish hatcheries:

Williams Creek, Ariz.  
Corning, Ark.

Cohutta, Ga.  
Cedar Bluffs, Kans.



New London, Minn.  
 Ennis, Mont.  
 Miles City, Mont.  
 Berlin, N.H.  
 Mescalero, N. Mex.  
 Hebron, Ohio

Spearfish, S. Dak.  
 McNenny, S. Dak.  
 Jones Hole, Utah  
 Paint Bank, Va.  
 Wytheville, Va.  
 Lake Mills, Wis.

The managers agree that no funds will be provided to operate the following hatcheries after fiscal year 1983:

Pisgah, N.C.  
 Senacaville, Ohio  
 Cheraw, S.C.

Neosho, Mo.  
 Crawford, Nebr.

The managers urge the Department to work with other governmental entities to assume operation of hatcheries closed now and proposed for closure in subsequent years.

No additional funds are made available to the Office of Legislation.

Amendment No. 9: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides that the only critical habitat that may be designated for the Northern Rocky Mountain Wolf in Idaho shall be coterminous with the boundaries of the Central Idaho Wilderness areas established by Public Law 96-312.

Amendment No. 10: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter inserted by said amendment insert the following:

*: Provided further, That notwithstanding any other provision of this paragraph, \$2,000,000 is available to carry out the purposes of 16 U.S.C. 1535, to remain available until expended*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate. This provides \$2,000,000 for Section 6 endangered species grants.

Amendment No. 11: Appropriates \$16,665,000 for construction and anadromous fish instead of \$23,149,000 as proposed by the House and \$11,126,000 as proposed by the Senate. The net decrease under the amount proposed by the House includes an increase of \$216,000 for the Genoa NFH, Wisc. and decreases of \$2,700,000 for the Madison Wildlife disease laboratory and \$4,000,000 for the Gainesville National Fish Research Laboratory.

Amendment No. 12: Appropriates \$27,200,000 for land acquisition instead of \$33,647,000 as proposed by the House and \$19,048,000 as proposed by the Senate. The following table shows the allocation agreed to by the managers:

Acquisition management.....	\$1,000,000
American Crocodile, Fla.....	2,766,000
Kirtland's Warbler, Mich.....	500,000
Tensas NWR, La.....	5,200,000
Lower Rio Grande NWR, Texas.....	1,000,000
Lower Suwannee NWR, Fla.....	1,500,000
Plymouth red-bellied turtle, Mass.....	275,000
West Indian manatee, Fla.....	500,000
Bogue Chitto NWR, La.....	1,000,000
Bon Secour NWR, Ala.....	3,500,000



Bear Valley, NWR, Ore .....	812,000
Bandon March NWR, Ore .....	270,000
Wertheim NWR, N.Y. ....	1,377,000
Protection Island NWR, Wash .....	2,000,000
Alaska Maritime NWR, Alaska .....	5,500,000
Total.....	27,200,000

The managers urge the Department to work with private organizations to ensure protection of the 355 acre tract at Mason Neck NWR, Va.

Amendment No. 13: Deletes House language which prohibited use of funds to plan for hunting on the Bosque del Apache NWR while Whooping Cranes are on the refuge. The managers urge the Service and the State of New Mexico to continue working together to ensure the maximum protection for the Whooping Crane. The managers understand that there is less danger to the cranes during the refuge hunt when there is no hunting on the lands around the refuge and ask that this possibility be reviewed.

Amendment No. 14: Restores House language stricken by the Senate which provides that the national fish hatchery at Tupelo, Mississippi shall hereafter be named the "Private John Allen" National Fish Hatchery.

Amendment No. 15: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which renames the administrative/visitor facility at Merritt Island NWR for both the Service employees who died in the June 1981 wildfire. The language also provides that the maintenance center at that refuge not be named as provided in Public Law 97-257.

#### NATIONAL PARK SERVICE

Amendment No. 16: Appropriates \$564,460,000 for operation of the National Park System instead of \$567,730,000 as proposed by the House and \$537,170,000 as proposed by the Senate. The net reduction below the amount proposed by the House consists of decreases of \$440,000 for operation of the Martin Luther King, Jr., NHS; \$400,000 in Park Police funds; \$3,000 for awards to the Park Police helicopter pilot and paramedic involved in the Air Florida rescue; \$3,500,000 in maintenance; \$432,000 for a nonmaintenance program of small-scale pollution abatement; \$500,000 for rehabilitation of the Garfield memorial; and an increase of \$2,005,000 to continue direct Service funding for maintenance of the White House grounds and the White House warehouse.

The \$200,000 above the budget for operating the Martin Luther King, Jr., NHS provides for opening Dr. King's Birth Home and the Ebenezer Baptist Church six days a week, to operate an information facility and provide area tours, and to enter into cooperative agreements with private owners of historic structures to renovate their property. Within available funds, \$160,000 is provided for protection of the Harry S. Truman home at Independence, Mo.; a total of \$450,000 for operation of the New River Gorge NR; \$150,000 additional for exhibits and interpretative material at Harpers Ferry NHP along with a film on the life of John Brown; \$50,000 for the National Council for the Traditional Arts; \$85,000



for continued law enforcement assistance to the Town of Harpers Ferry, W. Va.; \$40,000 for hazardous tree removal at Delaware Water Gap NRA; \$2,500,000 for an assessment of the Kantishna Hills/Dunkle Mine study area; \$200,000 for the Chaco Culture computer center; and \$250,000 for the sedimentation problem at Cuyahoga Valley NRA.

The small-scale pollution abatement projects should be done in the maintenance program if of sufficient priority. The Service is urged to use available funds to begin repair of damages at Buffalo NR which occurred in the recent floods.

The managers expect the Service to request a supplemental to restore any emergency funds used for this purpose.

The managers agree that any proposals to reduce the visitor transport program shall be accompanied by an analysis which addresses at a minimum what parks would be affected, how they would be affected, and how the needs of the visitor would be met. The managers also direct that the Secretary not enter into any easement agreement regarding the Canal Road vehicle demonstration project until the D.C. Department of Transportation, the Park Service, and other parties complete their public review processes.

Amendment No. 17: Deletes language proposed by the House which would have provided \$3,000 for awards for valor to two employees of the National Park Service.

Amendment No. 18: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides \$85,000 to the Town of Harpers Ferry, West Virginia, for police force use.

Amendment No. 19: Deletes Senate language that provided for a matching grant to the Washington Opera.

Amendment No. 20: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides \$160,000 for operation, including maintenance and protection, of the former home of President Truman at 219 North Delaware Street, Independence, Missouri when jurisdiction of the Park Service is established pursuant to law.

Amendment No. 21: Appropriates \$9,887,000 for national recreation and preservation instead of \$10,087,000 as proposed by the House and \$9,487,000 as proposed by the Senate. The amount included over that recommended by the Senate is to be used for planning and Federal Real Property Management. The \$500,000 increase over the budget included by both the House and the Senate for rivers and trails may be used to continue to provide assistance to the states.

Amendment No. 22: Deletes language added by the Senate to earmark \$150,000 for a river corridor study in Minnesota.

#### URBAN PARKS

The managers agree that any close out costs associated with the Urban Parks program are to be paid from the grant administration activity in the national recreation and preservation appropriation. Use of the unobligated balances should be restricted to those urban areas with existing grants.



Amendment No. 23: Appropriates \$156,096,000 for construction instead of \$161,846,000 as proposed by the House and \$147,017,000 as proposed by the Senate. The net reduction below the House proposal consists of the following increases and decreases:

Glen Canyon NRA (Marine) .....	-\$3,883,000
Chaco Culture NHP (Road).....	-2,751,000
Gateway NRA (roads and parking).....	-1,265,000
Guadalupe Mountains NP (trails).....	-1,664,000
Voyageurs NP (visitor facilities).....	-2,690,000
Martin Van Buren NHS (rehabilitation) .....	-878,000
Blue Ridge Parkway (bridges) .....	-5,500,000
Cuyahoga Valley NRA.....	-250,000
Great Smoky Mountains NP (parkway) .....	+9,400,000
Martin Luther King, Jr.....	-90,000
Interagency Visitor Center, Alaska .....	+1,400,000
Jean Lafitte NHP (facilities) .....	+2,171,000
Kenai Fjords NP (bridge planning) .....	+250,000
Total.....	-5,750,000

The managers agree that up to \$90,000 for planning authorized by Public Law 96-428 for Martin Luther King, Jr. NHS can be supported from the \$640,000 made available in this account and that the funds for Lowell NHP are available for priority Boott Mill facilities, the Historic Trolley, and the Early Residence. The managers also agree that the \$9,000,000 provided for the Natchez Trace may be used to begin construction of section 3 V rather than being applied as reflected in the House Report. Favorable bids have permitted work to proceed on those projects within savings. The managers recognize the importance of continuing construction of the last section of the Blue Ridge Parkway. Careful consideration will be given to additional funding at the most appropriate opportunity.

Amendment No. 24: Earmarks not less than \$2,444,000 for Perry's Victory and International Peace Memorial as proposed by the House.

Amendment No. 25: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which earmarks \$1,400,000 for the Federal share of the construction and development costs for Alaska interagency visitor centers.

Amendment No. 26: Appropriates \$142,505,000 instead of \$172,643,000 as proposed by the House and \$129,400,000 as proposed by the Senate.

The allowance provides funding for the following projects:

Assistance to States:	
Matching grants .....	\$70,619,000
Administrative expenses.....	4,381,000
Total, Assistance to States.....	75,000,000
Pinelands National Reserve .....	5,000,000
National Park Service:	
Acquisition management.....	7,500,000
Inholdings (emergencies and hardships).....	3,000,000
Deficiencies and relocations.....	1,000,000
Appalachian Trail.....	10,000,000
Big Cypress NP.....	500,000
Biscayne NP.....	4,000,000
Buffalo NR.....	2,000,000



Cape Lookout NS .....	2,000,000
Cuyahoga River NRA.....	6,000,000
Delaware Water Gap NRA.....	1,000,000
Garfield NHS.....	205,000
Golden Gate.....	2,200,000
Great Smoky Mountains.....	1,500,000
Gulf Island NS.....	3,700,000
Indiana Dunes.....	1,400,000
Jean LaFitte NHP .....	2,500,000
Martin Luther King, Jr. NHS .....	500,000
Olympic NP.....	9,700,000
Voyageurs NP.....	3,800,000
Total, National Park Service.....	62,505,000
Total, Land Acquisition and State Assistance .....	142,505,000

The managers recognize the potential value of the land protection plans being developed and encourage the Secretary to pursue every reasonable opportunity to accelerate their development. The managers regret that the lack of land protection plans, coupled with a realignment of approval authority, has impeded the expenditure of funds appropriated by the Congress for land acquisition project, thereby deflecting congressional intent that acquisitions proceed in a timely fashion.

The managers direct that the appraisal on the McIsaac Ranch property in Golden Gate NRA, California, that has been submitted to the Park Service be reviewed by the Service within 60 days of the date of enactment of this Act and, if approved, the service should proceed with acquisition.

The managers recognize the potential value of adding the McGregor Ranch to the Rocky Mountain NP and will give serious attention to providing funding at the earliest opportunity. In the interim, the managers encourage the Service to consult and cooperate with other entities in seeking creative forms of acquisition on favorable terms.

The managers also recognize the value of adding the Wintergreen property, in Nelson Country, Virginia, to the Appalachian Trail system and encourage the Department to make every effort to acquire it before the option expires in March 1983. This is another case where the lack of a land protection plan imperils acquisition of the property.

The managers have not provided acquisition funds for Santa Monica Mountains NRA, California. They have agreed to consider funding again at the next available opportunity.

Amendment No. 27: Earmarks \$5,000,000 for Pinelands National Preserve as proposed by the Senate instead of \$8,995,000 as proposed by the House.

Amendment No. 28: Deletes House language which earmarked \$15,000,000 for the Santa Monica Mountains National Recreation Area.

Amendment No. 29: Authorizes acquisition of a helicopter for replacement only as proposed by the House.

Amendment No. 30: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which authorizes funds to be used to conduct emergency search and rescue operations in the National Park System.



Amendment No. 31: Deletes House language which prohibited use of National Park Service facilities for political or social events that would require closure of the facility to the public.

Amendment No. 32: Deletes language proposed by the House regarding the White House grounds.

Amendment No. 33: Deletes language proposed by the House regarding hunting and trapping in units of the National Park System.

Amendment No. 34: Deletes House language which restricts use of the Director's discretionary fund to those Park Service functions which are in accordance with procedures approved by the General Accounting Office.

Amendment No. 35: Deletes House proposed language which would have prohibited anyone owing money to the United States Government for work performed by the National Park Service from serving on any Park Service advisory board or commission.

Amendment No. 36: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following:

*: Provided further, That notwithstanding any other provision of law, the Secretary of the Interior is authorized to enter into a cooperative agreement with the Smith River Fire Protection District, California, for a special use permit on lands within the boundary of Redwood National Park to permit construction of a fire station*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The managers agree to authorize the Secretary to enter into an agreement for construction of a fire station on a less than one-half acre tract adjacent to highway U.S. 199 in the northern part of Redwood National Park. The managers should be assured by the Secretary before the agreement is consummated that there will be no impact on park values.

#### GEOLOGICAL SURVEY

Amendment No. 37: Appropriates \$363,389,000 for surveys, investigation and research of the U.S. Geological Survey instead of \$365,525,000 as proposed by the House and \$352,365,000 as proposed by the Senate.

The increase over the amount approved by the Senate includes \$3,000,000 for Side Looking Airborne Radar (SLAR); \$4,000,000 for earthquake hazards reduction research, including additional monitoring activities in California and Alaska; \$1,400,000 for the volcano hazards program, including expanded monitoring in California and Hawaii; \$1,000,000 for geothermal energy geologic surveys; \$1,000,000 for the world energy resource assessment program; \$1,000,000 for expanded offshore geologic surveys; \$600,000 for the Water Research Scientific Information Center; and \$300,000 to restore eight FTE's in the nuclear energy hydrology program. The managers have also applied a standard level user charge reduction of \$7,915,000.



For Side Looking Airborne Radar, the managers expect the Department to continue the acquisition and processing of SLAR data in the Appalachian region throughout fiscal year 1983. In this regard, the managers expect the Department to establish a reasonable fee for all available SLAR data so as to permit recovery of reasonable acquisition and processing costs.

For offshore geologic surveys, the \$1,000,000 is to expand the marine geology investigation program, principally for undersea exploration and assessment work within the U.S. territorial limits.

#### MINERALS MANAGEMENT SERVICE

Amendment No. 38: Appropriates \$196,506,000 for leasing and royalty management as proposed by the Senate instead of \$192,568,000 as proposed by the House. The managers agree that the reports requested by each Committee be provided to both Committees and that up to \$2,000,000 should be used to contract with the Geological Survey for OCS research related programs.

Amendment No. 39: Deletes House language relating to transfer of receipts.

#### BUREAU OF MINES

Amendment No. 40: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment providing \$143,158,000 for mines and minerals instead of \$128,629,000 as proposed by the House and \$142,162,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The net increase over the amount provided by the House consists of the following: increases of \$3,000,000 to establish a multi-year research program on strategic and critical materials to be conducted at the Idaho National Engineering Laboratory as proposed by the Senate, \$4,929,000 for review of wilderness areas and RARE II lands including \$350,000 to be used to accelerate the automation of mineral survey data and information and \$9,600,000 for mineral institutes; decreases of \$2,000,000 for minerals health and safety technology and \$1,000,000 for mining research and development. Within the amount provided for mineral institutes, a fifth generic mineral technology center is to be created to work on health and safety problems, specifically matters related to respirable dust. The managers concur that the existing facilities at Penn State and West Virginia Universities are particularly suited for research on control of dust particle generation; dilution, dispersion and collection in mine airways; characterization of dust particles and the interaction of dust and lungs within the context of the new generic mineral technology center.

The \$3,000,000 increase over the budget for a multi-year research program on strategic and critical materials is to be added to the minerals resources technology activity instead of mining research and development as proposed by the Senate.

Amendment No. 41: Provides that \$88,346,000 remain available until expended as proposed by the House instead of \$83,946,000 as



proposed by the Senate. The amount to remain available includes funds for mineral health and safety technology, minerals environmental technology, minerals resources technology and mining research and development.

#### OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

Amendment No. 42: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment providing \$60,356,000 for regulation and technology instead of \$61,313,000 as proposed by the House and \$63,819,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The change from the amount proposed by the House is as follows: reductions of \$500,000 for Federal inspection and enforcement and \$457,000 for technical support. The technical support reduction to the House level conforms to the increase provided by the Senate. The net increase of \$1,000,000 over the budget request for inspection and enforcement includes \$500,000 for enforcement problems in Virginia and \$400,000 for problems outside of Virginia. As problems in Virginia are resolved, the additional inspectors provided for Virginia are to be used elsewhere as needed.

The managers agree with the distribution of funds between state regulatory grants and general administration as proposed by the Senate. The managers agree that the reduction in state regulatory grants is not to come from the amount budgeted for cooperative agreements.

Amendment No. 43: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment providing \$161,209,000 for the Abandoned Mine Reclamation Fund instead of \$126,609,000 as proposed by the House and \$152,649,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The change from the level of the House includes an increase of \$39,000,000 for state reclamation grants and a decrease of \$4,400,000 for Interior reclamation projects.

The amount over the budget request for Interior reclamation projects include \$1,700,000 for the Olyphant subsidence project; \$500,000 for the investigation and design for the Bellevue section of Scranton; \$1,300,000 for the Hyde Park backfilling project; \$300,000 for Keystone Industrial Park investigation and design; \$400,000 for Hampton-Stouffer investigation and design; and \$400,000 for the Mayfield bank fire investigation and design.

The managers have also included an additional \$1,000,000 which the Department is expected to use to accomplish eligible high priority coal and noncoal projects in those States that do not have approved abandoned mine reclamation programs.

Amendment No. 44: Deletes Senate language and restores House language stricken by the Senate which authorizes the Department of the Interior to use up to 20 percent from the recovery of the de-



linquent debt owed to the United States Government to pay for contracts to collect these debts.

#### BUREAU OF INDIAN AFFAIRS

Amendment No. 45: Appropriates \$843,508,000 for operation of Indian programs instead of \$850,477,000 as proposed by the House and \$839,339,000 as proposed by the Senate.

The net increase above the amount proposed by the Senate consists of the following: increases of \$400,000 for school board training, \$126,000 for student transportation, \$500,000 for interim formula implementation, \$200,000 for special higher education, \$3,000,000 for general assistance payments, \$2,000,000 for the Indian Child Welfare Act, \$2,500,000 for self-determination grants, \$1,000,000 for contract support, \$1,061,000 for road maintenance, \$500,000 for water resources, \$250,000 for minerals and mining, \$732,000 for irrigation and power, \$500,000 for statute of limitations, \$250,000 for attorney fees, \$300,000 for executive direction and equal opportunity, \$1,000,000 for facilities management, and \$2,000,000 for general overhead reduction; and decreases of \$200,000 for support of the institutionalized handicapped, \$1,200,000 for higher education grants, \$200,000 for tribally controlled community colleges, \$9,365,000 for upgrading Alaska day schools, \$500,000 for all other social services, \$100,000 for law enforcement, and \$335,000 for automatic data processing.

The managers agree that excess capacity exists in the Bureau's school system, but have not concurred in all of the proposed closures. In planning for closures, the Bureau should contact state education officials to determine the states' interest in assuming operation of Concho, Wahpeton, Intermountain and any other boarding schools recommended for closure. The Bureau should work closely with parents of students and the school boards to minimize the impact of closures and to ensure appropriate education and social placement of the students.

With respect to Intermountain boarding school, the managers agree that freshmen should be admitted for the 1983-84 academic year and that any closure plan should include a proposal to continue the special social programs within the school system.

The managers agree that final decisions on closures will be made when sufficient information, such as requested in the House report, has been received.

The managers agree that no funds in excess of the \$800,000 provided shall be used for any aspect of school board training.

While the funds have been restored for prekindergarten programs, the managers agree that this activity should either be terminated after fiscal year 1983 or funded through social services.

The managers agree that Alaskan public schools are eligible for Johnson-O'Malley funds on the same basis as any other school.

The \$800,000 increase above the House allowance for higher education shall be used solely for the support of graduate students.

The managers agree that the American Indian Scholarship and American Indian Law Program should continue to be operated as in the past.



The managers agree that a decision on the future operation of the Southwestern Indian Polytechnic Institute will be made after receipt of the task force report.

The full-time equivalent student payment to tribally controlled community colleges shall be maintained at \$2,812. If insufficient funds have been provided, education administrative money shall be reprogrammed to cover the deficit.

The managers direct the Bureau to move expeditiously to implement changes in the general assistance program to bring payments into conformance with state payments in those states where the standard of need exceeds actual payments. The regulations shall provide flexibility for the Bureau to adjust payments as such payments may be adjusted by the states.

The \$2,000,000 above the estimate provided for Indian Child Welfare grants shall be used to support programs of high priority in either urban or reservation locations.

The managers agree that general assistance payments to the State of Maine shall be continued.

Within the amount provided for contract support, \$550,000 shall be used to support tribal education contracts. Beginning with the fiscal year 1985 budget submission, contract support funds shall be allocated to program accounts with only funds required for new contracts included in the contract support line item.

The managers direct that within the funds available the United Tribes Educational Technical Center and the Iron Workers' Training program shall be continued at the fiscal year 1982 level.

The managers have no objection to funding of the Mescalero, New Mexico fish hatchery within available funds.

The managers request that the Bureau respond to the concerns expressed by the House with respect to the automatic data processing system.

Amendment No. 46: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment earmarking \$9,350,000 for Alaskan day schools instead of \$18,715,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The managers agree that these funds shall be made available to the State of Alaska in increments associated with the estimated costs of upgrading day schools as those schools are transferred to State operation.

Amendment No. 47: Provides \$55,278,000 for higher education scholarships and assistance to public schools instead of \$54,203,000 as proposed by the House and \$56,278,000 as proposed by the Senate.

Amendment No. 48: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment appropriating \$67,250,000 for construction instead of \$73,890,000 as proposed by the House and \$69,500,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.



The net decrease below the amount proposed by the Senate consists of an increase of \$200,000 for advance planning and design and decreases of \$300,000 for staff quarters \$750,000 for facility improvement and repair, and \$1,400,000 for the Navajo irrigation project.

The managers agree that the funds available for the Laguna School construction project are reprogrammed to the San Simon School (\$4,985,000) and advance planning and design (\$215,000).

The managers understand that there is a possibility that the Indian Island School construction may be funded by the Department of Education. The Bureau should request construction funds in the fiscal year 1984 budget if Department of Education funds are unavailable.

Amendment No. 49: Deletes earmarking of funds for the AK Chin irrigation project as proposed by the Senate.

Amendment No. 50: Appropriates \$43,585,000 as proposed by the Senate instead of \$43,705,000 as proposed by the House.

Amendment No. 51: Strikes language added by the Senate concerning use of maintenance funds at boarding schools.

The managers direct the Bureau to dispose of the remaining boarding schools which have been closed as soon as possible.

Amendment No. 52: Delete language added by the Senate that would have closed Concho boarding school.

Amendment No. 53: Deletes language proposed by the House that would have closed Alaskan day schools.

Amendment No. 54: Deletes language proposed by the House concerning operation of the Southwestern Indian Polytechnic Institute.

Amendment No. 55: Deletes language proposed by the House requiring approval of the transfer of the Albuquerque Indian School and the Santa Fe Indian School.

Amendment No. 56: Deletes language proposed by the House concerning defacement of art work at the Santa Fe Indian School.

The managers are agreed that the Bureau should take every reasonable precaution to safeguard the art work, murals and paintings at the facility.

Amendment No. 57: Deletes language proposed by the House setting forth requirements for school closures.

The managers agree that the Bureau should provide sufficient notice of proposed closures to allow for orderly placement of students, personnel and programs.

Amendment No. 58: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

Restore the matter stricken by said amendment amended to read as follows:

*: Provided further, That notwithstanding any other provision of law: The following may be cited as the "Indian Claims Limitation Act of 1982."*

*SEC. 2. (a) Subsection (a) of section 2415 of title 28 United States Code, is amended by striking "after December 31, 1982" in the third proviso and inserting in lieu the following: "sixty days after the date of publication of the list required by section 4(c) of the Indian*



*Claims Act of 1982: Provided, That, for those claims that are on either of the two lists published pursuant to the Indians Claims Act of 1982, any right of action shall be barred unless the complaint is filed within (1) one year after the Secretary of the Interior has published in the Federal Register a notice rejecting such claim or (2) three years after the date the Secretary of the Interior has submitted legislation or legislative report to Congress to resolve such claim".*

*(b) Subsection (b) of section 2415 of title 28, United States Code, is amended by striking "December 31, 1982" in the proviso and inserting in lieu the following: "sixty days after the date of the publication of the list required by section 4(c) of the Indian Claims Act of 1982: Provided, That, for those claims that are on either of the two lists published pursuant to the Indian Claims act of 1982, any right of action shall be barred unless the complaint is filed within (1) one year after the Secretary of the Interior has published in the Federal Register a notice rejecting such claim or (2) three years after the Secretary of the Interior has submitted legislation or legislative report to Congress to resolve such claim".*

*SEC. 3. (a) Within ninety days after the enactment of this Act, the Secretary of the Interior (hereinafter referred to as the "Secretary") shall publish in the Federal Register a list of all claims accruing to any tribe, band or group of Indians or individual Indian on or before July 18, 1966, which have at any time been identified by or submitted to the Secretary under the "Statute of Limitation Project" undertaken by the Department of the Interior and which, but for the provisions of this Act, would be barred by the provisions of section 2415 of title 28, United States Code: Provided, That the Secretary shall have the discretion to exclude from such list any matter which was erroneously identified as a claim and which has no legal merit whatsoever.*

*(b) Such list shall group the claims on a reservation-by-reservation, tribe-by-tribe, or State-by-State basis, as appropriate, and shall state the nature and geographic location of each claim and only such other additional information as may be needed to identify specifically such claims.*

*(c) Within thirty days after the publication of this list, the Secretary shall provide a copy of the Indian Claims Limitation Act of 1982 and a copy of the Federal Register containing this list, or such parts as may be pertinent, to each Indian tribe, band or group whose rights or the rights of whose members could be affected by the provisions of section 2415 of title 28, United States Code.*

*SEC. 4. (a) Any tribe, band or group of Indians or any individual Indian shall have one hundred and eighty days after the date of the publication in the Federal Register of the list provided for in section 3 of this Act to submit to the Secretary any additional specific claim or claims which such tribe, band or group of Indians or individual Indian believes may be affected by section 2415 of title 28, United States Code, and desires to have considered for litigation or legislation by the United States.*

*(b) Any such claim submitted to the Secretary shall be accompanied by a statement identifying the nature of the claim, the date when the right of action allegedly accrued, the names of the potential plaintiffs and defendants, if known, and such other information needed to identify and evaluate such claim.*



*(c) Not more than thirty days after the expiration of the one hundred and eighty day period provided for in subsection (a) of this section, the Secretary shall publish in the Federal Register a list containing the additional claims submitted during such period: Provided, That the Secretary shall have the discretion to exclude from such list any matter which has not been sufficiently identified as a claim.*

SEC. 5. (a) Any right of action shall be barred sixty days after the date of the publication of the list required by section 4(c) of this Act for those pre-1966 claims which, but for the provisions of this Act, would have been barred by section 2415 of title 28, United States Code, unless such claims are included in either of the lists required by section 3 or 4(c) of this Act.

(b) If the Secretary decides to reject for litigation any of the claims or groups or categories of claims contained on either of the lists required by section 3 or 4(c) of this Act, he shall send a report to the appropriate tribe, band, or group of Indians, whose rights or the rights of whose members could be affected by such rejection, advising them of his decision. The report shall identify the nature and geographic location of each rejected claim and the name of the potential plaintiffs and defendants if they are known or can be reasonably ascertained and shall, briefly, state the reasons why such claim or claims were rejected for litigation. Where the Secretary knows or can reasonably ascertain the identity of any of the potential individual Indian plaintiffs and their present addresses, he shall provide them with written notice of such rejection. Upon the request of any Indian claimant, the Secretary shall, without undue delay, provide to such claimant any nonprivileged research materials or evidence gathered by the United States in the documentation of such claim.

(c) The Secretary, as soon as possible after providing the report required by subsection (b) of this section, shall publish a notice in the Federal Register identifying the claims covered in such report. With respect to any claim covered by such report, any right of action shall be barred unless the complaint is filed within one year after the date of publication in the Federal Register.

SEC. 6. (a) If the Secretary determines that any claim or claims contained in either of the lists as provided in sections 3 or 4(c) of this Act is not appropriate for litigation, but determines that such claims may be appropriately resolved by legislation, he shall submit to the Congress legislation to resolve such claims or shall submit to Congress a report setting out options for legislative resolution of such claims.

(b) Any right of action on claims covered by such legislation or report shall be barred unless the complaint is filed within 3 years after the date of submission of such legislation or legislative report to Congress.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The managers have provided for a limited extension of the Statute of Limitations as thousands of documented claims will not be filed prior to the December 31, 1982 deadline. The provision allows for claim settlements through either legislation or litigation.



## TERRITORIAL AND INTERNATIONAL AFFAIRS

Amendment No. 59: Appropriates \$73,892,000 for administration of territories instead of \$70,743,000 as proposed by the House and \$77,342,000 as proposed by the Senate. The decrease from the amount proposed by the Senate consists of decreases of \$500,000 for the Guam economic development fund; \$2,000,000 for Guam hospital renovation and upgrade; \$750,000 for the Northern Marianas airport water catchment system; and \$200,000 for economic studies.

The managers agree that \$150,000 shall be provided within the increase in technical assistance funds for the Eastern Caribbean Center, Virgin Islands. The managers agree that the Northern Marianas shall use covenant construction funds provided in this appropriation Act to provide the balance of \$750,000 needed to complete the airport water catchment system in fiscal year 1983. Although \$1,000,000 is being provided for planning of water and power facilities in the Virgin Islands, the managers agree there is no commitment to provide funding for construction of these facilities in the future; and the Government of the Virgin Islands and the Assistant Secretary should work together, as requested in the House report, to study the feasibility of providing these facilities through arrangements other than direct Federal funding, such as third-party leasing, and report to the Committees prior to the fiscal year 1984 budget hearings.

The managers agree that all construction contracts shall contain provisions for adequate training of local personnel in construction techniques and maintenance requirements. The managers expect that the \$700,000 for technical assistance staff formerly part of the Comptrollers' Offices, as well as the additional technical assistance funds provided, shall be used only for technical assistance activities and not to offset reductions in the Office of Territorial and International Affairs.

Amendment No. 60: Provides that \$72,011,000 remain available until expended instead of \$68,861,000 as proposed by the House and \$75,261,000 as proposed by the Senate. The decrease from the amount proposed by the Senate consists of decreases of \$500,000 for Guam economic development fund, \$2,000,000 for Guam hospital renovation and upgrade, and \$750,000 for Northern Marianas airport water catchment system.

Amendment No. 61: Provides \$8,028,000 for construction grants to Guam instead of \$6,388,000 as proposed by the House and \$10,028,000 as proposed by the Senate. The decrease from the amount proposed by the Senate is \$2,000,000 for hospital renovation and upgrade.

Amendment No. 62: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment providing \$1,881,000 for salaries and expenses instead of \$1,882,000 as proposed by the House and \$2,081,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate. The decrease from the amount proposed by the House is \$1,000 for GSA space costs.



Amendment No. 63: Appropriates \$95,810,000 for the Trust Territory of the Pacific Islands instead of \$81,100,000 as proposed by the House and \$102,927,000 as proposed by the Senate. The decrease from the amount proposed by the Senate consists of decreases of \$52,000 for the College of Micronesia, \$500,000 for satellite communications terminals, \$1,300,000 for enhanced operations and maintenance, \$2,000,000 for airport terminals in Kosrae, Ponape, Yap, and Palau, \$300,000 for dock warehouse in Kosrae, and \$2,965,000 for Marshall Islands dock construction.

Amendment No. 64: Provides \$77,410,000 for Trust Territory operations instead of \$66,800,000 as proposed by the House and \$79,262,000 as proposed by the Senate.

Amendment No. 65: Provides \$18,400,000 for Trust Territory construction instead of \$14,300,000 as proposed by the House and \$23,665,000 as proposed by the Senate. Deletes House language prohibiting the use of appropriated funds for debt repayment, as proposed by the Senate.

The managers agree that neither the United States nor the Trust Territory of the Pacific Islands shall be liable for any debts incurred by a governmental entity within the Trust Territory, unless appropriations are specifically provided for that purpose.

#### DEPARTMENTAL OFFICES

Amendment No. 67: Appropriates \$41,589,000 for Office of the Secretary instead of \$40,521,000 as proposed by the House and \$42,812,000 as proposed by the Senate.

The net decrease below the amount proposed by the Senate consists of an increase of \$200,000 for environmental project review and the following decreases: \$40,000 for Congressional and Legislative Affairs; \$75,000 for field coordination; \$178,000 for Offices of the Assistant Secretaries; \$20,000 for acquisition and property management; \$231,000 for payment to the Working Capital Fund; \$400,000 for Senior Executive Service Bonus payments; and \$479,000 for space costs.

The managers expect that the funds provided for Assistant Secretaries will be allocated at the discretion of the Secretary among all six Assistant Secretaries.

Amendment No. 68: Deletes House language which stated that no other funds available to the Department from any source should be used for official reception and representation expenses.

Amendment No. 69: Appropriates \$896,000 for the Office of Construction Management instead of \$1,000,000 as proposed by the House. The managers are concerned that the Department is not using the Office for the purpose for which it was established. In 1981 the Secretary proposed to meet the OMB imposed 12 percent reduction on the Office of the Secretary by reducing this Office by the full reduction proposed for the Office of the Secretary. The Assistant Secretary for Indian Affairs has not used the Office as an effective tool in imposing construction and maintenance standards on the BIA construction and facilities programs. The House Committee proposed transferring the program to the BIA to manage the facilities improvement and repair program. The Senate Com-



mittee was concerned that this action would completely negate the efforts of the Office.

The Secretary is requested to take a personal interest in the responsibilities of the Office and report to the Committees what actions he recommends to assure that these responsibilities are met in an effective manner.

Amendment No. 70: Appropriates \$18,404,000 for the Office of the Solicitor instead of \$17,904,000 as proposed by the House and \$19,071,000 as proposed by the Senate. The managers agree that \$141,000 of the reduction is to be made in administration and that the amount recommended includes \$1,032,000 for creation and implementation of a legal information system. The Solicitor may want to accomplish the reduction imposed by consolidating field offices.

Amendment No. 71: Deletes House language permitting funds available to the Office of the Solicitor to be used to pay expenses authorized by 28 USC 2412(b) as proposed by the Senate.

Amendment No. 72: Restores House language stricken by the Senate which prohibits reallocation of vacancies occurring in the Offices of the Federal Comptrollers to any other organization unless approved through reprogramming procedures. This does not prohibit transfers or reallocations from one Comptroller's Office, i.e., Guam to another, i.e., the Virgin Islands.

Amendment No. 73: Restores House language stricken by the Senate which appropriates and transfers funds to the Bureau of Reclamation for high priority, direct water research projects.

Amendment No. 74: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment which appropriates \$6,350,000 for continued operation of the State Water Resource Research Institutes.

#### GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

Amendment No. 75: Restores House language stricken by the Senate which permits use only of "no year" funds for emergency fire and reclamation needs.

Amendment No. 76: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

Restore the matter stricken by said amendment, amended to read as follows:

*SEC. 107. No funds provided in this title may be expended by the Department of the Interior for the procurement, leasing, bidding, exploration, or development of lands within the Department of the Interior Central and Northern California Planning Area which lie north of the line between the row of blocks numbered N816 and the row of blocks numbered N817 of the Universal Transverse Mercator Grid System.*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The managers recognize the environmental sensitivity of the tracts east of the tracts currently under litigation in the northern



Santa Maria Basin, and expect full compliance with applicable environmental laws.

Amendment No. 77: Restores the section number proposed by the House.

Amendment No. 78: Restores House language prohibiting changing the name of Mount McKinley to Mount Denali.

Amendment No. 79: Deletes House language regarding Committee report prohibitions and reorganizations.

Amendment No. 80: Deletes House language relating to employee details.

Amendment No. 81: Deletes House language prohibiting mining in units of the National Park System except where specifically authorized.

Amendment No. 82: Deletes House language regarding sale or exchange of Park owned land without Congressional approval.

Amendment No. 83: Deletes Senate language regarding offshore leasing activities in four northern California basins.

Amendment No. 84: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following:

*SEC. 110. Notwithstanding any other provision of law, section 1002 of the Alaska National Interest Lands Conservation Act (Public Law 96-487) (16 U.S.C. 3142(e)(2)(C)) is amended as follows: Insert before the period: "and: Provided, That the Secretary shall prohibit by regulation any person who obtains access to such data and information from the Secretary or from any person other than a permittee from participation in any lease sale which includes the areas from which the information was obtained and from any commercial use of the information. The Secretary shall require that any permittee shall make available such data to any person at fair cost.*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Language in the current law requires the Secretary to make such data and information obtained in private exploration available to the public. Since this allows companies that don't directly finance the exploration to get the information and data from the Secretary at little or no expense, there is no incentive for a company to explore. In essence then, nonparticipating companies could reap a windfall. Comments to the Department of Interior on this matter from prospective explorers suggest that private industry will not explore absent the change agreed to by the managers. The Congressional Budget Office in 1980 reported that the cost to the government to conduct the exploration was estimated at more than \$61 million. Because the exploration effort has been mandated by an act of Congress, either the government or private industry must bear the expense. This amendment will thus save the government this expense.

The effect of the language is to put all commercial interests on an equal footing by denying any company that gets data and information from the Secretary or any party other than a permittee from participating in a subsequent lease sale of land within the



ANWR, unless the permittee is financially compensated at fair cost for such data or information.

At the same time, this language preserves the right of public access to this data for the purpose of full public discussion and debate regarding whether the ANWR should be opened to lease.

## TITLE II—RELATED AGENCIES

### U.S. FOREST SERVICE

Amendment No. 85: Appropriates \$105,021,000 for forest research instead of \$106,352,000 as proposed by the House and \$104,604,000 as proposed by the Senate. The increase above the amount proposed by the Senate consists of the following: Net increases of \$150,000 for fire and atmospheric science research, \$69,000 for insect and disease research, \$300,000 for renewable resource evaluation, \$350,000 for surface environment and mining, \$79,000 for trees and timber management; and decreases of \$196,000 for renewable resource economics and \$335,000 for GSA space costs.

The managers agree that not less than \$1,000,000 should be made available for the Forestry Intensified Research (FIR) program.

Of the fire and atmospheric research increase, at least \$100,000 is for the Bend, Oregon lab. Of the insect and disease research increase, up to \$126,000 is for the Moscow, Idaho lab. Of the increase for trees and timber management, at least \$149,000 is for the Boise, Idaho lab, at least \$100,000 is for the Bend, Oregon lab, and at least \$200,000 is for the Sewanee, Tennessee lab. Of the increase for wildlife, range and fish, at least \$353,000 is for the Oregon EVAL project. Of the watershed management research increase, at least \$100,000 is for the Reno, Nevada lab.

The managers agree that the Forest Service shall follow the directives in the House Report with regard to reconstituting the gypsy moth research program; and that the increase provided of \$350,000 shall be used to fund the best proposals in line with such a reconstituted program. The managers understand that among those who might participate in such a program are the Forest Service Morgantown, West Virginia lab, and the Pennsylvania State University.

The managers agree that within available funds, \$105,000 is to be provided to the Southern Forest Experiment Station for the Texas Live Oak Mortality Project.

Amendment No. 86: Deletes House reference to a transfer of funds.

Amendment No. 87: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment appropriating \$62,328,000 for state and private forestry instead of \$58,770,000 as proposed by the House and \$61,078,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Increases from the allowance provided by the House include \$708,000 for planning assistance for the States, \$100,000 for the Gif-



ford Pinchot Institute, and \$3,950,000 for forest pest management activities, including an additional \$100,000 for cooperation on state and private lands, and \$3,850,000 for pest management on Federal lands. Decreases from the House allowance include \$500,000 from urban forestry and \$700,000 from rural forestry assistance. This leaves the House proposed increase of \$300,000 for rural forestry assistance for the tree improvement program.

The managers agreed to restate their displeasure with the manner in which the Forest Service and the Department handled the 1982 gypsy moth outbreak. The managers reaffirm the 1976 direction that Federal cost-sharing for cooperative suppression projects be 25% on non-Federal public land; 33-1/3% on industry lands; and 50% for non-industrial private lands. In prior years, this cost-sharing arrangement has averaged 47% Federal—53% non-Federal cost-sharing. If the funding provided for cooperative suppression projects is not adequate, the FS is directed to submit a reprogramming or supplemental budget request, or reduce state funds proportionately but shall not reduce the Federal cost-share rate without public involvement and Committee approval. The FS shall announce its proposed cooperative program within 30 days after enactment of this Act and work with the States to finalize a program in a timely manner.

Under forest pest management, \$20,000 shall be available for the Texas Live Oak Mortality Project.

Amendment No. 88: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment providing that \$58,828,000 shall remain available until expended, instead of \$55,420,000 as proposed by the House and \$58,078,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Amendment No. 89: Deletes language proposed by the House that would have transferred \$100,000 from the Office of the Assistant Secretary of Agriculture for Natural Resources and Environment to support the Gifford Pinchot Institute.

Amendment No. 90: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment appropriating \$1,010,436,000 for the national forest system instead of \$1,009,093,000 as proposed by the House and \$1,007,697,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate. The net increase above the amount proposed by the House consists of: increases of \$2,821,000 for minerals, \$100,000 for fire protection, \$5,800,000 for timber sales and harvest administration, \$1,500,000 for range improvements, \$600,000 for program support; and decreases of \$1,000,000 for land management, \$1,400,000 for land line location, \$2,100,000 for road maintenance, \$2,000,000 for timber stand improvement, \$700,000 for recreation use, \$250,000 for wild horses and burros, \$728,000 for soil and water inventories, \$1,000,000 for soil and water support, and \$300,000 for general administration.



The managers agree that funds have been provided sufficient for a timber sales preparation and offering program of 11.0 BBF, and an assumed harvest level of 8.5 BBF. Within the timber support activities, the managers agree that funds originally budgeted in support of a larger timber sales program not needed for the 11.0 BBF program may be used for other high priority purposes. In the allowance provided for wildlife, the managers agree that timber support savings be redirected for endangered and threatened species habitat. The managers agree that within the range management allowance, \$75,000 is included for pilot studies on brush encroachment in the Tonto NF the Prescott NF.

The managers agree that all of the costs of the Forest Service activities on the Oregon and California Grant Lands shall be made available from that account, under the Bureau of Land Management. The \$5,000,000 reduction in general administration (offset by a \$1,000,000 increase for research support) has not been specified, and should be allocated appropriately by the Forest Service.

The managers agree that the expansion of the special salvage timber sale program, as directed in the Senate report, shall occur only in the Southwest. The additional funds for timber stand improvement are for the highest productivity site classes (over 85 cfy) and are to be targeted to those states with the highest levels of unemployment, to the maximum extent practical.

Within available funds, up to \$80,000 should be used to control the infestation of dwarf mistletoe in the Sawtooth National Forest.

Amendment No. 91: Provides that \$182,500,000 shall remain available for obligation until September 30, 1984, instead of \$186,700,000 as proposed by the House and \$177,600,000 as proposed by the Senate.

Amendment No. 92: Appropriates \$281,431,000 instead of \$229,756,000 as proposed by the House and \$286,805,000 as proposed by the Senate.

The decreases from the House allowance include \$125,000 for the Sunny Dene Resort, Minnesota (which is to be funded out of available funds) and \$2,000,000 for trail construction. Increases from the House allowance include \$44,800,000 for road construction and \$9,000,000 for final settlement for the Chugach Natives, Inc., Alaska.

Included in the allowance is \$50,000 for road work at the Mount Magazine area of the Ozark NF, Arkansas. The managers agree that none of the funds contained in the bill should be used to design or construct a new office for the Oconee Ranger District in Georgia. The managers encourage the FS to provide a road construction program balanced between roaded and unroaded areas. Adequate funds are included to support the timber sales program directed.

The managers agree that the FS needs to improve its justification for road construction funding in future years.

Amendment No. 93: Provides \$26,316,000 for facility construction instead of \$26,432,000 as proposed by the House and \$21,066,000 as proposed by the Senate.

Amendment No. 94: Provides \$246,115,000 for construction of forest roads and trails by the Forest Service instead of \$203,324,000



as proposed by the House and \$256,739,000 as proposed by the Senate.

Amendment No. 95: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides \$9,000,000 for final payment for final settlement of the land claims of the Chugach Natives, Incorporated.

Amendment No. 96: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment providing that \$240,000,000 will remain available without fiscal year limitation for the construction of forest roads by timber purchasers, instead of \$218,000,000 as proposed by the House and \$236,200,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Amendment No. 97: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

Restore the matter stricken by said amendment amended to read as follows:

#### *YOUTH CONSERVATION CORPS*

*There is appropriated \$10,000,000, of which \$3,400,000 is hereby transferred to "National Forest System", \$3,300,000 is hereby transferred to "Operation of the National Park System", National Park Service, and \$3,300,000 is hereby transferred to "Resource Management", United States Fish and Wildlife Service, for high priority projects which shall be carried out as if authorized by Public Law 93-408.*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The managers are allocating these funds directly to the resource management agencies mentioned so as to avoid the unnecessary overhead cost of a central coordinating body. This approach was used in fiscal year 1982 with very satisfactory results.

Amendment No. 98: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment appropriating \$56,877,000 for land acquisition instead of \$53,476,000 as proposed by the House and \$55,117,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The allowance provides funds for the following:

Acquisitions management .....	\$4,000,000
Deficiencies .....	722,000
Inholdings and composites .....	1,742,000
Appalachian Trail.....	1,360,000
Boundary Water Canoe Area, Minn .....	3,000,000
Cascade Head SRA, Oregon.....	707,000
Alpine Lakes, Washington.....	26,446,000
Lake Tahoe, Nevada & California.....	10,000,000
Mount Rogers NRA, Va.....	200,000



Ausable River—Huron-Manistee NF, Mich.....	2,000,000
Three Sisters Wilderness (Rock Mesa).....	
Ore. ....	2,000,000
Sawtooth NRA, Idaho .....	4,700,000
	<hr/>
Total.....	56,877,000

The Three Sisters Wilderness acquisition funding is for patented claims only and the first Sawtooth NRA property is the Piva property.

Amendment No. 99: Deletes language of the House which provided for acquisition of lands not agreed to by the Senate.

Amendment No. 100: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following:

*None of the funds made available under this Act shall be obligated or expended to adjust annual recreational residence fees to an amount greater than that annual fee in effect at the time of the next to last fee adjustment, plus 50 per centum. In those cases where the currently applicable annual recreational residence fee exceeds that adjusted amount, the Forest Service shall credit to the permittee that excess amount, times the number of years that that fee has been in effect, to offset future fees owed to the Forest Service.*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The managers agree that the current methodology for establishing and revising recreational residence fees has led to enormous increases in fees owned by permittees and has thereby restricted access to residence sites to the wealthy. This amendment provides needed fee relief.

Amendment No. 101: Restores House language stricken by the Senate which provides that the appropriation structure for the Forest Service may not be altered without advance approval of the House and Senate Committees on Appropriations.

Amendment No. 102: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

Restore the matter stricken by said amendment, amended to read as follows:

*Provisions of section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257) shall apply to appropriations available to the Forest Service only to the extent that the proposed transfer is approved by the House and Senate Committees on appropriations in compliance with the reprogramming procedures contained in House Report 97-942.*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The amendment permits the Secretary, with the approval of the House and Senate Committees on Appropriations, to transfer funds between appropriation accounts within the Forest Service and to transfer funds into Forest Service appropriation accounts from



other agencies, pursuant to the provisions of Section 702(b) of the Department of Agriculture Organic Act of 1944.

Amendment No. 103: Restores House language stricken by the Senate prohibiting transfer of funds appropriated to the Forest Service to the Department's Working Capital Fund without approval of the Chief of the Forest Service.

#### DEPARTMENT OF ENERGY—ENERGY SECURITY RESERVE

The managers concur in the language expressed by the Senate with respect to the slow progress of the Synthetic Fuels Corporation in awarding financial assistance to synthetic fuel project proposals. The managers note that the SFC must submit its comprehensive strategy to the Congress by June 30, 1984, and, accordingly, must take significant steps to resolve a number of problems as outlined in the explanatory statement filed by the Senate.

The concern of the managers is specifically directed in the following three areas:

1. The managers recommend that the SFC Board of Directors provide letters of intent or conditional commitments to those projects which may not yet be in a position to enter into final financial assistance agreements with the Corporation.

2. The managers expect the SFC to expand efforts to reach out and encourage investors in synthetic fuel projects.

3. The managers expect that maximum use be made of section 131(u) cost sharing to advance proposed projects to awards.

The managers do not, however, believe it is inappropriate at this time for the SFC to explore the awarding of financial assistance in support of the demonstration of synthetic fuels from the Naval Oil Shale Reserve at Rifle, Colorado. In this regard, the managers wish to reserve judgment until the SFC has submitted to the Congress a final proposal for the use of resources from the NOSR.

The managers expect the SFC to report, by January 14, 1982, on the steps taken and progress made in the resolution of these and the other problems experienced by the Corporation in meeting its statutory mandates.

#### FOSSIL ENERGY RESEARCH AND DEVELOPMENT

Amendment No. 104: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment in the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following:

*\$215,514,000 and \$31,700,000 to be derived by transfer from the account in Public Law 96-126 (93 stat. 970 (1979) entitled "Alternative Fuels Production", and \$40,000,000 to be derived by transfer from the account in Public Law 96-304 entitled "Energy Security Reserve" established to carry out the provisions set forth in section 204(a)(2) of the "Energy Security Act" (Public Law 96-294)*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The net change from the House is as follows: decreases of \$1,000,000 for coal preparation; \$1,000,000 in liquefaction for health effects research to examine the toxic characteristics in the process



streams of coal liquids; \$1,000,000 for the analysis and evaluation of data from all direct liquefaction pilot plants; \$3,000,000 for the Homer City, Pa. gas test facility; \$1,000,000 in surface coal gasification for equipment, instrumentation and alternate concept development; \$1,000,000 in surface coal gasification for equipment and instrumentation related to gasification processes; \$1,350,000 in advanced research and technology development for liquefaction studies and \$1,150,000 for gasification studies; \$2,750,000 for University Coal Research; \$750,000 in dispersed power systems; \$500,000 for central power systems and \$350,000 for coal fired closed cycle gas turbine cogeneration; \$1,250,000 for phosphoric acid fuel cells and \$500,000 for molten carbonate fuel cells; \$2,000,000 for magnetohydrodynamics; \$1,000,000 for the third well of the unconventional gas multi-well project; and \$1,400,000 for program direction; increases of \$900,000 in advanced research and technology development for structural ceramics, fluid corrosive mechanics, high temperature corrosion and slag/refractory interaction; \$2,000,000 in advanced research and technology development to explore new material catalysts, and electrolytes for fuel cell systems; \$2,400,000 in advanced research and technology development to continue studies of coal-ash behavior and fluidized bed systems and to investigate improved downstream processing techniques, \$2,000,000 to continue work on peat dewatering, harvesting and wet carbonization; \$4,200,000 for atmospheric fluidized beds which includes \$650,000 for lignite utilization and \$3,550,000 for advanced concepts; \$300,000 for thermionics; and \$1,350,000 to complete an experimental Utah oil shale project using the Geokinetics process.

Funds for magnetohydrodynamics are to continue activity with existing contractors, national labs and universities. No money is provided for the coal conversion systems technical data book.

The managers urge the Department, within available funds, to conduct appropriate research and development of a direct coal fired gas turbine. The managers also encourage the Department to evaluate low temperature, low pressure processes for producing hydrocarbon fuels having fluid characteristics.

The managers agree that there is \$4,800,000 for the 4.8 MW powerplant and that there is no less than \$4,000,000 for the 40 KW on site technology development program. The managers urge the Department of Defense to provide financial support to those fuel cell technologies with military applications.

The managers have included \$30,000,000 for program direction costs of the Fossil Energy Technology Centers. This amount provides for all indirect personnel costs associated with the Centers' functions. Direct personnel costs and related expenses shall continue to be funded from specific R&D program allocations. In providing this separate funding the managers understand that the Department's schedule for transferring the three western Centers to non-Federal operatorship has slipped. Should there be lengthy delays, the Department will be expected to submit a timely reprogramming request to meet the funding needs of these Centers.

The managers are aware of interests in establishing additional Fossil Energy lead laboratory assignments, especially in areas that cross-cut the entire Fossil Energy program, to organizations outside the Office of the Assistant Secretary for Fossil Energy. The manag-



ers are concerned that such assignments would be a further example of the Department's de-emphasis of the Fossil Energy program and a diminution of the role of the Federal personnel assigned to the Office of Fossil Energy. Therefore, the Department is directed to maintain the current and future lead assignments within the Energy Technology Centers. These Centers are a dedicated resource to the Fossil Energy program and offer the continuity and program focus that is necessary to preserve the long-term balance of Fossil Energy technologies within the Department's programs.

Amendment No. 105: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which transfers and designates \$2,000,000 from the alternative fuels production account for a feasibility study of a Western Hemisphere alternative fuels facility which would utilize coal exported from the United States.

Amendment No. 106: Appropriations \$222,000,000 for the Naval Petroleum and Oil Shale Reserves as proposed by the House instead of \$226,500,000 as proposed by the Senate.

#### ENERGY CONSERVATION

Amendment No. 107: Appropriates \$279,290,000 for energy conservation instead of \$317,790,000 as proposed by the House and \$264,530,000 as proposed by the Senate. The net decrease under the amount proposed by the House consists of the following: decreases of \$700,000 for building systems; \$700,000 for appliance standards; \$1,900,000 for industrial process efficiency; \$100,000 for industrial conservation program direction; \$1,000,000 for Stirling engine research and development; \$400,000 for advanced research on electric vehicles; \$500,000 to test and evaluate demonstration vehicles; \$6,000,000 for energy policy and conservation grants to States; \$12,000,000 for schools and hospitals grants; \$2,500,000 for low income weatherization; \$2,000,000 for the inventors program; and increases of \$3,400,000 for residential conservation service; \$1,600,000 for the automotive gas turbine; \$300,000 for advanced vehicle research and development; and \$1,000,000 for hybrid vehicle research and development.

The managers agree that the \$2,000,000 provided for the inventors program is for the National Bureau of Standards to continue to test and evaluate inventions. None of the \$2,000,000 is to provide grants to inventors.

The managers also agree that the appliance standards program is to continue to support the Federal Trade Commission labelling program and to grant waivers to States for preemption.

The managers are pleased with the progress of the two automotive gas turbines and agree that the competition should continue for another year. The Committees will look closely at the program for fiscal year 1984 and consider again whether the competition should continue.

The managers agree to establish a National Appropriate Technology Assistance Service to facilitate the dissemination of information developed and to render technical assistance to individuals, community organizations, State and local governments, and busi-



nesses. The Department is encouraged to select an organization or organizations best able to perform such activities.

The House has agreed to the use of \$24,000,000 in unobligated funds as proposed by the Senate. The House had originally proposed \$7,000,000.

The managers concur that \$600,000 shall be available directly to the Department of Energy for program policy coordination and for technology assessment and transfer activities related to the advanced automobile propulsion systems program and the heavy duty transport program and that \$34,400,000 shall be available to the National Aeronautics and Space Administration (NASA) for management of these programs. NASA may transfer such additional sums as may be necessary, but not more than \$2,000,000, to DOE for the execution of the Department's responsibilities named above.

Amendment No. 108: Transfers \$64,000,000 from "Fossil energy construction" as proposed by the House instead of \$29,000,000 as proposed by the Senate.

Amendment No. 109: Deletes House language which required States to match at least 20 percent of the Federal contribution for State energy grants. The managers agree that it would create a hardship on the States to match the Federal share without prior notice. However, the managers concur that the States should prepare to match these funds in future years.

Amendment No. 110: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which strikes House language which states that the transfer of funds to the National Aeronautics and Space Administration is to continue the program and inserts Senate language which states the transfer is for program management.

#### ECONOMIC REGULATION

Amendment No. 111: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment providing \$35,106,000 for economic regulation instead of \$31,106,000 as proposed by the House and \$33,106,000 as proposed by the Senate.

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The increase from the amount provided by the Senate is \$2,000,000 for the compliance program. In addition, the \$3,000,000 carried over from prior years is to be allocated as follows: \$1,500,000 for compliance and \$1,500,000 for program direction to be used for severance pay for those people separated during fiscal year 1982.

Amendment No. 112: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following:



*: Provided. That \$2,000,000 of the funds herein appropriated shall be available for the fuels conversion program, of which not less than \$1,500,000 shall be available only for expenses in issuing prohibition orders under the Powerplant and Industrial Fuel Use Act and other related laws*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

#### ENERGY INFORMATION ADMINISTRATION

Amendment No. 113: Appropriates \$56,400,000 for the Energy Information Administration instead of \$58,800,000 as proposed by the House and \$54,500,000 as proposed by the Senate. The decrease in the amount provided by the House eliminates the increase which allowed for continuation of data collection on the pricing, supply, and distribution of petroleum products at wholesale and retail levels on a State-by-State basis. The managers are aware that activity will continue in this area within the amount appropriated.

#### ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY

Amendment No. 114: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which allows the Secretary of Energy to enter into arrangements with the University of Wyoming to transfer the Laramie Energy Technology Center to the university and with the University of North Dakota to transfer the Grand Forks Energy Technology Center to the university.

Amendment No. 115: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides that any contract entered into with a non-profit organization shall be on a cost-shared basis.

#### DEPARTMENT OF HEALTH AND HUMAN SERVICES

##### HEALTH SERVICES ADMINISTRATION

Amendment No. 116: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of appropriating \$645,583,000 for Indian health services instead of \$645,305,000 as proposed by the House and \$623,724,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate. The net increase above the Senate consists of: increases of \$500,000 for model diabetes, \$4,859,000 for full-year costs of the 1982 Pay Act, \$1,000,000 for alcoholism, \$5,346,000 for urban health projects, \$1,716,000 for Indian health manpower and \$10,000,000 for the Medicare/Medicaid offset; and decreases of \$800,000 for a nursing educational program and \$762,000 for GSA space costs.

The managers agree: that funds are provided for 90 new positions at the Chinle Hospital; that of the \$325,000 provided for nursing education, \$125,000 is for Tuba City and the balance is for other locations where the funds can be used in fiscal year 1983 for upgrading LPN's to RN's; that the full year pay costs are provided in



hospitals and clinics, and approximately 50% of the amount proposed by the House in the other accounts; that of the \$1,000,000 increase for alcoholism, between \$100,000 and \$200,000 is for research on alcohol abuse and alcoholism and \$300,000 is for fetal alcohol syndrome research, including \$75,000 for the University of Washington; that Alaska shall be included in the Community Health Representatives program; that the \$6,000,000 for urban health projects represents costs for the remaining  $\frac{3}{4}$  of fiscal year 1983 for projects currently funded, with the balance to be used for technical assistance and to respond to the directives in the House report; that IHS should begin immediately to set up to cooperative program with the State of Alaska for hepatitis B screening and immunization; that within the Indian health manpower program, \$150,000 is provided for the MPH program and \$200,000 for INMED; that IHS should reallocate \$5,000,000 from within the base program, not mandatory or program increases, as part of the Equity funding activity; that within available funds for hospitals and clinics, \$4,000,000 is to be used for emergency medical services formerly budgeted under the CHR program.

The managers agree that within the funds provided for contract care, IHS should ensure adequate funds are available for Sage Memorial Hospital, Arizona in accordance with its contract; and should direct funding to the Nurse Practitioner Clinic in Idaho, if cost-effective.

While the managers agree that national implementation of competitive bidding for the contract care program would be premature, the Indian Health Service should make every effort to comply with Departmental policy requiring waiver requests when competitive bidding is not used.

The managers agree that the Indian Health Service should continue regular program operation in the manpower program, including funding for new students.

Within the funds provided for alcoholism, the managers agree that \$85,000 shall be made available for the Papago alcoholism rehabilitation project.

Amendment No. 117: Deletes House language which would have required that the first \$5,000,000 of Medicare/Medicaid collections by the Indian Health Service be used to carry out the purposes for which the appropriation is made.

Amendment No. 118: Provides that \$5,000,000 of the amounts collected under the authority of Title IV of the Indian Health Care Improvement Act shall be used to offset appropriations for Indian health services as proposed by the House instead of \$15,000,000 as proposed by the Senate.

Amendment No. 119: Appropriates \$34,700,000 for Indian health facilities instead of \$37,235,000 as proposed by the House and \$30,750,000 as proposed by the Senate. The increase above the amount proposed by the Senate is \$3,950,000 for sanitation facilities.

The managers are concerned about the delays in the hospital construction program which have been experienced during the last two years for fiscal rather than program reasons. The managers expect the Department to take all steps necessary to advertise and award a phased-funding construction contract by July, 1983.



The managers agree \$500,000 is available from unobligated balances to complete planning of the Sacaton, Arizona hospital; that costs for sanitation facilities provided for the Navajo and Hopi Indian Relocation program are to be reimbursed from funds available to that program; and that, within available sanitation facilities funds, \$900,000 shall be used for the Turtle Mountain project.

The managers further agree that the 18 units of Bureau of Indian Affairs housing currently being renovated for use by IHS staff at the Chinle Hospital shall remain available to IHS for that purpose as long as they are needed.

Amendment No. 120: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provided for a limitation in Indian health services provides to non-Indian spouses and household members.

The managers request that the Indian Health Service determine the impact of this limitation through consultation with the tribes. Further, IHS should determine the amount of money saved by this limitation and report to the Committees on Appropriations of the House and the Senate. Any savings should be considered for redistribution as part of the \$5,000,000 which is to be added to the equity fund.

#### OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

Amendment No. 121: Provides \$48,465,000 for Part A of the Indian Education Act instead of \$46,956,000 as proposed by the House and \$49,614,000 as proposed by the Senate.

Amendment No. 122: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment providing \$16,193,000 for Parts B and C of the Indian Education Act instead of \$15,965,000 as proposed by the House and \$13,913,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Amendment No. 123: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment appropriating \$67,247,000 for Indian education instead of \$65,519,000 as proposed by the House and \$66,216,000 as proposed by the Senate. The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The increase above the amount proposed by the House consists of \$1,500,000 for Part A and \$228,000 for Part C.

The managers agree that Part B funds shall be allocated as follows: \$3,360,000 for planning, pilot and demonstration projects; \$3,700,000 for educational services projects; \$2,000,000 for educational personnel development; \$1,440,000 for fellowships; and \$2,100,000 for resource centers. The managers further agree that the educational services projects activity shall be continued, including the granting of new awards; and that the adult education funds should be directed as much as possible to groups without access to



Bureau of Indian Affairs, State or other sources of adult education funds.

#### NAVAJO AND HOPI INDIAN RELOCATION COMMISSION

Amendment No. 124: Appropriates \$7,665,000 as proposed by the Senate instead of \$9,359,000 as proposed by the House.

Amendment No. 125: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which provides a limitation on payments authorized by the Navajo and Hopi Indian Relocation Act.

#### SMITHSONIAN INSTITUTION

Amendment No. 126: Appropriates \$144,366,000 for Salaries and Expenses instead of \$147,276,000 as proposed by the House and \$140,249,000 as proposed by the Senate.

The net increase above the Senate consists of the following: increases of \$462,000 for the non-personnel costs for the Center for the Study of Man; \$375,000 for the Smithsonian Institution libraries; \$782,000 for the National Museum Act; \$500,000 for staffing of the Museum Support Center; \$1,000,000 for a John F. Kennedy Center Trustee grant; \$200,000 for administration; and \$1,208,000 for the Office of Protection Services; and decreases of \$200,000 of overhead costs of the Smithsonian Astrophysical Observatory; \$50,000 for utility costs; and \$140,000 for space costs. 275,000  
128,89,000

The managers agree that the increase for administration shall be used to prepare a film commemorating the signing of the Treaty of Paris.

If additional staff are required for the Museum Support Center, the Smithsonian should reallocate existing positions.

Amendment No. 127: Restores earmarking proposed by the House for a John F. Kennedy Center Trustee Grant.

The managers agree that \$1,000,000 shall be provided to the National Symphony Orchestra for activities related to its responsibilities as resident orchestra of the Center.

Amendment No. 128: Appropriates \$8,450,000 for restoration and renovation of buildings as proposed by the House instead of \$7,450,000 as proposed by the Senate.

#### NATIONAL GALLERY OF ART

Amendment No. 129: Restores the House language which allows \$100,000 for restoration and repair of works of art by contract without advertising. Senate bill allowed \$70,000.

Amendment No. 130: Appropriates \$32,878,000 for salaries and expenses instead of \$34,839,000 as proposed by the House and \$32,228,000 as proposed by the Senate. The decrease under the amount proposed by the House consists of reductions of: \$1,200,000 to accelerate renovation of the West Building, \$195,000 reduction in personnel compensation and benefits, \$233,000 of the amount provided to retain evening hours and \$333,000 to continue 35 full-time equivalents. The amount provided to retain evening hours is



for the heavy visitation period between Memorial Day and Labor Day.

Amendment No. 131: Provides a limitation of \$4,900,000 on the amount available for repair, restoration and renovation of the West Building instead of \$6,100,000 as proposed by the House and \$4,100,000 as proposed by the Senate.

#### WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

Amendment No. 132: Appropriates \$2,321,000 for salaries and expenses as proposed by the Senate instead of \$2,255,000 as proposed by the House.

#### NATIONAL ENDOWMENT FOR THE ARTS

The managers agree that the Endowment may provide support for the President's Committee on the Arts and Humanities.

#### NATIONAL ENDOWMENT FOR THE HUMANITIES

Amendment No. 133: Appropriates \$102,132,000 for salaries and expenses as proposed by the Senate instead of \$102,632,000 as proposed by the House.

The managers agree to the following account structure and distribution of funds:

State Programs.....	\$20,329,000
Public Programs:	
Media Grants.....	8,447,000
Museums and Historical Organizations.....	6,912,000
Public Libraries.....	2,650,000
Education Programs.....	14,301,000
Fellowships and Seminars.....	13,405,000
Research Grants.....	16,555,000
Special Projects.....	7,103,000
Planning and Assessment.....	730,000
	<hr/>
Total Program Funds.....	90,432,000

The managers urge the Endowment staff to work closely with applicants in the area of public programs to ensure that maximum benefit is derived from the funds provided.

Amendment No. 134: Provides \$11,700,000 for administrative expenses as proposed by the Senate instead of \$12,200,000 as proposed by the House.

Amendment No. 135: Provides \$16,864,000 for Challenge Grants as proposed by the Senate instead of \$19,864,000 as proposed by the House.

#### INSTITUTE OF MUSEUM SERVICES

Amendment No. 136: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

Restore the matter stricken by said amendment, amended to read as follows:

*: Provided further, That regulations of the Institute shall require (1) an appeal process for applications rejected because of technical deficiency, (2) reconsideration of applications upon receipt of materi-*



*als in a timely manner if the application was rejected because material did not accompany the application, and (3) waivers of certain records under circumstances which would require such waivers*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The managers agree that no matching funds are required for the Museum Assessment program.

Amendment No. 137: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

Restore the matter stricken by said amendment, amended to read as follows:

*: Provided, That hereafter persons serving on the National Council on the Arts, the National Council on the Humanities, and the Museum Services Board shall continue serving until their successors are qualified for office*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

#### ADVISORY COUNCIL ON HISTORIC PRESERVATION

Amendment No. 138: Appropriates \$1,500,000 for the Advisory Council on Historic Preservation instead of \$1,600,000 as proposed by the House and \$1,000,000 as proposed by the Senate.

#### PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION

Amendment No. 139: Appropriates \$2,350,000 for salaries and expenses as proposed by the House instead of \$2,425,000 as proposed by the Senate. Within the amount appropriated, the Corporation may use \$50,000 for the move to the Old Post Office Building and for any increase in space rental costs resulting from the move.

Amendment No. 140: Deletes the Land Acquisition and Development Fund account of the Corporation as proposed by the Senate. The managers will give every consideration to future requests for this account. There are unobligated balances which should be sufficient for this area in fiscal year 1983.

Amendment No. 141: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

Restore the matter stricken by said amendment, amended to read as follows:

#### DEPARTMENT OF THE TREASURY—ENERGY SECURITY RESERVE

*Notwithstanding any other law, funds made available from the Energy Security Reserve to the Secretary of Energy for alcohol fuel loan guarantees authorized by Title II of the Energy Security Act, Public Law 96-294, may be used to guarantee loans up to three and one-half times the amount held in reserve.*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate. The



managers agree to change the leverage on alcohol fuel loan guarantees from a ratio of three to one to three and one-half to one.

### TITLE III—GENERAL PROVISIONS

Amendment No. 142: Deletes House prohibition on the expenditure of funds for passenger automobiles with less than an estimated 22 miles per gallon average.

Amendment No. 143: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate which deletes House language and inserts Senate language regarding mineral activities in wilderness areas.

Amendment No. 144: Deletes language of the House relating to Office of Management and Budget guidelines on providing information to the Congress on the capability of agencies to spend money not included in the budget request.

The managers agree, however, that there must be a free exchange of information between the Executive and Legislative branches. This free exchange has been severely constrained by revision of OMB Circular A-10 which has prevented Federal agencies from providing certain funding information to the Congress.

Funding decisions made by the Congress in annual appropriations bills occur only after careful consideration of the President's budget, testimony by hundreds of departmental and nondepartmental witnesses, assessment of national needs, and regional considerations. The Appropriations Committee has the responsibility to consider input from all interested parties and has traditionally limited changes to the President's budget to programs which have been justified in testimony or which reflect more current information and conditions. This is particularly important considering the fact that the budget, which becomes operative on October 1, was developed 18 months before the effective date within the Executive Branch and Federal agencies.

The managers agree that withholding capability statements denies the Administration the opportunity to continue participation in the development of an appropriation bill adequate to meet the needs of the nation. It often results in additions that would not have been made had the Administration provided accurate and objective information in a timely manner. Further, the managers view OMB's action as an attempt by the Administration to exclude the Congress from its proper role of evaluating Executive Branch budget requests, as well as considering input from Members of Congress and local interests. In the absence of funding information, the Committee uses estimates and data developed by others who are less qualified, have not had proper scientific and technical review of responsible experts within the Executive Branch and are usually not objective. Such a procedure may result in misallocations of funds and higher Federal spending.

Accordingly, the managers urge OMB to rescind its previous revisions to OMB Circular A-10 which preclude disclosure of any funding capabilities in excess of the President's budget. Further, this Committee expects all agencies to respond fully and freely, and



to provide the information requested which is critical in developing and reviewing annual budget proposals.

The managers remind the Director that 31 U.S.C. 20 requires the Office of Management and Budget to furnish any committee of either House of Congress having jurisdiction over revenue or appropriations such aid and information as it may request.

Amendment No. 145: Restores the matter stricken and inserts new section number 309. The managers have included House language prohibiting the use of appropriated funds to evaluate, consider, process or award certain mineral leases in the Mount Baker Snoqualmie National Forest.

Amendment No. 146: Deletes language proposed by the House which would have required that any reductions-in-force be proportionately distributed among headquarters and field offices.

Amendment No. 147: In lieu of the section number stricken, insert 310.

Amendment No. 148: In lieu of the section number stricken, insert 311.

Amendment No. 149: Restores the matter stricken and inserts new section number 312. The managers agree that funds provided in the Act may not be used to acquire lands above the appraised value without Committee approval except in condemnation and declarations of taking.

Amendment No. 150: Deletes House language prohibiting the merger of research funds appropriated in this Act with research funds from other appropriation acts.

Amendment No. 151: In lieu of the section number stricken, insert 313.

Amendment No. 152: In lieu of the section number named insert 314.

Amendment No. 153: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following:

*Sec. 315. The titles conveyed by and the easement and restrictions heretofore reserved and imposed by the Secretary of the Interior pursuant to section 506(c) of Public Law 96-487 are hereby confirmed in all respects: Provided: That nothing herein shall be deemed to amend the Alaska National Interest Lands Conservation Act or the Alaska Native Claims Settlement Act.*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

Amendment No. 154: Reported in technical disagreement the managers on the part of the House will after a motion to recede and concur in the amendment of the Senate, amended to change the section number from "314" to "316."

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The Senate language provides a procedure for the disposal of Federal land.

Amendment No. 155: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede



and concur in the amendment of the Senate with an amendment as follows:

In lieu of the matter proposed by said amendment, insert the following:

*Sec. 317. In the case of any new electric power plant located in Alaska for which a petition is accepted after the date of enactment of this Act, but before December 31, 1985, pursuant to section 212(f) of the Powerplant and Industrial Fuel Use Act of 1978, to use natural gas (as that term is defined in such Act), as a primary energy source in such power plant, the petitioner shall be deemed to have made the demonstrations required by clauses (1) and (2) of such section and such exemption, subject to the other applicable provisions of such Act, shall be granted by the Secretary of Energy. Nothing in this section shall apply to any new electric power plant using natural gas produced from the Prudhoe Bay Unit of Alaska.*

The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

The managers have granted only a limited exemption for Alaska with this amendment. This action does not preclude the possibility that a broader exemption may be examined in the future.

Amendment No. 156: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the amendment of the Senate, amended to change the section number from "316" to "318". The managers on the part of the Senate will move to concur in the amendment of the House to the amendment of the Senate.

This amendment will allow the Secretary of the Interior to issue one off-site lease for surface operations necessary to support the continued development of Federal prototype tract C-a as well as two additional 320 acres by-pass leases.

#### CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 1983 recommended by the Committee of Conference, with compari-



sons to the fiscal year 1982 amount, the 1983 budget estimates, and the House and Senate bills for 1983 follow:

New budget (obligational) authority, fiscal year 1982 .....	\$7,363,816,000
Budget estimates of new (obligational) authority, fiscal year 1983.....	6,576,960,000
House bill, fiscal year 1983 .....	7,386,522,000
Senate bill, fiscal year 1983 .....	7,391,607,000
Conference agreement, fiscal year 1983 .....	7,500,025,000
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1982 .....	+ 136,209,000
Budget estimates of new (obligational) authority, fiscal year 1983 .....	+ 923,065,000
House bill, fiscal year 1983.....	+ 113,503,000
Senate bill, fiscal year 1983.....	+ 108,418,000

SIDNEY R. YATES,  
JOHN P. MURTHA,  
NORMAN D. DICKS,  
LES AU COIN,  
JAMIE L. WHITTEN,  
JOSEPH M. MCDADE,  
RALPH REGULA,  
TOM LOEFFLER,  
SILVIO O. CONTE,  
WILLIAM R. RATCHFORD,

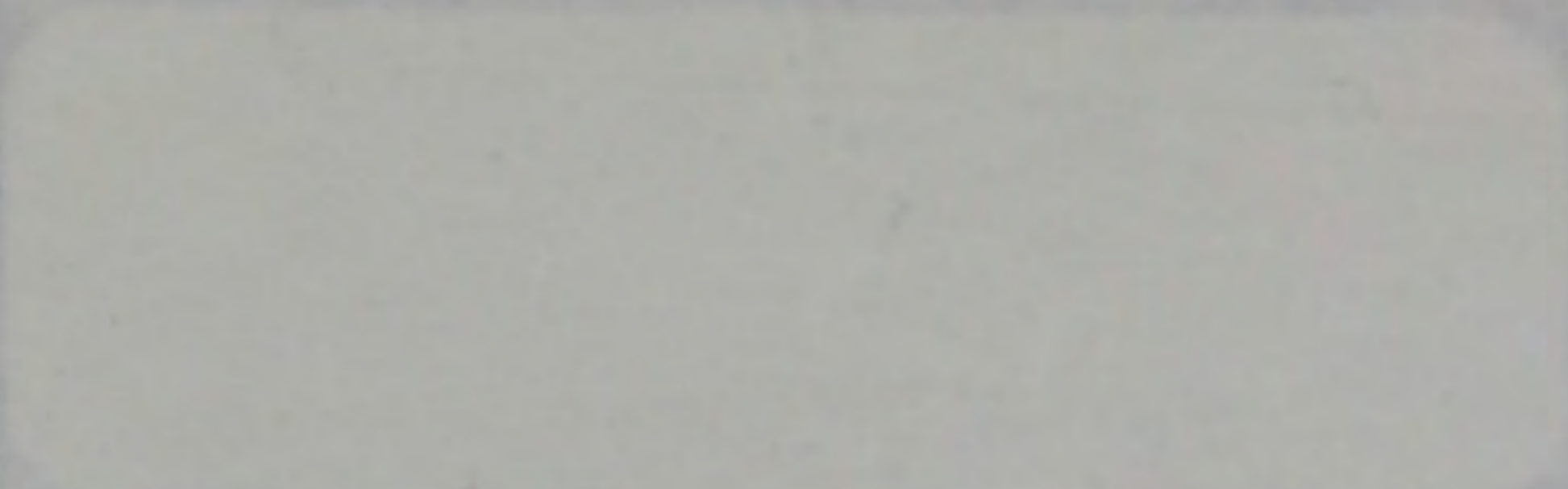
*Managers on the Part of the House.*

JAMES A. McCLURE,  
TED STEVENS,  
PAUL LAXALT,  
JAKE GARN,  
HARRISON SCHMITT,  
THAD COCHRAN,  
MARK ANDREWS,  
WARREN RUDMAN,  
ROBERT C. BYRD,  
J. BENNETT JOHNSTON,  
WALTER D. HUDDLESTON,  
PATRICK J. LEAHY,  
DENNIS DECONCINI,  
QUENTIN N. BURDICK,  
DALE BUMPERS,

*Managers on the Part of the Senate.*

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SHERIDAN H. TAYLOR,  
 JOHN P. MURPHY,  
 NORMAN D. THOMAS,  
 LEO A. CLAY,  
 JAMES J. WADSWORTH,  
 JAMES M. HENRICH,  
 RALPH BARNETT,  
 JOHN L. LEWIS,  
 EDWARD G. COVINE,  
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 THE SPEAKER,  
 PAUL CANNON,  
 JOHN CANNON,  
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 THOMAS COCHRAN,  
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 ROBERT C. BYRD,  
 J. BENNETT CLAYTON,  
 WALTER E. HIGHTOWER,  
 PATRICK J. LEAHY,  
 DENNIS DECONCINI,  
 CURTIS M. BURRICK,  
 DALE BUMPERS.

*Managers on the Part of the Senate*

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