97-206 ENR

Appropriations for FY1998: Interior and Related Agencies

Updated December 24, 1997

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Appropriations are one part of a complex federal budget process that includes budget resolutions, appropriations (regular, supplemental, and continuing) bills, rescissions, and budget reconciliation bills. The process begins with the President's budget request and is bounded by the rules of the House and Senate, the Congressional Budget and Impoundment Control Act of 1974 (as amended), the Budget Enforcement Act of 1990, and current program authorizations. In addition, the line item veto takes effect for the first time in 1997.

This report is a guide to one of the 13 regular appropriations bills that Congress passes each year. It is designed to supplement the information provided by the House and Senate Subcommittees on Interior and Related Agencies Appropriations. It summarizes the current legislative status of the bill, its scope, major issues, funding levels, and related legislative activity. The report lists the key CRS staff relevant to the issues covered and related CRS products.

Since this report was last updated, data related to the FY1998 appropriations may have changed through supplemental appropriations or rescissions, entitlement revisions, or scorekeeping adjustments. These changes will be reflected in a subsequent report.

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Appropriations for FY1998: Interior and Related Agencies

Summary

The Interior and Related Agencies Appropriations bill includes funding for agencies and programs in four separate federal departments as well as numerous smaller agencies and diverse programs.

On February 6, 1997, the President submitted his FY1998 budget to Congress. The FY1998 request totals $13.09 billion compared to the $13.14 billion enacted by Congress for FY1997 (P.L. 104-208). It should be noted that the FY1997 amount included $715 million in nonrecurring emergency appropriations. An additional $386 million was appropriated in the recently enacted Emergency Supplemental Appropriations bill (P.L. 105-18), bringing total FY1997 appropriations to $13.5 billion.

The House Appropriations Committee reported the FY1998 Interior and Related Agencies Appropriations bill (H.R. 2107) on June 26, 1997. On July 15, 1997 the House passed the bill by a vote of 238-192 and approved $12.952 billion for FY1998. On July 22, 1997, the Senate Appropriations Committee reported the spending bill by a vote of 28-0. On September 18, 1997, the Senate approved $13.756 billion for FY1998 by a vote of 93-3, an increase of $803 million over the House allowance. A House-Senate Conference met on September 30, 1997, and reached agreement except for the issue of $700 million of funding for land acquisitions provided in the Congressional-White House budget agreement. After extensive negotiations with the Administration on this issue, the Conference Report (H.Rept. 105-337) was filed on October 22, 1997.

The Conference agreement provides a total of $13.79 billion for FY1998. Significant increases above the FY1997 enacted level include: $1.65 billion for the National Park Service (+ $211.1 million), $1.7 billion for the Bureau of Indian Affairs (+ $83.7 million), $745.4 million for the Fish and Wildlife Service (+ 74.8 million), $759.2 million for the U.S. Geological Survey (+ $19.1 million), $1.06 billion for the Department of Energy (+ $56 million), $2.1 billion for the Indian Health Service (+ $44.6 million), and $402.3 for the Smithsonian Institution (+ $30.9 million). Significant decreases include: $1.14 billion for the Bureau of Land Management (- $59.7 million) and $143 million for the Minerals Management Service (- $19.8 million). The Conference also provided $98 million for the National Endowment for the Arts (NEA), $1.5 million less than FY1997, and adopted major new oversight reforms. The Conference also provided $699 million for a special appropriation from the Land and Water Conservation Fund for land acquisitions to include $315 million for two projects ($250 million for the Headwaters Forest and $65 million for the Crown Butte/New World Mine), which would be subject to appraisals and compliance with the National Environmental Policy Act.

The House passed the Conference Report on October 24 by a vote of 233-171, and the Senate passed it on October 28 by a vote of 84-14. President Clinton signed H.R. 2107 into law (P.L. 105-83) on November 14, 1998.

Key Policy Staff

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Minerals Management Service	(name redacted)	Environment	7-....
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U.S. Geological Survey	James Mielke	Science Policy	7-....

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Most Recent Developments

On October 22, 1997, the Conference Report (H.Rept. 105-337) was filed, providing $13.79 billion for the Department of the Interior and Related Agencies Appropriations bill (H.R. 2107) for FY1998. The House passed the Conference Report on October 24, 1997, by a vote of 233-171. On October 23, 1997, President Clinton signed the second continuing resolution, H.J.Res. 97, (P.L. 105-64), which extends until November 7, 1997, the current level of funding for departments and programs whose regular FY1998 appropriations have not yet been enacted. The Senate passed the Conference Report on October 28, 1997, by a vote of 84-14. President Clinton signed H.R. 2107, the FY1998 Interior and Related Agencies Appropriations bill, into law (P.L. 105-83) on November 14, 1998. On November 20, 1997, the President, under his line item veto authority, canceled two projects worth $6.2 million. Congress has 30 calendar days to disapprove the canceled items, if it chooses to do so, when it returns in late January 1998.

Introduction

The annual Interior and Related Agencies Appropriations bill includes funding for agencies and programs in four separate federal departments, as well as numerous smaller agencies and diverse programs. The President's FY1998 budget request totals $13.09 billion compared to the $13.14 billion enacted by Congress for FY1997. Title I of the bill includes agencies within the Department of the Interior, which manage land and other natural resource programs, the Bureau of Indian Affairs, and Insular Affairs. Title II of the bill includes the Forest Service of the Department of Agriculture, research and development programs of the Department of Energy, the Naval Petroleum and Oil Shale Reserves, and the Strategic Petroleum Reserve, and the Indian Health Services in the Department of Health and Human Services. In addition, Title II includes a variety of related agencies, such as the Smithsonian Institution, National Gallery of Art, John F. Kennedy Center for the Performing Arts, the National Endowment for the Arts, the National Endowment for the Humanities, and the Holocaust Memorial Council.

Status

Table 1 shows the key legislative steps necessary for the enactment of the FY1998 appropriations bill. Data for this table will be filled in as action occurs.

Table 1. Status of Department of the Interior and Related Agencies Appropriations (H.R. 2107), FY1998

Subcommittee Markup		House Report	House Passage	Senate Report	Senate Passage	Conference Report	Conference Report (H.Rept. 105-337)		Public Law
House	Senate						House	Senate	
6/17/97	7/18/97	H.Rept. 105-163 7/1/97	7/15/97 (238-192)	S.Rept. 105-56 7/22/97	9/18/97 (93-3)	105-337 10/22/97	10/24/97 (233-171)	10/28/97 (84-14)	P.L. 105-83

On February 6, 1997, the President submitted his FY1998 budget to Congress. The FY1998 request totals $13.09 billion compared to the $13.14 billion enacted by Congress for FY1997 (P.L. 104-208). It should be noted that the FY1997 amount included $715 million in nonrecurring emergency appropriations. After scorekeeping adjustments of $584.4 million, the FY1998 request is actually $538.5 million more than the adjusted FY1997 level of $12.56 billion. An additional $386 million was appropriated in the recently enacted Emergency Supplemental Appropriations bill (P.L. 105-18), bringing total FY1997 appropriations to $13.5 billion.

Requested increases above the FY1997 enacted level include the National Park Service (+ $173 million), the Department of Energy (+ $138 million), the Bureau of Indian Affairs (+ $113.5 million), the Indian Health Service (+ $68 million), the Smithsonian Institute (+ $57 million), the National Endowment for the Arts (+ $36.5 million), the National Endowment for the Humanities (+ $26 million), the Fish and Wildlife Service (+ $17.3 million), Departmental Offices (+ $6 million), the U.S. Geological Survey (+ $5.3 million), and the Institute of Museum Services (+ $4 million). Significant decreases include the Forest Service (- $550.9 million), the Bureau of Land Management (- $74.1 million), and Indian Education (- $61 million), which is no longer funded within the Interior appropriations bill. Forest Service and Bureau of Land Management reductions relate to nonrecurring emergency appropriations of $558.6 million and $106 million respectively.

Both the House and Senate 602 B spending allocations provide $13 billion for Interior and Related Agencies in FY1998.

On June 17, 1997, the Interior Subcommittee of the House Appropriations Committee marked up the Interior and Related Agencies appropriations spending bill by approving $12.968 billion for FY1998. The Subcommittee's recommendation to reduce NEA funding to $10 million was agreed to but the language directing the funds to be used for an orderly closure of the agency was deleted at the request of Representative Sidney Yates, Ranking Minority member of the subcommittee.

Chairman Ralph Regula decided not to include any of the $700 million funding for land acquisition provided in the five-year Congressional-White House budget agreement. Chairman Regula indicated that he favored addressing some of the $14 billion of backlogged maintenance in parks, wildlife refuges, and forest roads before acquiring additional federal land.

The full House Appropriations Committee reported the bill (H.R. 2107) with few changes on June 26, 1997. The full Committee rejected an amendment by Representative Sidney Yates, Ranking Minority member of the Interior Appropriations Subcommittee, to restore funding for the National Endowment for the Arts (NEA) from $10 million to $99.5 million, setting up a House floor vote on the future of NEA. An amendment offered by Representative David Obey to provide $315 million for priority land acquisitions and exchanges to protect Yellowstone National Park ($65 million) and to acquire identified lands and interests in lands in accordance with the Headwaters Forest Agreement ($250 million) was also rejected.

On July 15, 1997 the House passed the bill by a vote of 238-192. During debate on the bill, the language providing $10 million for the National Endowment for the Arts (NEA) was eliminated on a point of order, since NEA's authorization had expired. The President has threatened to veto the bill if the NEA is not adequately funded, while Chairman Gorton of the Senate Interior Appropriations Subcommittee has indicated he plans to fund NEA at the FY1997 level of $99.5 million. An amendment to eliminate the $110 million for the National Endowment for the Humanities (NEH) was defeated (328-96). A modified amendment to reduce forest road construction by $5.6 million and to cap road credits at $25 million was adopted (246-179). Increases above the FY1997 level were provided to the Fish and Wildlife Service (+ $54.5 million), the National Park Service (+ $128 million), the U.S. Geological Survey (+ $15.7 million), the Office of Surface Mining and Reclamation and Enforcement (+ $3.3 million), the Bureau of Indian Affairs (+ $65.6 million), the Department of Energy (+ $47.8 million), the Indian Health Service (+ $31.8 million), the Smithsonian Institution (+ $17 million), the National Gallery of Art (+ $2 million), the Institute of Museum Services (+ $1.4 million), and the Holocaust Memorial Council (+ $1 million). Program decreases included: the Bureau of Land Management (- $67.1 million), the Minerals Management Service (- $17.6 million), the Forest Service (- $270.9 million), the Woodrow Wilson Center (- $4.8 million), and the National Endowment for the Arts (NEA) (- $99.5 million).

On July 18, 1997, the Interior and Related Agencies Subcommittee of the Senate Appropriations Committee marked up H.R. 2107. On July 22, 1997, the full Senate Appropriations Committee reported the spending bill by a vote of 28-0. On September 18, 1997, the Senate approved $13.756 billion for FY1998 by a vote of 93-3, an increase of $803 million over the House allowance. Significant increases above the House allowance included: the National Park Service (+ $41.6 million), the Bureau of Indian Affairs (+ $18.5 million), the Department of Energy (+ $23.4 million), the Indian Health Service (+ $40.4 million), the Smithsonian Institution (+ $14.1 million), the National Endowment for the Arts (NEA) (+ $100 million), and $700 million for priority land acquisitions and exchanges (including $315 million -- $250 million for the acquisition of the Headwaters Forest and $65 million for the New World Mine), as provided in the balanced budget agreement between the Administration and the congressional leadership. Decreases from the House allowance included: the Minerals Management Service (- $3.9 million), the Office of Navajo and Hopi Indian Relocation (- $3.3 million), and the Forest Service (- $153.4 million).

A House-Senate Conference met on September 30, 1997, and reached agreement except for the issue of $700 million of funding for land acquisitions provided in the Congressional-White House budget agreement. After extensive negotiations with the Administration on this issue, the Conference Report (H.Rept. 105-337) was filed on October 22, 1997.

The Conference agreement provides a total of $13.79 billion for FY1998. Significant increases above the FY1997 enacted level include: $1.65 billion for the National Park Service (+ $211.1 million), $1.7 billion for the Bureau of Indian Affairs (+ $83.7 million), $745.4 million for the Fish and Wildlife Service (+ 74.8 million), $759.2 million for the U.S. Geological Survey (+ $19.1 million), $1.06 billion for the Department of Energy (+ $56 million), $2.1 billion for the Indian Health Service (+ $44.6 million), and $402.3 for the Smithsonian Institution (+ $30.9 million). Significant decreases include: $1.14 billion for the Bureau of Land Management (- $59.7 million) and $143 million for the Minerals Management Service (- $19.8 million). The Conference also provided $98 million for the National Endowment for the Arts (NEA), $1.5 million less than FY1997, and adopted major new oversight reforms. The Conference also provided $699 million for a special appropriation from the Land and Water Conservation Fund for land acquisitions to include $315 million for two projects ($250 million for the Headwaters Forest and $65 million for the Crown Butte/New World Mine), which would be subject to appraisals and compliance with the National Environmental Policy Act.

The House passed the Conference Report on October 24, 1997, by a vote of 233-171, and the Senate passed it on October 28, 1997, by a vote of 84-14. President Clinton signed H.R. 2107, the FY1998 Interior and Related Agencies Appropriations bill, into law (P.L. 105-83) on November 14, 1998.

On November 20, 1997, the President, under his line item veto authority, canceled two projects worth $6.2 million. Congress has 30 calendar days to disapprove the canceled items, if it chooses to do so, when it returns in late January 1998. The two canceled projects were the construction of a dam on Forest Service land to create a lake for recreational use and the transfer of millions of dollars of federal mineral rights to a state. The Congressional Budget Office estimated the FY1998 budget savings at only $2 million.

Table 2. Interior and Related Agencies Appropriations, FY1993 to FY1997

(budget authority in billions of current dollars)[a]

FY1993	FY1994	FY1995	FY1996	FY1997
$12.2	$13.4	$13.5	$12.5	$13.5

[a] These figures represent current dollars, exclude permanent budget authorities, and reflect rescissions.

Major Funding Trends

From FY1991 to FY1995, Department of the Interior and Related Agencies appropriations increased by 16%, from $11.7 billion to $13.5 billion, about 4% annually. Adjusting for inflation, Interior appropriations remained essentially flat during this period. However, the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (P.L. 104-134) provided funding of $12.54 billion reducing FY1996 budget authority 9% below the FY1995 level. (See Appendix A for a comparison of FY1997 enacted and the FY1998 budget request for Interior Appropriations, and see Appendix D for a budgetary history of each agency, bureau, and program from FY1992 to FY1997.)

Key Policy Issues

Title I: Department of the Interior

For further information on the budget of the Department of the Interior, see the World Wide Web site of *DOI's Office of the Budget* at http://www.ios.doi.gov/budget/

For further information on the *Department of the Interior*, see its World Wide Web site at http://www.doi.gov/

Bureau of Land Management

The Bureau of Land Management (BLM) manages approximately 264 million acres of public land, primarily in the West. Additionally, the agency manages 300 million acres of minerals underlying federal and private lands throughout the country. The management of public lands has been very controversial in recent years, particularly with respect to proposals to change the way it manages grazing, mining, and logging, as well as recreation, access across public lands, and wild horses and burros.

The Administration requested $1.122 billion in FY1998 (current) budget authority for the BLM, $32 million more than enacted for FY1997 (excluding $106 million of emergency FY1997 appropriations). The largest increases were for management of land and resources ($15 million) and wildland fire management ($28 million). The request also included a decrease of $12 million in Payments in Lieu of Taxes (payments to local governments).

On July 15, 1997, the House approved $1.129 billion in FY1998 (current) budget authority, an increase of nearly $7 million over the President's budget request, and $67 million less than enacted for FY1997 (including the $106 million emergency FY1997 appropriation). This provides $6 million less for management of land and resources than requested by the Administration, and $72 million less than enacted for FY1997 for wildland fire management; however, the House restored the $12 million in Payments in Lieu of Taxes, resulting in the same funding as in FY1997.

The Senate approved $1.138 billion in FY1998 (current) budget authority for the BLM, an increase of $10 million over the House allowance and $17 million more than requested. This includes $9 million less than requested for management of lands and resources ($3 million more than enacted for FY1997), and $3 million more than the Administration's request and House allowance for wildland fire management ($69 million less than enacted for FY1997). The Senate also approved $124 million for PILT payments -- $22.5 million more than requested and $10.5 million more than both the House allowance and the FY1997 funding level.

The conference committee agreed to nearly as much funding, $1.136 billion, as the Senate had approved. The agreement included more for management of lands and resources than either the House or Senate versions, but less than was requested; wildland fire management was reduced to the level requested that was approved by the House. PILT was funded at $120 million, $4 million less than the Senate, but $6.5 million more than the House and $18.5 million more than the request.

As with last year, several BLM policy issues are addressed in general provisions of the Interior and Related Agencies Appropriations Act for FY1998. First, Section 107 of the

House bill would have prohibited implementation of a final rule or regulation concerning highway rights-of-way across federal land pursuant to section 2477 of the Revised Statutes (R.S. 2477) unless expressly authorized by an Act of Congress. The R.S. 2477 issue has been contentious since the current Administration changes the interpretation of the statute from prior Administrations' interpretations. This prohibition was included in the FY1996 and FY1997 Interior Appropriations Act, Section 110 of P.L. 104-134 and Section 108 pf P.L. 104-208, respectively. The Senate struck the R.S. 2477 language in Section 107 of the FY1998 Interior Appropriations bill, arguing that Section 108 of the FY1997 Act was intended as permanent law; this interpretation was upheld by a recent opinion from the Comptroller General (Opinion B-277719, Aug. 20, 1997). The conference agreement excluded the provision, with the managers noting that this was to be construed as contradicting or diminishing the permanence of Section 108 of the FY1997 Interior Appropriations Act.

Second, the issue of whether to continue mineral patents under the Mining Law of 1872, and at what price (title to the land may be transferred to the claimant for $2.50 or $5.00 per acre) has been a subject in the debate over mining law reform in recent years. A moratorium on accepting and processing patent applications for minerals was included in the FY1996 Interior Appropriations Act only after the House had twice recommitted the conference report because the moratorium did not cover the entire year. Section 314 of the FY1997 Interior Appropriation Act extended the moratorium enacted in the FY1996 Act for all of FY1997. Section 314 of the FY1998 Interior Appropriations Act, as passed the House and Senate and as agreed to by the conference, continues this moratorium.

For further information on the BLM budget from the World Wide Web, see *BLM's Budget Information* at http://www.blm.gov/budget/1998/

For further information on the *Bureau of Land Management*, see its World Wide Web site at http://www.blm.gov/

For current information about the BLM on the World Wide Web, see *BLM's Media Alert* at http://www.blm.gov/nhp/news/alerts.html

Fish and Wildlife Service

The conference committee approved $745.4 million for FWS--an increase of $74.8 million over FY1997, and $57.5 million over the President's request. (The House had passed $725.1 million and the Senate $728.7 million.)

The proposed increase falls primarily within Resource Management (which includes the endangered species program, fisheries, and refuge management, among other things) which would go from $525.0 to $594.8 million, offset by decreases in other programs. The conference proposes a significant decrease for Construction (down $14.2 million) though not as large as the decrease proposed in the President's budget (down $14.7 million).

The committee approved $10.8 million (the FY1997 level) for the National Wildlife Refuge Fund, which provides payments to local governments in recognition of reduction of the local tax base due to the presence of federal land. Both the President and the House had proposed a 7% decrease. The payment levels have been controversial, since the small additions of land to the National Wildlife Refuge System over the last several years mean that reduced dollars must be spread still further. The situation has produced pressure on Congress to increase the appropriation, especially since local governments often (incorrectly) view the payments as entitlements, even though they are actually subject to annual appropriations.

The Endangered Species Act (ESA) program remains the most controversial program within FWS. For FY1998, the committee proposes to increase Candidate Conservation to \$5.70 million (+2.1%), Listing to \$5.19 million (+3.8%), Consultation to \$23.8 million (+32.7%) and Recovery to \$42.5 million (+7.17%).

The conference committee accepted the House figure of \$5.19 million for the listing function (which includes designation of critical habitat) and included its specific cap at this figure in the bill itself. The effect would be to limit the discretion of the agency to transfer funds for additional listings, e.g., if lawsuits mandate agency action on listing certain species. Without a cap, either funding would have to be transferred away from ongoing listing activities to meet the additional requirements of the lawsuit, or from other programs within the agency's Resources Management function. With the cap, a court order to carry forward a listing decision on particular species will turn listing into a zero sum game, at least at a fiscal level: the listing of some species or designation of their critical habitat would preclude the listing of others. FWS will welcome this change as a protection of other programs whose budgets it wishes to protect.

The Administration and the conference committee both supported a 0.60% decrease, from \$14.085 million to \$14.000 million, for the grants to states under the Endangered Species Act. The Administration has been trying to improve the participation of states in certain aspects of the ESA, and this reduction in grants may make any increase in participation problematic.

In the committee bill, land acquisition is slated to increase to \$62.6 million, an increase of \$18.2 million over FY1997, and \$18.1 million over the President's request.

For further information on the budget of the U.S. Fish and Wildlife Service, see the World Wide Web site of *DOI's Office of the Budget* at http://www.ios.doi.gov/budget/1998/FWSsum.html

For further information on the *Fish and Wildlife Service*, see its World Wide Web site at http://www.fws.gov/

National Park Service

The National Park Service (NPS) oversees the 374 units that comprise the National Park System, including 5 new units created by the 104th Congress. The total FY1998 NPS budget request was \$1.59 billion, \$163 million more than the FY1997 appropriation. The House approved a FY1998 NPS appropriation of \$1.56 billion and the Senate approved \$1.60 billion; the conferees upped the total to \$1.65 billion. The budget proposal would increase spending for NPS operations by \$65.7 million, from \$1.155 billion in FY1997 to \$1.220 billion in FY1998, to cover a number of the 113 provisions of the Omnibus Parks and Public Lands Act (P.L. 104-333) passed at the end of the 104th Congress. The budget proposal also includes \$100 million to help restore the Everglades, \$25 million for the Presidio trust fund in San Francisco, \$10 million for matching grants to restore historic buildings at African-American schools and a \$21.8 million appropriation for Elwha Dam acquisition in Washington state.

There is broad bipartisan agreement that NPS operations be funded commensurate with the budget request. Park Service operations received a substantial increase of $79 million more than in FY1997, for a total of $1.234 billion. These increases in operations funding demonstrate the Administration's and the Congress' priority for supporting the parks. The money would be used for, among other things, a 1% across-the-board increase at all park units, for maintenance, resource stewardship, and for visitor services.

The House had approved a major change in the on-going demonstration entrance and user fee program to allow participating federal land management agencies to retain all revenues that they collect, both from demonstration program fees and from base fees that formerly were sent to the U.S. Treasury. This change would result in potentially millions of dollars that could help reduce maintenance backlogs and operational shortfalls. The Committee report states the intent is to supplement appropriations and that it would not offset the additional dollars with appropriations reductions in future years. The Senate omitted this language from its version of the bill; however, the conferees agreed with the House and adjusted the fee program to provide significant supplemental revenue.

The Administration requested $5.20 million for a Heritage Partnerships program. The program is in response to the designation of 10 new heritage areas in last year's Omnibus Parks Bill. A provision to create a comprehensive federal heritage area program that would prioritize and standardize the designation process was removed from that bill at the last minute. The Heritage Partnership initiative in the current appropriations bill somewhat resembles previous legislation, opposed by property rights advocates, to create a Heritage Area program. The conferees approved $5.40 million for the Partnerships program initiative.

Park Service construction allocations would have been reduced by 18%, under the Administration budget request, from $183 million in FY1997 to $150 million in FY1998. The conferees who also viewed construction to include necessary maintenance items restored NPS construction to $183 million, or $33 million more than the Administration requested.

For further information on the budget of the National Park Service, see the World Wide Web site of *DOI's Office of the Budget* at http://www.ios.doi.gov/budget/1998/NPSsum.html

For further information on the *National Park Service,* see its World Wide Web site at http://www.nps.gov/

Historic Preservation. The Historic Preservation fund, established within the U.S. Treasury and administered by the National Park Service provides grants-in-aid to states and outlying areas for activities specified in the National Historic Preservation Act. The Administration's FY1998 budget estimate would allow $45.6 million for the Historic Preservation Fund grants-in-aid program. The Administration's increase of $9 million over the FY1997 appropriation would be for grants targeted to specified Historically Black Colleges and Universities (HBCUs) for the preservation and restoration of historic buildings and structures on their campuses. On June 17, 1997 the House Subcommittee on Interior appropriations reported out a bill to the full Committee that would increase appropriations for the Historic Preservation Fund grants- in-aid to $36.9 million, an increase of $4.2 million over the FY1997 appropriation. The House-reported bill (H. Rept. 105-163) and the House-passed bill (H.R. 2107) would provide the same amount, $36.9 million for the Historic Preservation fund grants- in-aid program and a total of $40.4 million for the Historic Preservation Fund program that includes the National Trust for Historic Preservation. According to the House Committee, funding ($800,000 each) for the most needy historically black colleges has been provided to Knoxville College, (TN); Selma University, (AL), Allen University (SC); Tougaloo College (MS) and Fisk University (TN). The Senate Subcommittee on Interior appropriations approved (7/18/97) and the Senate Appropriations Committee concurred (7/22/97) with $39.8 million for the Historic Preservation Fund allowing $36.3 million for the grants-in-aid program. The Senate Appropriations Committee indicated that $4.6 million has been provided for restoration of historic buildings at historically black colleges. The Senate passed H.R. 2107 on September 18, 1997 allowing $39.8 million for the Historic Preservation fund. On September 30, 1997, the conferees adopted the Conference Report (H. Rept.105-337) to accompany the Interior Appropriations bill that would appropriate $40.812 million for the Historic Preservation Fund, and $37.312 million for the grants-in-aid program.

Chartered by Congress in 1949, the National Trust for Historic Preservation is responsible for encouraging the protection and preservation of historic American sites significant to the cultural heritage of the U.S. Although a private nonprofit corporation, the National Trust receives federal funding through the authority of the National Historic Preservation Act. Federal assistance has enabled the National Trust to support historic preservation work in local communities. The Administration's FY1998 budget estimate would have provided $3.5 million for the National Trust, an amount in keeping with Congress' plan to replace federal funds with private funding within a period of transition. The House Subcommittee on Interior appropriations reported a bill to the full Committee that would provide $3.5 million for the National Trust, a decrease of $400,000 from the FY1997 appropriation and in keeping with the efforts to privatize funding. The House-reported bill (H. Rept. 105-163) and the House-passed bill (H.R. 2107) would provide the same amount for FY1998, $3.5 million for the National Trust. The Senate Subcommittee on Interior approved and the Senate Appropriations Committee concurred (7/22/97) with $3.5 million for the National Trust and the Senate passed H.R. 2107 (allowing $3.5 million for the National Trust) on September 18, 1997. On September 30, 1997, the conferees adopted the Conference Report (H. Rept. 105-337) to accompany the Interior appropriations bill, FY 1998 that would appropriate $3.5 million for the National Trust.

For further information on the *Historic Preservation Fund*, see its World Wide Web site at http://www.nps.gov/crweb1/ppb/backup/hpf.html

U.S. Geological Survey

The U.S. Geological Survey (USGS) conducts research and provides basic scientific information concerning natural hazards and environmental issues, as well as water, land, and mineral resources. In 1995, the USGS was tentatively targeted for elimination in the House Republican "Contract With America." The U.S. Geological Survey survived and its responsibilities increased with consolidation into it of activities formerly conducted by other agencies within DOI (National Biological Service and Bureau of Mines). This consolidation maintains programs for biological research and minerals surveys and information activities. Other program activities include water resources investigations, geological research programs, and hazards research programs such as earthquakes, volcanic eruptions, landslides, and human-induced hazards in water supply.

The Administration has requested $745.388 million for FY1998. This is an increase of $6.475 million over the 1997 enacted level, comprised of $19.5 million in program increases partially offset by about $13 million in program reductions. Program increases include improving water quality information through expansion of the USGS National Water-Quality Assessment Program with a new initiative to protect 75 key metropolitan areas from toxic pollution in their water supply. The USGS will collaborate with the National Oceanic and Atmospheric Administration and the U.S. Environmental Protection Agency in collecting and analyzing data to provide information upon which management, regulatory, and monitoring decisions can be made. An increase of $9 million is requested to support this effort.

Another increase is for $3 million to support continuing and expanded work carried out by the Global Seismographic Network (GSN). The increase will provide better operation of the USGS portion of the GSN, including collection and distribution of data. Much of the Global Seismographic Network has been designated as part of the International Monitoring System being developed to verify compliance with the recently signed Comprehensive Test Ban Treaty.

The Administration has also requested an increase of $7.5 million for biological research to assist land managers within bureaus of the DOI. The increase will improve long-term monitoring of biological resources and make information available electronically. Research will address weeds in the West, exotic species in the East, chemical contaminants affecting fish and wildlife, and restoration of degraded land and fisheries.

These proposed increases are to be partly offset by program decreases including expected savings from Reinventing Government II initiatives ($6.8 million); decreases in the hazards resources and processes program ($1.7 million); $4.0 million from water resources investigations; and reductions of $0.5 million in facilities and general administration.

In response to congressional directives, the USGS has undertaken several actions. The USGS is reserving 20% of funds within the National Cooperative Geologic Mapping Program for the competitive, matching-fund STATEMAP component of the program. In response to another directive, the USGS has undertaken a thorough review of non-fuel mineral resource data collection and storage in Alaska. In response to a directive to investigate consolidation of federal mapping activities, a contract has been awarded and a final report is expected by September 30, 1997. The USGS will also initiate a review by the National Academy of Sciences and report on the biological research activity of the USGS. The USGS is also working to augment and further develop the USGS Strategic Plan 1996-2005 to reflect the merger of the National Biological Service with the USGS. The plan development schedule calls for consultation with Congress and others in order to meet the September 1997 deadline for the 1999 implementation of the Government Performance and Results Act.

The House passed an appropriation increase of $15.7 million over the FY 1997 enacted for the U.S. Geological Survey, which is $10.4 million above the Administration's request. This amount would bring the funding total to $755.8 million. Compared to the request, nearly half of the increase ($4.9 million) would be in the National Mapping Program. Other major increases would be for Biological Research ($2.8 million) and Geologic Hazards, Resource and Processes ($1.5 million).

The Senate recommended an increase of $12.8 million over the request, bringing the total to $758.2 million. This is $2.4 million over the House allowance. Among the major differences, the Senate recommendation would increase the National Mapping Program by $1.9 million, $3 million less than the House increase. Geologic Hazards, Resource, and Processes would be increased $7.5 million over the budget estimate, and Biological Research would be increased $2.2 million.

The conference agreed to an appropriation of $759.2 million for the USGS, which is a $19.1 million increase over FY 1997. This is $3.4 million higher than the House and $1 million higher than the Senate recommendations. The largest increase over last year's funding is in the area of Biological Research, which increased $7.7 million. Geologic Hazards, Resource and Processes increased $5.9 million, the National Mapping Program increased $4.0 million, and Water Resources Investigations increased $2.4 million.

For further information on the budget of the United States Geological Survey, see the World Wide Web site of *DOI's Office of the Budget* at http://www.ios.doi.gov/budget/1998/USGSsum.html

For further information on the *U.S. Geological Survey*, see its World Wide Web site at http://www.usgs.gov/

Minerals Management Service

The Minerals Management Service (MMS) administers two programs: Royalty and Offshore Minerals Management and Oil Spill Research. The Offshore Minerals Management Program administers competitive leasing on outer continental shelf lands and oversees production of offshore oil, gas and other minerals. The Royalty Management Program (RMP) seeks to ensure timely and accurate collection and disbursement of revenues from all mineral leases on federal and Indian lands (oil, gas, coal etc.). MMS collects about $5.0 billion in revenues annually. Revenues from onshore leases are distributed to states in which they were collected, the General Fund of the U.S. Treasury and various designated programs. Revenues from the offshore leases are allocated among the coastal states, Land and Water Conservation Fund, The Historic Preservation Fund and the U.S. Treasury.

The Administration's FY1998 request essentially continues programs at current levels--$164 million, the same level of funding for FY1997 but about $20 million less than funding in FY1996. Increased revenues from the recent leases in the Gulf of Mexico are expected to compensate for this recent reduction in funding. The House approved $145.8 million, the major difference coming from the use of offshore revenue receipts. The Senate approved $141.8 million, agreeing with the House on the use of OCS receipts but differing with the House by providing $4.6 million less for Royalty Management Programs. The conference agreement $143.6 million for MMS. The conference agreement did however approve slightly higher funding for the Royalty Management Program than the Administration request.

For further information on the budget of the Minerals Management Service, see the World Wide Web site of *DOI's Office of the Budget* at http://www.ios.doi.gov/budget/1998/MMSsum.html

For further information on the *Minerals Management Service*, see its World Wide Web site at http://www.mms.gov/

Royalty Issues. At issue in the 105th Congress is how well MMS carries out its functions, and whether some of its responsibilities should be vested with the states. Critics of the agency, pointing to reported discrepancies between posted prices and fair market value prices that are the basis for royalty valuation, argue that the U.S. Treasury is being underpaid. MMS has proposed a rule change for crude oil valuation that would rely less on posted price and more on futures contracts traded on the New York Mercantile Exchange (NYMEX) to better reflect fair market value. Oil industry officials have criticized using the NYMEX as a benchmark and have offered a number of other options for benchmarks. Further, they would like the MMS to use the royalty in kind (RIK) approach that would allow MMS to receive royalties in the form of oil produced, then resell the oil for cash.

Report language accompanying the Interior Appropriations for FY1997 directs MMS to collect underpaid royalties. Separate legislation enacted (P.L. 104-185) in the 104th Congress, authorized interested states that demonstrate competence, to collect royalties from federal oil and gas leases. The MMS is scheduled to adopt final rules by August 1997 that would allow certain states to assume "one or more royalty functions" of the MMS. The MMS functions that could be delegated to the states include: reporting of production and royalties, error correction and automated verification.

OCS Moratoria. During FY1996, as the 104th Congress revisited many regulatory programs, the OCS (Outer Continental Shelf) moratorium on leasing activity was debated in some depth in the House Interior Appropriations Subcommittee, which voted to repeal the leasing bans. In previous appropriations since the early 1980s, the moratoria had been approved annually, without extensive discussion. Each year, Congress banned the expenditure of appropriated funds for any leasing activity on environmentally sensitive areas of the OCS. In 1990, President Bush issued a directive which parallels the moratoria, essentially banning OCS leasing activity in places other than the Texas, Louisiana, and Alabama offshore. The executive branch ban remains in effect.

With the FY1996 appropriation, the full House Appropriations Committee kept the ban in place. The House approved the moratoria, and the Senate Appropriations Committee concurred with the moratoria language in the FY1996 Interior Appropriations bill.

For FY1997, both the House and Senate appropriations bills and the Omnibus Consolidated Appropriations Act included language to continue the leasing moratoria. The FY1998 legislation continues them, following a well established legislative pattern that has been included in the Administrations leasing plans as well.

The moratoria apply only to environmentally sensitive areas. With the exception of the California OCS, little hydrocarbon production has occurred in these regions. Leasing continues in the Central and Western Gulf of Mexico, where recent lease sales have been quite robust. During 1996, the spring (Central Gulf) sale resulted in 606 tracts leased for total bonuses of $352 million. The fall (Western Gulf) sale resulted in 902 tracts leased for $512 million. And the Central Gulf auction held March 5, 1997 set an all time record, attracting 1790 bids for 1,032 tracts. High bids totaled $824 million.

This was the last sale under the 1992-1997 leasing plan. The OCS Leasing Plan for the 1997 to 2002 period includes a Central Gulf auction to take place in August, 1997. The new plan embodies the congressional moratoria, but envisions continued annual lease sales in Gulf Coast planning areas, where lease sales have attracted great interest during 1996 and 1997 as the nations oil imports rise to half of total consumption.

In addition to the Central and Western Gulf, sales are planned in the Beaufort Sea, Chukchi Sea, Hope Basin, Cook Inlet/Shelikof Straight, and the Gulf of Alaska. The timing of these lease sales is several years off, and the level of interest and the amount of revenues that might accrue to the government are uncertain since these are relatively untested tracts.

Office of Surface Mining Reclamation and Enforcement

The Surface Mining Control and Reclamation Act of 1977 (SMCRA, P.L. 95-87) established the Office of Surface Mining Reclamation and Enforcement (OSM) in 1977 to ensure that land mined for coal would be returned to a condition capable of supporting its pre-mining land use. SMCRA also established an Abandoned Mine Lands (AML) fund, with fees levied on coal production, to reclaim abandoned sites that posed serious health or safety hazards. Congress' intention was that individual states and Indian tribes would develop their own regulatory programs to enforce uniform minimum standards established by law and regulations. As reliance upon the state agencies has increased, the regulatory part of OSM's budget has decreased and the agency has been downsized. OSM is required to maintain oversight of state regulatory programs.

The Administration request for FY1998 -- at $271.1 million -- was virtually the same with the $271.8 million provided to OSM for FY1997. Of this total, $93.7 million was for Regulation and Technology programs -- a reduction of $0.9 million from FY1997. The Administration's AML request for FY1998 was $177.3 million which, owing to a boost to $5 million for the Appalachian Clean Streams Initiative, would net out to a reduction of nearly $670,000 in grants to states and tribes for reclamation.

Appropriations for AML activities are based on states' current and historic coal production. "Minimum program states" are states with lower coal production that nevertheless have sites needing reclamation. The minimum funding level for these states was increased to $2 million in 1992. However, over the objection of these states, Congress appropriated $1.5 million to minimum program states in FY1996 and FY1997. Both the House and Senate have again requested $1.5 million for FY1998.

The House recommendations are slightly higher than the requested levels, including $94.9 million for Regulation and Technology and $179.6 million for AML, boosting total program spending, if approved, to slightly more than $275 million. The Senate also approved $275 million, to include $96.9 for regulation and technology and $177.6 for the AML program. However, the Conference Report (H.Rept. 105-337) provided $273.1 million for OSM.

For further information on the budget of the Office of Surface Mining, see the World Wide Web site of *DOI's Office of the Budget* at http://www.ios.doi.gov/budget/1998/OSMsum.html

For further information on the *Office of Surface Mining Reclamation and Enforcement*, see its World Wide Web site at http://www.osmre.gov/astart3.htm

Bureau of Indian Affairs

The key issues for the Bureau of Indian Affairs (BIA) are the reorganization and downsizing of the agency and the movement toward greater tribal influence on the agency's programs and expenditures. The BIA is under intense pressure to reorganize, from the tribes, the Administration, and Congress, but the proposals from the three sources have not always been in agreement. Additional issues raised by proposed provisions of the FY1998 Interior appropriations bill include taxation of certain Indian businesses, equitable distribution of BIA funding among tribes, and tribal sovereign immunity from suit.

Greater tribal control over federal Indian programs has been the goal of Indian policy since the 1970s. In the BIA this policy has taken three forms: tribal *contracting* to run individual BIA programs under the Indian Self-Determination Act (P.L. 93-638, as amended); tribal *compacting* with the BIA to manage all or most of a tribe's BIA programs, under the Self-Governance program (P.L. 103-413); and shifting programs into a portion of the BIA budget called *Tribal Priority Allocations* (TPA), where the tribes have more influence on allocations through tribal consultation with the BIA on its budget proposals and through a tribe's option to request the BIA to reprogram budgeted amounts based on the tribe's priorities. (TPA accounts for about 47% of the BIA operating budget in FY1997, including most of the BIA funding for tribal governments' operations, human services, courts and law enforcement, and community development.) Under the Administration's National Performance Review Reinventing Government initiative, the BIA is currently pursuing restructuring and downsizing through the "tribal shares" process, whereby tribes and the BIA negotiate a procedure for determining those BIA functions that are inherently federal and those functions that are available for tribal management, including each tribe's share of funds for the latter functions. A provision in the BIA administrative provisions of the Omnibus Consolidated Appropriations act for FY1997 made BIA central office and certain other funds unavailable for tribal shares distribution in FY1997; and the House retained the administrative provision for FY1998. Congress in FY1997 appropriations committee report language had directed the BIA to proceed with reorganization and consolidation of central, area, and agency offices, and to develop a reorganization plan, but the House report on FY1998 Interior appropriations (H.Rept. 105-163) expressed disappointment in the BIA's response to that directive and ordered the BIA to consolidate small, downsized agencies into area or other agency offices.

During the congressional debate over FY1997 Interior appropriations, Congress considered, but ultimately did not approve, a number of proposals affecting the BIA. Among such unsuccessful proposals were: a provision requiring the Secretary of the Interior to propose (and put into effect where a tribe agreed) a formula distributing most BIA appropriated funds directly to tribes; a provision making tribes subject to suit in state or federal court for actions impacting private property; a provision preventing any new Interior Department regulations on Indian gaming compacts; and a provision prohibiting the Secretary from using his general authority to take land into trust for a tribe unless the tribe had agreed with state and local governments on the collection of state and local retail sales taxes from non-members of the tribe. Some of these proposals have also been put forward in the 105th Congress, in separate legislation.

Congress did add a provision to the Omnibus Consolidated Appropriations Act for FY1997 that amended the Rhode Island Narragansett land settlement act of 1978 (P.L. 95-395) to make the Indian Gaming Regulatory Act inapplicable to Narragansett lands. This provision was opposed by tribes. While the issue has arisen in the 105th Congress, in a hearing before the House Resources Committee and in separate legislation (H.R. 1983), it has not appeared during consideration of FY1998 Interior appropriations.

In the 105th Congress' consideration of the FY1998 Interior appropriations bill, a number of the same proposals have been put forward as were proposed for the FY1997 bill. The House again considered a proviso that would prohibit the Secretary from using his general authority to take land into trust for a tribe unless the tribe had agreed with state and local governments on the collection of state and local retail sales taxes from non-members of the tribe. The House defeated the proposed floor amendment, 216-208. The Senate Appropriations Committee did not offer such an amendment, nor did the conference committee consider it in their report.

The Senate Appropriations Committee did add provisions to the FY1998 Interior appropriations bill that would (1) waive tribal governments' sovereign immunity to civil suit in federal court if a tribe accepted TPA funding and (2) require BIA to develop several alternate formulas to distribute TPA funding on the basis of need, taking into account tribal business revenues including gaming. The Committee proposed implementing the needs-based formula in FY1999, and would require tribes to provide information on their business revenues annually to receive TPA funding in the following fiscal year.

Proponents of the waiver of tribal sovereign immunity argue that tribal immunity to suit denies due process to non-Indians, and that the provision would help state and local governments collect excise taxes on tribal sales to non-members, while opponents argue that federal Indian self-determination policy would be ruined by the immunity waiver, that tribes accepting TPA funds would be bankrupted by such suits, and that tribes refusing the immunity waiver and losing TPA would not have enough funding to operate. The tribal immunity waiver provision was withdrawn on the floor of the Senate, although the leadership of the Senate Indian Affairs Committee promised hearings and a committee vote on a promised bill regarding tribal sovereign immunity. The conference committee did not touch on the issue in its report.

Proponents of TPA funding distribution based on need claim that BIA funding is inequitably distributed, that poorer tribes do not receive adequate funding, that tribal TPA funds received per-capita do not correspond with indicators of tribal need, and that only 30% of TPA funding is based on formulas. Opponents respond that almost all tribes are in poverty, that means-testing of TPA funds violates the federal trust responsibility to tribes, and that the impacts of means-testing TPA funding have not been fully analyzed. The Senate amended the means-testing provision, as reported by the Committee, to drop the requirements for a formula and tribal income data and to distribute FY1998 TPA funds in excess of FY1997 levels (after certain adjustments) in such a way that each tribe receives the minimum funding recommended by the 1994 report of the Joint Tribal/BIA/DOI Task Force on BIA Reorganization ($160,000), with allocation of any remaining TPA funds based on recommendation of a tribal task force. In addition, a report on TPA distribution issues was requested from the General Accounting Office by several Senators. The conference committee agreed to the Senate's amended provision, modifying only the makeup of the task force, its deadline, and procedures if it cannot reach agreement.

The Senate also added other Indian-related provisions to H.R. 2107, including approving a land claim settlement between Florida and the Miccosukee Tribe, restricting uses of an Indian cemetery in Kansas, and prohibiting the Secretary of the Interior from reviewing or approving any tribal-state gaming compacts unless the compacts were approved by the state. The conference committee agreed to these provisions, with amendments to the Miccosukee settlement relating to its effects on taxes and services.

BIA's FY1997 direct appropriations enacted to date are $1.64 billion. For FY1998 the Administration proposed $1.73 billion -- 5.7% over FY1997--including increases of 11.2% in TPA, 3.7% in BIA school operations, 11% in assistance to tribally controlled community colleges, and 17.2% in BIA construction.

The House approved $1.68 billion in FY1998 appropriations for the BIA, an increase from FY1997 of 2.8%. Within the BIA amount the House provided for increases from FY1997 of $76.5 million (11.2%) in TPA, $10.2 million (2.3%) in school operations, $1 million (3.6%) in assistance to tribally controlled community colleges, and $4 million (3.7%)

in BIA construction. This last item included all of the Administration's proposed 58% increase ($18 million) in BIA education construction, but increased public safety and justice construction (i.e., jails and fire protection equipment) by $1 million (22.7%) instead of by the requested $12.1 million (275%). The Senate approved $1.7 billion for FY1998 BIA appropriations, an increase of 3.9% from FY1997. The Senate included the same increases from FY1997 as the House for TPA and BIA school operations. The Senate, however, provided a greater increase than the House in tribally controlled community college assistance ($3 million, or 11%, over FY1997) and in total BIA construction ($18.3 million; 17.1%), including increases of $23.2 million (74.6%) in education construction and $10.1 million (229.5%) in public safety and justice construction over FY1997.

The conference committee approved $1.7 billion for the BIA for FY1998, approximately $0.5 million less than the Senate amount, including the same amounts for TPA, BIA school operations, and total BIA construction. The conference committee reduced the increase in tribally controlled community college assistance to $2.5 million (9% over FY1997), but added $1 million for South Dakota tribes wishing to run programs under the new welfare reform act (Personal Responsibility and Work Opportunity Reconciliation Act of 1996, P.L. 104-193).

For further information on the budget of the Bureau of Indian Affairs, see the World Wide Web site of *DOI's Office of the Budget* at http://www.ios.doi.gov/budget/1998/BIAsum.html

For further information on the *Bureau of Indian Affairs*, see its World Wide Web site at http://www.doi.gov/bureau-indian-affairs.html

Departmental Offices

For further information on the budget of the Departmental Offices, see the World Wide Web site of *DOI's Office of the Budget* at http://www.ios.doi.gov/budget/1998/DOsum.html

National Indian Gaming Commission. The National Indian Gaming Commission (NIGC) was established by the Indian Gaming Regulatory Act of 1988 (P.L. 100-497) to oversee Indian tribal regulation of tribal bingo and other "Class II" operations, as well as aspects of the "Class III" games (casinos, racing, etc.). The NIGC receives federal appropriations but its budget authority consists chiefly of fee assessments on tribes' Class II operations. In partial response to certain criticisms of its performance, the NIGC has testified to Congress that its funding (appropriations plus fees) is inadequate and requested amendments to increase the funding (July 10, 1997).

For FY1997, NIGC appropriations were $1 million. The President proposed $1 million for FY1998 and the House agreed, as did the Senate and the conference committee. The Senate added a provision to prevent the Commission from amending its definitions of electronic gaming devices, to which the conference committee agreed, with an amendment that allows the NIGC to gather information on the issue.

The conference committee also added a new provision amending the Indian Gaming Regulatory Act to increase the amount of assessment fees the NIGC may collect, to make Class III as well as Class II operations subject to fees, and to increase the authorization of NIGC appropriations to $2 million.

Office of Special Trustee for American Indians. The Office of Special Trustee for American Indians, in the Secretary of the Interior's office, was authorized by Title III of the American Indian Trust Fund Management Reform Act of 1994 (P.L. 103-412). The Office of Special Trustee (OST) is responsible for managing Indian trust funds. These funds were formerly managed by the BIA, but numerous federal, tribal, and congressional reports had shown severely inadequate management with probable losses to Indian tribal and individual beneficiaries. The FY1996 Interior appropriations conference report (H.Rept. 104-402) stated that further BIA trust asset management activities could be transferred to the OST. It directed the OST to produce a detailed operating plan and to fund a multi-tribal trust-fund monitoring association. The Special Trustee, in 1996 testimony before a House Resources Committee task force on Indian trust fund management, estimated that the eventual cost of improvements he recommended in trust-fund management alone would total $100 million.

On April 1997 the OST unveiled its Strategic Plan for the management of Indian tribal and individual trust funds and assets. The plan recommended creation of a new federally chartered agency, to which trust funds and assets would be transferred, and management and investment of the funds and assets to assist Indian economic growth. The House Appropriations Committee report for FY1998 (H.Rept. 105-163) found the tribes opposed to the Strategic Plan, especially to the proposed new agency, and directed the OST to pursue systems improvements for trust fund management but not to implement the establishment of the proposed new agency. While not commenting on the Strategic Plan, the Senate Appropriations Committee noted the OST's needs and responsibilities relating to the settlement of financial claims that tribal and individual beneficiaries have made because of BIA trust-funds mismanagement (S.Rept. 105-56).

FY1997 funding for the Office of Special Trustee was set at $32.13 million. The President's FY1998 budget proposed a budget of $39.34 million. The House provided $32.13 million, the same as FY1997 funding, while the Senate provided $35.7 million, an 11.1% increase over FY1997. The conference committee recommended $33,907,000, a 5.5% increase over FY1997.

The conference committee also took note of ongoing trust-fund litigation by tribal and individual beneficiaries, and of current settlement efforts, by providing that $2.2 million of OST FY1998 appropriations could be used for settlement and litigation support.

For further information on the *Office of Special Trustee for American Indians*, see its World Wide Web site at http://www.ost.doi.gov/

Insular Affairs. The Secretary of the Interior has primary federal responsibility for all U.S. territories except Puerto Rico, as well as certain responsibilities for the three freely associated states. The Secretary has delegated these responsibilities to the Office of Insular Affairs (OIA) within the Department's Office of the Assistant Secretary—Policy, Management and Budget. OIA provides the insular areas with funding for various types of activities, including capital improvements and technical assistance.

The President requested $87.7 million in funding for insular affairs for FY1998, about $1 million less than the FY1997 appropriation. The President requested increased funding for FY1998, over the FY1997 levels, for several activities in the "Assistance to Territories" account, including maintenance assistance and brown tree snake control. The House Appropriations Committee recommended $88.7 million in FY1998 insular affairs funding, an increase of $1.0 million over the President's request. It allocated the additional $1.0 million for technical assistance. The House Appropriations Committee report states the Committee's concern about the brown tree snake problem and its expectation that OIA will continue playing "a major coordinating role" in federal control efforts. The FY1998 Interior Appropriations bill passed by the House on July 15, 1997, included $88.7 million in insular affairs funding, as recommended by the House Appropriations Committee.

The Senate Appropriations Committee recommended $87.8 million in FY1998 insular affairs funding, $0.1 million more than requested by the President and $0.9 million less than approved by the full House. The Senate Committee recommendation did not include any of the additional $1.0 million for technical assistance provided in the House-passed bill (see above). It did, however, include an additional $0.1 million in funding, above the amount requested by the President and approved by the House, for the "Compact of Free Association" account. The additional $0.1 million was allocated for the Enewetak support program, which provides food assistance to the people of Enewetak (in the Marshall Islands). The FY1998 Interior Appropriations bill passed by the Senate on September 18, 1997, included $87.8 million in insular affairs funding, as recommended by the Senate Appropriations Committee.

The conference agreement on the FY1998 Interior Appropriations bill includes $88.1 million in insular affairs funding, which is $0.6 million less than the House-passed total and $0.3 million more than the Senate-passed amount. Compared to the President's funding request, the conference agreement provides an additional $0.3 million for technical assistance and an additional $0.1 million for Enewetak support.

Financial assistance to American Samoa is a key issue in FY1998 territorial appropriations. American Samoa receives funding for both government operations and capital improvements. The President's FY1998 funding request for the territory totals $33.2 million, compared to its FY1997 appropriation of $29.2 million. Virtually all of the proposed $4.0 million increase is for capital improvements. Under the terms of the Omnibus FY1996 Appropriations Act (P.L. 104-134), the $27.7 million mandatory annual payment to the Commonwealth of the Northern Mariana Islands (CNMI) is to be reallocated. The CNMI is to receive $11 million in construction funding annually through FY2002. The remaining annual amount of $16.7 million is to be used for specified purposes, including capital infrastructure projects, in the insular areas. For FY1998, the President requested that American Samoa receive $10.1 million of that $16.7 million for capital improvement projects. The Interior Department's FY1998 budget justifications indicate that in past years American Samoa has received about $5 million on average in annual construction grants. (The FY1997 appropriation was $6.1 million.) According to the justifications, however, over the years, "American Samoa has fallen further and further behind in keeping up with the infrastructure needs of a rapidly growing population." Both the House and Senate Appropriations Committees recommended the same reallocation of the CNMI's $27.7 million payment and the same levels of funding for American Samoa as contained in the President's request.

While requesting an increase in funding for American Samoa, the Interior Department justifications also express concerns about financial problems in the territory: "Very little progress has been made in the last year to improve the government's financial condition or the general control environment." The justifications note that Congress, with the Department's support, withheld $2 million in construction funding for FY1997 in response to American Samoa's failure to implement the recommendations in an agreed-upon financial recovery plan. Both the House and Senate Appropriations Committee reports make clear that American Samoa needs to implement reforms outlined in the financial plan. According to the Senate report, "the Committee will continue to oppose release of currently withheld infrastructure funds in the absence of significant progress on fiscal reform."

For further information on *Insular Affairs*, see its World Wide Web site at http://www.doi.gov/oia/index.html

Title II: Related Agencies and Programs

Department of Agriculture: U.S. Forest Service

The conference agreed to $2.507 billion in appropriations for the Forest Service, $25 million more than the Senate and $138 million more than the FY1998 budget request, but $128 million less than the House. The agreement was higher than the House, Senate, and requested levels for facilities construction and for land acquisition, but for most programs differed only modestly from the House and Senate versions. The House had increased wildland fire management by $77 million, but the Senate reduced this by $9 million; the agreement was between these levels, increasing wildland fire management by $70 million over the request. However, this is $495 million less than was enacted for FY1997, including the $550 million emergency supplemental appropriation. Finally, the House had included $128 million for the Knutson-Vandenberg (K-V) Fund, to complete repayment of previous borrowings for emergency firefighting, but the Senate and the conference agreement eliminated this funding.

For further information on the *Department of Agriculture: U.S. Forest Service*, see its World Wide Web site at http://www.fs.fed.us/

Timber Sales and Forest Health. Timber sales, especially salvage timber, and forest health are likely to continue to dominate Forest Service budget debates. With the completion of the Emergency Salvage Timber Sale Program enacted in the 1995 Rescissions Act (P.L. 104-19), the beneficial and harmful consequences of the program may be a focus of debate. The FY1998 budget request proposed declines both in salvage sales (from 1.429 billion board feet, or BBF, to 1.275 BBF) and in new green sales (from 2.751 BBF to 2.505 BBF); the House and Senate modestly increased new green sales (to 2.525 BBF). The Administration had also proposed to limit the use of the Salvage Sale Fund and to establish a new Forest Ecosystem Restoration and Maintenance (FERM) Fund for watershed and wildlife habitat improvement, stand density reduction, and ecosystem restoration, but legislation to enact these changes has not yet been introduced.

Forest Roads. Road construction in the national forests continues to be controversial. Some interests oppose new roads because roads increase access to areas they believe should be preserved in a pristine condition, because roads are a major source of erosion, stream sedimentation, and other environmental degradation, and because road funding is asserted to be a corporate subsidy for the timber industry. Supporters argue that access roads are needed for forest protection (*e.g.*, from wildfire) and for timber harvesting and other on-site uses, and maintain that roads can be built without causing significant environmental problems.

The Administration proposed to end the use of purchaser road credits to finance road construction. This system, authorized in Section 4(2) of the 1964 National Forest Roads and Trails Act (P.L. 88-657, 78 Stat. 1089; 16 *U.S.C.* 532-538), allows the Forest Service to build "forest development" roads through requirements on timber purchasers, and to compensate those purchasers with credits that can generally be used to pay for timber.[1] Over the past decade, this funding system has provided more than a third of road construction funding and more than 90% of the mileage built. The Administration proposed to simply make the specified road construction a contract requirement, to be paid like any other cost the purchaser must incur (and the approach used for road building on Bureau of Land Management timber sales), rather than grant credits. The House Interior Appropriations Committee included a provision limiting the program to small businesses, with a $50 million ceiling on the amount that could be obligated in FY1998. (This matches the ceiling that has been included in previous bills.) On the House floor, the small business provision was removed by a point of order. Then, an amendment to reduce road appropriations by $41.5 million (48%) and to limit road credits to $1 was amended (by a vote of 211-209) to reduce road appropriations by $5.6 million (7%) and to cap road credits at $25 million; the modified amendment passed the House, 246-179. The Senate increased road funding by $2 million above the requested level, and directed the Forest Service to continue the purchaser credit program without change, while not specifying a ceiling on the amount of credits than can be used. A Senate floor amendment to eliminate purchaser road credits (but still include road construction costs as moneys received for the 25% revenue-sharing payments), and to reduce road appropriations by $10 million was defeated (51-49). The conference agreement accepted the changes made by the Senate.

Department of Energy

For further information on the *Department of Energy,* see its World Wide Web site at http://www.doe.gov/

Fossil Energy Research, Development, and Demonstration. The Clinton Administration's FY1998 budget request for fossil fuel research and development (R&D) represents a refinement of current budget levels to reflect the Administration's energy and environmental priorities. Environmental issues, particularly global climate change concerns, remain the primary justification for much of the proposed budget that would result in a 16.6% reduction in the fossil energy budget since FY1996 if approved by Congress. Broken down by fuel, decreases from FY1996 levels would be as follows: coal-- 16.4%, natural gas R&D -- 3.2%, fuel cells R&D -- 9.7%, and petroleum R&D -- 5%. In addition, the Administration is recommending an additional rescission in funding for the Clean Coal Technology Program for FY1998 of $153 million, and a deferral of $133 million in unobligated balances until FY1999. This request follows a $123 rescission in the current FY1997 budget.

Overall, the Administration's FY1998 request for fossil energy is $346.4 million, a 5% decrease from the FY1997 appropriation of $364.7 million. From current FY1997 levels, coal R&D would decrease 2.9%, natural gas R&D would decrease 19.3%, fuel cells R&D would decrease 7.6% and petroleum R&D would increase 13.6%. The Administration is requesting no new funding for the Clean Coal Technology Program.

The Administration's efforts since FY1994 to focus on natural gas is based on that fuel's environmental advantage versus coal or petroleum, and on the current outlook for fossil fuel availability and current prices. Critics question the extent to which fossil fuel R&D should be based on current trends and a view of natural gas as a "transition fuel" to non-fossil fuels.

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[1] The system is substantially more complicated than this statement suggests. For more information, see CRS Report 97-14 ENR, *The Forest Service Budget: Trust Funds and Special Accounts, Appendix E: Timber Purchaser Road Credits,* pp. 40-41.

They question whether the Administration taking too narrow a view of coal's potential for electric generation and technology exports and whether these changes will have a negative impact on jobs and the economy or will develop new markets and opportunities?

In the appropriations process, the House Interior Appropriations Committee significantly reduced the Administration's request for natural gas and fuel cell research, while slightly increasing funding for coal technology and oil technology research compared with enacted levels. The committee recommended $312.2 million for fossil energy R&D, a reduction of 14% from FY1997 levels. Coal R&D would receive $106.8 million, an increase of 4% from FY1997 levels; natural gas R&D would receive $24.4 million, a reduction of 65% from FY1997 levels; fuel cell R&D would receive $37.2 million, a reduction of 26% from FY1997 levels; and oil technology R&D would receive $49.4 million, an increase of 8% from FY1997 levels. The committee also reduced the Administration's requested Clean Coal Technology Program rescission from $153 million to $100 million and rejected its requested deferral of $133 million and its proposed initiative targeted toward the Chinese market. In floor action, amendments were offered to reduce funding for fossil energy R&D and to increase the committee's proposal Clean Coal Technology Program rescission. None of these amendments passed.

On July 22, the Senate Appropriations Committee reported out its version of H.R. 2107. The committee significantly increased requested funding for natural gas R&D (particularly advanced turbine systems), and, agreed with the Administration against the House-passed bill on funding for fuel cells. The committee recommended $364.0 million for fossil energy R&D, a reduction of less than 1% from FY1997 levels. Coal R&D would receive $100.5 million, a reduction of 2.5% from FY1997 levels; natural gas R&D would receive $70.3 million, an increase of less than 1% from FY1997 levels; fuel cell R&D would receive $46.3 million, a reduction of 8% from FY1997 levels (same as the President's request); and oil technology R&D would receive $49.7 million, an increase of 8% from FY1997 levels. The committee also reduced the Administration's requested Clean Coal Technology Program rescission from $153 to $101 million. Like the House, the committee rejected the Administration's proposed Clean Coal Technology Program deferral of $133 million and its proposed initiative targeted toward the Chinese market. The full Senate passed H.R. 2107 on September 18 with no amendments to the fossil energy R&D provisions.

On October 22, the conference committee reported out H.R. 2107. The conference committee recommended $362.4 million, a reduction of less than 1% from FY1997 levels. Coal R&D would receive $107.4 million, an increase of 4.3% from FY1997 levels; natural gas R&D would receive $71 million, an increase of 1% from FY1997 levels; fuel cell R&D would receive $40.2 million, a reduction of 19.8% from FY1997 levels; and oil technology R&D would receive $48.6 million, an increase of 5.7% from the FY1997 level. The Clean Coal Technology Program rescission would be $101 million, same as recommended by the House- and Senate-passed bills.

For further information on *Fossil Energy,* see its World Wide Web site at http://www.fe.doe.gov/

Strategic Petroleum Reserve. After purchases of oil for the Strategic Petroleum Reserve ended in FY1994, the program was largely funded using previously authorized but unspent balances in the petroleum acquisition account. When this was no longer a practical source for funding, the Administration and Congress approved sales of SPR oil to finance some program costs in FY1996, and all of them in FY1997. In its FY1998 budget request, the Administration asked for a conventional appropriation of $209 million to operate and maintain the SPR during FY1998.

Some Members of Congress have supported past sales of SPR oil in the interests of reducing federal spending. Critics of SPR sales have argued that SPR oil was not intended, and should not be used, to generate offsetting revenues. They further argued that with the SPR inventory reduced from nearly 591 million barrels to 565, additional sales would be imprudent from an energy security perspective as well.

On June 17, 1997, the Interior Subcommittee of the House Appropriations Committee approved language to require a sale of SPR to fund the program at the level requested by the Administration for FY1998. Leadership of the Commerce Committee and its Subcommittee on Energy and Power expressed their opposition to the sale in a letter to Representative Livingston, the chair of the Appropriations Committee. However, the House Appropriations Committee retained the sale in the version reported to the floor, noting in its report that "the Committee expects this to be the final year in which oil will be sold to pay for SPR operations."

On September 18, 1997, the Senate passed an amendment to its version of the Interior Appropriations which would provide an alternative means to funding the SPR in FY1998. Sale of the Naval Petroleum Reserve field at Elk Hills will likely be concluded early in 1998, and it is expected that the government may receive more for the field than was anticipated in the balanced budget agreement. The Senate amendment, introduced by Senators Bingaman and Murkowski, would apply $207.5 million of any excess revenues to support the SPR program. The Administration supported the amendment.

Both House and Senate versions also include language authorizing leasing of unutilized SPR storage to other countries; this is projected to raise $13 million over the period of FY1998-FY2002.

For further information on the *Strategic Petroleum Reserve*, see its World Wide Web site at http://www.fe.doe.gov/spr/spr.html

Naval Petroleum Reserves. The National Defense Authorization Act for FY1996 (P.L. 104-106) authorized sale of the federal interest in the oil field at Elk Hills, CA (NPR-1), and established a two-year timetable for completion of the sale. In anticipation that divestiture of NPR-1 will be completed in February 1998 -- reducing costs for operations, development and program direction -- the Administration has requested $117 million for FY1998, a reduction of $26.8 million from FY1997. The House approved $115 million; the Senate approved $107 million. Should sale of NPR-1 be delayed, both Houses provided for the use of excess receipts to fund operations. The Conference Report (H.Rept. 105-337) provided $107 million for the Naval Petroleum Reserves.

For further information on *Naval Petroleum Reserves*, see its World Wide Web site at http://www.fe.doe.gov/nposr/nprpage.html

Energy Efficiency. The Administration's FY1998 Budget Request for DOE's Energy Efficiency Program (DOE/CR-0044, v.4) sought $707.7 million (including $20 million in Petroleum Overcharge funding), which reflected a $123 million or 20% increase over the FY1997 appropriation. R&D programs were proposed to increase by $82 million, or 17%, and grants would have increased by $41 million or 28%. About $44 million of the increase was targeted toward two Presidential initiatives: the Partnership for a New Generation of Vehicles (PNGV) would have increased by $18 million or 15% and Climate Change Action Plan (CCAP) initiatives would have grown by $26 million or 39%. Changes in specific R&D programs included $30 million more for Buildings R&D, $28 million more for Transportation, $7 million more for Industry, and $11 million more for Federal Energy Management.

DOE's proposed FY1998 $28 million increase in Transportation R&D included $12.9 million more for Vehicle Systems, which is focused on high power energy storage and advanced power electronics to achieve the 80-mpg PNGV goal. Also, it included $8.4 million more for Fuel Cells, to develop high power density cell stacks and quick-response and fuel-flexible fuel processor components. The proposed $30 million increase for Buildings R&D included a $4.9 million increase to help states implement building energy codes; $4.4 million to begin multi-community developments in Building America, Affordable Homes initiative, and other residential R,D&D activities; a $4.4 million increase for very high frequency (VHF) light sources and technology introduction partnerships; and a $3.6 million increase to revamp methods used to prepare lighting and appliance standards rules. DOE's proposed $7 million increase for Industry included a $6.2 million increase for new proposals in the NICE-3 program; a $2.8 million increase to continue the Climate Wise program for industry; a $2.5 million increase to fund chemical, bioprocessing, and computational techniques in the Chemicals Vision program; and a $2.1 million increase for the spray forming project and shift to R&D partnerships under the Aluminum Vision program.

In contrast to the request, the House approved $644.7 million: $599.7 million plus $45 million for a proposed transfer of the Advanced Gas Turbine Program from the Office of Fossil Energy. The Senate approved $629.4 million, excluding transfer of the Advanced Turbine Program. The Conference mark is $96 million, or 14%, less than the request and it includes $60 million, or 12%, less for R&D and $36 million, or 19% less for grants.

Compared to FY1997, the Conference mark has $36.6 million, or 9%, more for R&D and $5 million, or 3%, more for grants. Virtually all of the R&D increase goes to industry and transportation. In transportation, Vehicle systems gets $10.4 million more and Advanced Heavy Vehicles gets $6.1 million more. In industry, cross-cutting programs get an increase of $9.7 million and Metal Casting gets $2 million more, while Chemicals falls by $800,000. In buildings, Weatherization goes up by $4 million, while Management drops $4.5 million and Building Systems falls by $600,000.

The House-proposed transfer of Advanced Turbines was dropped in Conference Committee. Some funding was included for the Administration's climate-related initiatives: under buildings, the Energy Star Partnerships received $500,000; and under industry, the Motor Challenge received $200,000. However, the Climate-Wise Program was not funded. In industry, Technology Access held on with a $1.3 million, or 5%, increase. Also, the Conference managers included report language that sets certain controls over the Home Energy Rating System program and the Energy Star program. Further, the report encourages DOE to focus on an energy efficient process for industrial coke-making in steel plants. Additionally, the report specifies that "No funds should be redirected from program funding provided by the Congress unless specifically identified in the budget request or in the Committee reports."

For further information on *Energy Efficiency*, see its World Wide Web site at http://www.eren.doe.gov/

Department of Health and Human Services: Indian Health Service

The Indian Health Service (IHS) carries out the federal responsibility of assuring comprehensive preventive, curative, rehabilitative, and environmental health services for approximately 1.4 million American Indians and Alaska Natives who belong to more than 545 federally recognized tribes in 34 states. Care is provided through a system of federal, tribal, and urban operated programs and facilities that serves as the major source of health care for American Indians and Alaska natives. IHS funding is separated into two accounts: Indian Health Services and Indian Health Facilities. Included in Indian Health Services are such services as hospital and health clinic programs, dental health, and mental health, alcohol, and substance abuse programs, preventive health services, urban health projects, and funding for Indian health professions. The Indian Health Facilities account includes funds for maintenance and improvement, construction of facilities, sanitation facilities, and environmental health support.

P.L. 104-208, the Omnibus Consolidated Appropriations Act, 1997 (H.R. 3662) provided the IHS with $2.054 billion for FY1997 ($1.806 billion for Services and $248 million for Health Facilities). The Administration's FY1998 budget requested $2.122 billion for the IHS ($1.835 billion for Services and $287 million for Health Facilities), an increase of $68 million over the FY1997 enacted level. The House-passed FY1998 appropriations bill, H.R. 2107, provided $2.086 billion ($1.829 billion for services and $257 million for health facilities), $32 million more than the FY1997 enacted level, but $36 million less than the Administration's request. The Senate-passed version of the bill provided $2.127 billion for the IHS in FY1998 ($1.958 billion for Services and $169 million for Health Facilities), $5 million more than the Administration's request and $40 million more than the House-approved level. The Senate-passed appropriations bill would have shifted funding for facilities and environmental health support, $105 million, from the "Health Facilities" account to the "Health Services" account. The Conference Committee agreed to provide the IHS with $2.098 billion for FY1998, $44 million more than FY1997 enacted levels, but $24 million less than the Administration's FY1998 request. The Committee provides $1.841 billion for Health Services and $258 million for Health Facilities.

The population served by the IHS bears a higher incidence of illness and premature mortality than other U.S. populations, although the differences in mortality rates have diminished in recent years in such areas as infant and maternal mortality, as well as mortality associated with alcoholism, injuries, tuberculosis, gastroenteritis, and other conditions. American Indians and Alaska Natives also have less access to health care than does the general U.S. population, with the number of physicians and nurses per Indian beneficiary, already below that of the general population, dropping since the 1980's. In FY1996, the IHS per capita health expenditure was $1,578, compared to the U.S. civilian per capita expenditure of $3,920. The population eligible for IHS services is increasing at an approximate rate of 2.1% per year. The President's FY1998 budget provided $29 million more for services and $39 million for facilities than FY1997 funding levels. The House-passed FY1998 appropriation provided increases over FY1997, but not as great as those requested ($23 million more for services and $10 million more for facilities than FY1997 appropriations). Among other things, the House Appropriations Committee approved $300,000 to establish three pilot sites for the treatment of diabetes and periodontal disease and increases funding for contract support costs ($169 million, an increase of $8 million), and contract health services ($371 million, an increase of $3 million). The House-passed bill included an amendment that prohibited any funding that is made available to the Indian Health Service to be used to restructure Indian health care delivery systems to Alaskan Natives. The

Senate Appropriations Committee approved $3 million for grants to tribes and Indian organizations to support efforts to reduce the incidence of diabetes among American Indians and Alaskan Natives. The Senate Committee considers it imperative that scarce funds available to meet the health needs of Alaska Natives be professionally and prudently managed to provide the maximum amount of high quality health services to Alaska Natives. The Senate bill replaced the House language prohibiting IHS funds from being used to restructure Indian health care delivery systems to Alaskan Natives with language relating to a consortium for the provision of health services through the Alaska Native Medical Center and the IHS Alaska area office. Both the House and Senate bills provided $12 million for the Indian Catastrophic Health Emergency Fund and $7.5 million for the Indian Self-Determination Fund. The Conference Committee agreement increases funding for hospital and clinic programs by $16 million over FY1997 enacted levels and rejects the Senate proposal to shift funding for facilities and environmental health support from the Health Facilities to Health Services account.

Many IHS health care providing facilities are reportedly in need of repair or replacement. Funding for the construction of new facilities has decreased in recent years while funding for the provision of health services has increased; a priority list has been established for new construction. The Administration's FY1998 budget for IHS facilities requested $39 million for facility construction projects, an increase of $25 million over FY1997 enacted levels. These funds would be used to begin construction of two health facilities in Arizona. The Administration also requested $90 million for sanitation facilities construction, an integral component of the IHS disease prevention. The House-passed bill provided $14.9 million ($24 million less than the Administration had requested) for facility construction and $89 million for sanitation facilities construction. The Senate-passed funding bill provided $26.7 million for facilities construction, $12 million less the Administration's request. The Conference Committee provides $14.4 million for facility construction; $89 million for sanitation facilities construction; and 102 million for environmental health support.

For further information on *Department of Health and Human Services: Indian Health Service*, see its World Wide Web site at http://www.tucson.ihs.gov/

Office of Navajo and Hopi Indian Relocation

The Office of Navajo and Hopi Indian Relocation (ONHIR) was reauthorized for FY1995-1997 by P.L. 104-15. The 1974 relocation legislation (P.L. 93-531, as amended) was the end result of a dispute between the Hopi and Navajo tribes involving land originally set aside by the federal government for a reservation in 1882. Pursuant to the 1974 act, lands were partitioned between the two tribes and members of one tribe who ended up on the other tribe's land were to be relocated. Most relocatees are Navajo. A large majority of the estimated 3,402 Navajo families formerly on the land partitioned to the Hopi have already relocated under the Act, but the House Appropriations Committee in 1997 estimates that 534 Navajo families have yet to be relocated, including 84 families still on Hopi partitioned land (many of whom refuse to relocate).

Negotiations had gone forward among the two tribes, the Navajo families on Hopi partitioned land, and the federal government, especially regarding Hopi Tribe claims against the United States. A proposed settlement agreement was reached on December 14, 1995, between the United States and the Hopi Tribe. Attached to the settlement agreement was a separate accommodation agreement between the Hopi Tribe and the Navajo families, which provided for 75-year leases for Navajo families on Hopi partitioned land. The Navajo-Hopi

Land Dispute Settlement Act of 1996 (P.L. 104-301) approved the settlement agreement between the United States and the Hopi Tribe. Not all issues have been resolved by these agreements, however, and opposition to the agreements and the leases is strong among some of the Navajo families. Navajo families with homesites on Hopi partitioned land faced a March 31, 1997, deadline for signing leases. An initial Hopi report said 60 of the 80 homesites affected had signed the leases.

The Hopi Tribe has called for enforcement of relocation against Navajo families without leases. Like the FY1997 Interior appropriations act, the FY1998 Interior appropriations bill passed by the House and Senate contains a proviso forbidding ONHIR from evicting any Navajo family from Hopi partitioned lands unless a replacement home is provided. This language appears to prevent ONHIR from forcibly relocating Navajo families, since ONHIR has a large backlog of other families that need homes. The settlement agreement approved by P.L. 104-301, however, allows the Hopi Tribe under certain circumstances to begin quiet-possession actions against the United States in the year 2000 if Navajo families on Hopi partitioned land have not entered into leases with the Hopi Tribe.

Congress has for a long time been concerned by the slow pace of relocation and by relocatees' apparent low level of interest in moving to the "new lands" acquired for the Navajo reservation for relocatee use. Appropriations committee reports in 1995 and 1996 called on ONHIR to explore termination of the relocation program, and the Senate considered a bill phasing out ONHIR. The House FY1998 committee report (H.Rept. 105-163) repeats the direction to prepare for termination of the program and also directs ONHIR to stop further development work on the new lands beyond that required to meet relocatee demand.

For FY1997, ONHIR received appropriations of $19.345 million. For FY1998 the Administration proposed the same amount, the House provided $18.345 million, and the Senate provided $15 million. The conference committee agreed with the Senate amount.

Other Related Agencies

One of the pervasive issues for the programs and agencies delineated below is whether federal government support for the arts and culture is an appropriate federal role, and if it is, what should be the shape of that support. If the continued federal role is not appropriate, might the federal commitment be scaled back such that greater private support or state support would be encouraged? Each program has its own unique relationship to this overarching issue.

Smithsonian. The Smithsonian Institution (SI) is a museum, education and research complex of 16 museums and galleries and the National Zoo. Nine of its museums and galleries are located on the Mall between the U.S. Capitol and the Washington monument. The Smithsonian is estimated to be 70+ percent federally funded. A federal commitment was established by initial legislation in 1846. In addition to receiving federal appropriations, the Smithsonian has private trust funds, which include endowments, donations, and other revenues from its sales stores and magazine.

The FY1998 Clinton Administration budget would allow the Smithsonian a total of $428.4 million, and $334.6 million of that amount would be for salaries and expenses. Of the total for the Smithsonian, $58 million is proposed for the National Museum of the American Indian (NMAI) on the Mall. In view of current budget constraints in Congress, opponents of the new museum argue that the current SI museums need renovation and repair, and maintenance of the collection with over 139 million items, more than the public needs another museum on the Mall. Proponents feel that there has been too long a delay in providing a museum "in Washington" to house the Indian collection. Private donations to the Smithsonian and a fund-raising campaign have brought cash and pledges worth $37 million, required to meet the non-appropriated portion of project funding. Of this amount, $15 million came from the Indian community directly. However, the total cost of the American Indian museum was estimated at $110 million. The Smithsonian's final appropriation for FY1996 restored $15 million for the National Museum of the American Indian Cultural Resources Center and the FY1997 appropriations allowed $4 million for planning and design of the American Indian Museum on the Mall. The House Appropriations Committee has mentioned in the FY1998 appropriations report (H. Rept. 105-163) that federal funding should end at this point for the NMAI because it had asked previously that the construction project be scaled down in cost and design.

The final FY1997 appropriation (P.L. 104-208) for the Smithsonian included a $371.342 million funding level ($317.557 million for Salaries and Expenses for FY1997 plus $935,000 to cover anti-terrorist requirements). The Administration's FY1998 budget request for the Smithsonian would be an increase of $57 million over the final FY1997 appropriation, a difference primarily for construction of the American Indian Museum.

The House Interior Appropriations Subcommittee reported to the full Committee a bill that would increase the Smithsonian’s Salaries and Expenses to $334.6 million for FY1998, a $16 million increase over the FY1997 appropriation ($318.5 million) and the same as the FY1998 budget for salaries and expenses. However, the total amount for the Smithsonian, including construction and repair, would be $388.4 million, $17 million more than in FY1997 ($371.3 million) but less than the Administration’s FY1998 budget request ($428.4 million). Part of the House Subcommittee's reported increase in the Smithsonian budget ($50 million) would be for repair and restoration of buildings. The House Interior Appropriations Subcommittee indicated that it was one of its priorities to address the backlog for maintenance and repairs in a number of Department of Interior and related agencies' programs. The House-reported (H.Rept. 105-163) bill and the House-passed FY1998 Department of Interior appropriations bill (S. 2107) would provide the same amounts for the Smithsonian as recommended by the House Subcommittee on Interior Appropriations. The Senate Subcommittee on Interior Appropriations approved (7/18/97) and the Senate Appropriations Committee concurred (7/22/97) with allowing a total of $333.7 million for Salaries and Expenses, a slight decrease from the House allowance but a $15 million increase above the FY1997 level. The Senate Appropriations Committee recommended $32 million for repair and restoration of buildings to help with the maintenance backlog. In addition, for construction, the Senate Appropriations Committee would allow $29 million for the first phase of construction of the American Indian Museum on the Mall and $4 million for the design of the Dulles extension of the National Air and Space Museum. The Senate passed H.R.2107 on September 18th, 1997, providing $333.7 million for Salaries and Expenses and $402.558 million for the total appropriation for the Smithsonian for FY1998. On September 30, 1997, the conferees adopted the Conference Report (H.Rept. 105-337) to accompany the Interior appropriations bill that would appropriate $333.408 million for Salaries and Expenses and $402.258 million for the total appropriation for the Smithsonian.

The Smithsonian marked its 150th anniversary in FY1997 and generated public programs associated with it including "America's Smithsonian," a traveling exhibit. The Smithsonian has indicated that the traveling exhibit (free to the public) was too costly for the Smithsonian, given the current budget, and it announced that it would have to curtail it, and would institute an admission charge for certain special exhibits in the Smithsonian buildings on the Mall. In view of the trend toward diminished federal support, the Smithsonian has also begun to use bond issues for some construction projects including the National Air and Space Museum extension and the renovation of the National Museum of Natural History.

For further information on the *Smithsonian*, see its World Wide Web site at http://www.si.edu/newstart.htm

National Endowment for the Arts, National Endowment for the Humanities, and Institute of Museum Services. One of the primary vehicles for federal support for arts, humanities and museums is the National Foundation on the Arts and the Humanities, composed of the National Endowment for the Arts (NEA), the National Endowment for the Humanities (NEH), and IMS, the Institute of Museum Services (now a newly constituted Institute of Museum and Library Services (IMLS). The authorizing act, the National Foundation on the Arts and the Humanities Act has expired, but has been operating on temporary authority through appropriations law. The last reauthorization for the National Foundation on the Arts and the Humanities occurred in 1990. The 104th Congress established the new Institute of Museum and Library Services under P.L. 104-208.

Among the questions Congress is considering is whether funding for the arts, humanities, and museums is an appropriate federal role and responsibility. The current climate of budget constraints raises questions about the need for such support. Some argue that NEA and NEH should be abolished altogether, contending that the federal government should not be in the business of supporting culture. They also argue that culture can and does flourish on its own through private support. Proponents of federal support for arts and humanities argue that the federal government has a long tradition of such support, beginning with congressional appropriation of funds for works of art to adorn the U.S. Capitol in 1817. Spokesmen for the private sector say that they are unable to make up the gap that would be left by the loss of federal funds for the arts. Some argue that abolishing or any significant reduction to NEA, NEH and IMLS will curtail or eliminate the programs that have national purposes (such as touring theater and dance companies, radio and television shows, etc.)

The controversy involving charges of obscenity concerning a small number of NEA grants still remains an issue despite attempts to resolve these problems through statutory provisions. To date, no NEA projects have been judged obscene by the courts. In addition, a federal appeals court (November 5, 1996) upheld an earlier decision, ruling that applying the "general standards of decency" clause to NEA grants was "unconstitutional." Prior to this decision, Congress eliminated funding for most grants to individual artists; in anticipation of this outcome, NEA had already eliminated grants to individuals by arts discipline except to maintain Literature fellowships, Jazz masters and National Heritage fellowships in the Folk and Traditional Arts.

The 104th Congress considered but did not enact legislation to reauthorize the National Foundation on the Arts and the Humanities. The House proposal (H.R. 1557) and the Senate bill (S. 856) were reported by committee, but no further action was taken. However, a newly created Institute of Museum and Library Services (IMLS) was authorized through the Omnibus Consolidated Appropriations Act of 1997, merging the previous Institute of Museum Services with library resources programs.

An agreement among some Members of Congress was made at the time of House passage of the FY1997 Interior appropriations bill, with the assumption that NEA would be terminated in two years. However, the Senate appropriations committee reported H.R. 3662 and expressed continued support for NEA and NEH. Provisions of H.R. 3662 became part of the Omnibus Consolidated appropriations Act of 1997, P.L. 104-208, allowing $99.494 million for NEA, $110 million for NEH and $22 million for IMS.

The Administration's FY1998 budget would provide $136 million for NEA and NEH and $26 million for the Office of Museum Services, within the Institute of Museum and Library Services. The President's Committee on the Arts recently released a publication, *Creative America* that recommends that federal funding be restored for NEA, NEH and IMLS to levels "adequate to fulfill their national roles." The goal expressed was for appropriations to equal $2.00 per person by the year 2000 for all three agencies.

On June 17th, 1997 the House Interior Appropriations Subcommittee reported out a bill to the full Appropriations Committee that would appropriate $10 million to the NEA for FY1998, a decrease of $89.494 million from the FY1997 appropriation. However, language was deleted that would have brought about an "orderly closure" of the NEA. The full House Appropriations Committee retained $10 million for NEA. An amendment to restore funding to the FY1997 level for NEA failed. For NEH, the Subcommittee would maintain the FY1997 funding level for FY1998 of $110 million; and for the Office of Museum Services the Subcommittee would provide $23.390 million, for FY1998, an increase of $1.390 million over the FY1997 appropriation. The full House Appropriations Committee (H.Rept. 105-163) concurred in these amounts.

On July 10th, 1997 the House agreed to a rule by a vote of 217 to 216 that restricted any amendment from being introduced that would restore funding to the NEA. On July 11, 1997, during consideration of the Interior and Related Agencies Appropriations bill for FY1998, H.R. 2107, Representative Ehlers' amendment (H.Amdt. 231) that sought to provide $80 million in the form of a block grant to the arts with grants to state arts councils and to school districts (Art for Kids Act) was rejected by a recorded vote (roll no. 266) of 155 ayes to 272 noes. The language that provided $10 million for NEA was eliminated through a point of order stating that since NEA's authorization had expired there could be no appropriation for NEA. On July 11, 1997 an amendment to eliminate $110 million for NEH (H.Amdt. 232) was introduced by Representative Chabot, and on July 15, 1997, the Chabot Amendment failed (328-96). On July 15, 1997 the Department of Interior and Related Agencies bill (H.R. 2107) passed the House (238-192) with $0 for NEA, $110 million for NEH, and $23.390 million for the Office of Museum Services, IMLS.

On July 18th, 1997 the Senate Subcommittee on Interior Appropriations reported $100.060 million for the NEA, $110.7 million for NEH, and $22.290 million for the Office of Museum Services within the IMLS. On July 22nd, 1997 the full Senate Appropriations Committee concurred with these amounts.

On September 18, 1997, the Senate passed H.R. 2107, the Interior appropriations bill for FY1998, allowing $100.060 million for the NEA, $110.7 million for NEH and $22.290 million for the Office of Museum Services. Several amendments with impact on NEA were considered. An Ashcroft/Helms amendment (S.Amdt. 1188) to eliminate funding for the NEA was defeated (77-23). An Abraham amendment (S.Amdt. 1206) to privatize the NEA was defeated 73-26. An amendment by Senator Hutchinson (S.Amdt. 1187) was defeated that would have placed $100 million in appropriations in state arts block grants (roll no. 245, 62 to 37). An amendment by Senator Hutchison (TX) (S.Amdt. 1186) was defeated (roll no. 246 --39 to 61) that would have provided 75% of the arts appropriation in a block grant to the states. A Gorton (for DeWine) amendment (S.Amdt. 1226) was agreed to that directed NEA funding priority to underserved populations. Finally, a sense of the Senate amendment (Senators Stevens and Dodd-- S.Amdt. 1219) passed by voice vote declaring that hearings should be conducted and legislation debated during this Congress that would address federal funding for the arts.

On September 30, 1997, the Interior appropriations conferees (H.Rept. 105-337) agreed on $110.7 million for NEH, $23.280 million for the Office of Museum Services and $98 million for the NEA with reform language included. The NEA reform measures included an increase in the percentage of funding to states for basic state arts grants and for grants to underserved populations from the current 35% to 40%. In addition, language emphasizing arts education was included. There would be a 15% cap on funds allocated to each state, exempting only those grants with a National impact. It was recommended that there be three members of the House and three members of the Senate serving on the National Council on the Arts, and that the size of the National Council be reduced to 20. Both NEA and NEH would be given specific authority to solicit funding and to invest those funds.

(Note on reauthorization: On July 15th, 1997, S. 1020 was introduced by Senator Jeffords (Senator Kennedy and Senator Chafee) to reauthorize for 5 years the National Foundation on the Arts and the Humanities Act of 1965, authorizing $175 million each for NEA and NEH for FY1998 and "such sums" for FY1999-2002. Forty percent of the funding would support state partnerships. This reauthorization bill is similar to the bill (S. 856) (S.Rept. 104-135) that the Senate Labor and Human Resources Committee reported in the 104th Congress. On July 23, 1997, the Senate Labor and Human Resources Committee marked up S. 1020 and with amendment ordered it reported. Amendments were agreed to that would specify arts education priorities; limit the authorization for NEA to $105 million; cap the administrative cost for NEA at 12% after a year; and assure that 1% of grant support would go to each state. There was no further action on the arts reauthorization; although some of the reforms placed in the Interior appropriations bill for FY1998 were similar to provisions in S. 1020.)

For further information on the *National Endowment for the Arts*, see its site at http://arts.endow.gov/

For further information on the *National Endowment for the Humanities*, see its site at http://ns1.neh.fed.us:80/

For further information on the *Institute of Museum Services*, see its site at http://ims.fed.us/default.html

Title V: Priority Land Acquisitions and Exchanges

The balanced budget agreement between the Administration and the Congressional leadership provides $700 million for priority land acquisitions and exchanges from the Land and Water Conservation Fund (LWCF). Of this amount, $315 million would be available for the purchase of the Headwaters Forest (3500 acres of redwood forest) in California ($250 million) and the New World Mine near Yellowstone National Park ($65 million) in FY1998 and FY1999. The balance of the $385 million would be available in fiscal years 1999-2001.

The LWCF is a "special account" that accumulates revenues from federal outdoor recreation user fees, the federal motorboat fuel tax, surplus property sales, and oil and gas leases on the Outer Continental Shelf; the oil and gas leases provide most of the revenues.

However, the LWCF is not a true trust fund in the way "trust fund" is generally understood in the private sector. The Fund is credited with revenues, up to the established annual ceiling,[2] but Congress must appropriate the money before it can be spent; if appropriations are not made, the revenues are spent on other federal programs. "Deposits" to the LWCF are, in effect, only an authorization of expenditures that accumulates if the funds are not appropriated. The current accumulated, unappropriated, authorized balance in the LWCF exceeds $10 billion.

The House decided not to provide funding for these priority land acquisitions and exchanges because these proposals have not been authorized. Chairman Regula of the Interior Subcommittee of the House Appropriations Committee indicated that he favored using any additional funding to address some of the $14 billion of identified backlogged maintenance in parks, wildlife refuges, and forest roads before acquiring additional federal land. While, the Senate bill included the $700 million as provided for in the budget agreement, the Senate Appropriations Committee report language questioned the need for additional funds for land acquisition, given significant maintenance backlogs and operational shortfalls. The Senate bill included language to acquire the Headwaters Forest and the New World Mine, but made the acquisitions subject to enactment of authorizing legislation. The allocation of the balance of the $700 million would be determined through written approval by the House and Senate Appropriations Committees from a project list to be submitted by the Administration. The Senate also allocated $100 million from the balance to the LWCF stateside grant program.

The conference committee provided $699 million. Of this amount, up to $250 million will be available to acquire the Headwaters Forest (and an additional $10 million to Humboldt County to offset lost tax revenue and other costs) and up to $65 million to acquire the New World Mine (and $12 million to maintain the nearby Beartooth Highway). The conference committee added several conditions, such as requiring public appraisals and adherence to the National Environmental Policy Act. Both acquisitions will be delayed for 180 days after appraisals are completed to allow for further consideration by authorizing committees. The balance of these funds goes to the Department of the Interior ($272 million) and the U.S. Forest Service ($90 million) to spend on critical repair and restoration needs, based on requests submitted for approval to both appropriations committees.

For a further discussion on the Land and Water Conservation Fund see: CRS Report 97-792 ENR, *Land and Water Conservation Fund: Current Funding and Other Issues*, by Jeff Zinn, 6 p.

Title VI: Forest Resources Conservation and Shortage Relief

The Senate Appropriations Committee added a substantial title amending the Forest Resources Conservation and Shortage Relief Act of 1990 (Title IV of the Customs and Trade Act of 1990, P.L. 101-382; 16 *U.S.C.* 620). Proponents of the amendments argue that the implementing rules, issued and made effective on September 8, 1995 (60 *Federal Register* 46890-46934), would have allowed the Forest Service to prevent domestic log transportation in certain situations and would have substantially increased the burden for identifying (marking and branding) and reporting on the origin of harvested timber.

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[2]This ceiling was $200 million in FY1970, $300 million annually for FY1971-FY1977, and $900 million annually since FY1978.

The amendments would alter the original Act in several ways, some of which are related to the concerns over the implementing regulations. A new subsection would be added to indicate that none of the restrictions intended to prevent substitution (simultaneously purchasing and processing federal timber while exporting private timber from the same geographic area) are intended to restrict domestic transportation and processing of timber from private lands, including logs imported for domestic processing. The Secretary is also directed to impose "reasonable" requirements for identifying and tracking unprocessed timber, if the benefits outweigh the compliance costs, the timber is likely to be exported or substituted for federal timber, and the timber is smaller than 7 inches in diameter or 8 feet in length; the requirements may also be waived.

The amendments would make permanent the ban on log exports from state lands in Washington; the current ban is to be replaced by an order from the Secretary of Commerce on January 1, 1998, requiring that 400 million board feet of timber from state lands must be processed domestically. (However, the President's authority to modify the Secretary's order remains, and has been used at least once, to establish the initial ban on log exports from Washington state lands in 1992.) The amendments would also establish the "northwestern private timber open market area," defined as the State of Washington. Within this area, the restrictions on substitution of federal timber for private timber are eliminated for timber buyers and brokers (*i.e.*, non-landowners without exclusive timber cutting rights). Also, within this open market area, companies are allowed to establish their sourcing areas, without public comment or agency determination; this contrasts with the current requirements, where the agency determines sourcing areas, based on timber purchasing patterns and public comment. (Sourcing areas are authorized and established to allow timber exporters to buy federal timber in geographically and economically separate areas where they also buy nonfederal timber to supply their domestic mills.) The amendments would narrow the definition of unprocessed timber that cannot be exported (and must, therefore, be tracked) by excluding low-grade sawlogs to be processed into wood chips or pulp. Finally, the amendments would define "each violation" and "minor infraction" for determining penalties if the Act is violated.

For Additional Reading

CRS Products

CRS Report 96-563 ENR. *Department of the Interior and Related Agencies Appropriations for FY1997*, by (name redacted), 35 p.

CRS Report 97-904 GOV. *Fiscal Year 1998 Continuing Resolution*, by (name redacted), 6 p.

Title I: Department of the Interior

CRS Report 97-332 ENR. *Department of the Interior Budget Request for FY1998*, by (name redacted), 34 p.

CRS Report 96-514 ENR. *Department of the Interior Budget Request for FY1997*, by (name redacted), 31 p.

CRS Issue Brief 95003. *Endangered Species: Continuing Controversy*, by (name redacted). (Updated regularly)

CRS Report 90-192 ENR. *Fish and Wildlife Service: Compensation to Local Governments*, by (name redacted), 37 p.

CRS Report 96-450 ENR. *Grazing Fees: An Overview*, by (name redacted), 6 p.

CRS Issue Brief 96006. *Grazing Fees and Rangeland Management*, by (name redacted) (Updated Regularly)

CRS Report 96-123 EPW. *Historic Preservation: Background and Funding*, by (name redacted), 5 p. (Updated regularly)

CRS Report 93-793 A. *Indian Gaming Regulatory Act: Judicial and Administrative Interpretations*, by (name redacted), 28 p.

CRS Report 96-168 GOV. *Indian Issues in the Second Session of the 104th Congress*, by (name redacted), 6 p.

CRS Report 95-970 ENR. *Land and Water Conservation Fund: Current Funding*, by (nam e redacted), 2 p.

CRS Report 95-599 ENR. *The Major Federal Land Management Agencies: Management of Our Nation's Lands and Resources*, Coordinated by (name redacted), 45 p.

CRS Report 94-438 ENR. *Mining Law Reform: the Impact of a Royalty*, by (na m e redacted), 14 p.

CRS report 95-259 ENR. *PILT (Payments in Lieu of Taxes): Somewhat Simplified*, by (n ame redacted), 10 p.

CRS Report 95-145 SPR. *U.S. Geological Survey: Its Mission and Its Future*, by James E. Mielke, 6 p.

Title II: Related Agencies

CRS Report 97-539 EPW. *Arts and Humanities: Funding and Reauthorization in the 105th Congress*, by (name redacted), 15 p.

CRS Report 95-15 ENR. *Below-Cost Timber Sales: Overview*, by (name redacted), 20 p.

CRS Issue Brief 96020. *The Department of Energy's FY1997 Budget*, Coordinated by (nam e redacted). (Updated regularly)

CRS Report 90-275 SPR. *Energy Conservation and Electric Utilities: Developments and Issues in Regulating Program Profitability*, by (name redacted), 25 p.

CRS Issue Brief 95085. *Energy Efficiency: A New National Outlook?*, by (name redacted) (Updated regularly)

CRS Report 95-548 ENR. *Forest Health: Overview*, by (name redacted), 5 p.

CRS Report 97-14 ENR. *The Forest Service Budget: Trust Funds and Special Accounts*, by (name redacted) and (name redacted), 43 p.

CRS Report 94-866 EPW. *Health Care Fact Sheet: Indian Health Service*, by Jennifer A. Neisner, 2 p.

CRS Report 96-191 SPR. *The Partnership for a New Generation of Vehicles (PNGV)*, by (name redacted), 24 p.

CRS Report 95-364 ENR. *Salvage Sales and Forest Health*, by (name redacted), 5 p.

CRS Report 96-569 ENR. *The Salvage Timber Sale Rider: Overview and Policy Issues*, by (name redacted), 6 p.

CRS Issue Brief 87050. *The Strategic Petroleum Reserve*, by (name redacted). (Updated regularly)

Title V: Priority Land Acquisitions and Exchanges

CRS Report 95-970 ENR. *Land and Water Conservation Fund: Current Funding*, by (nam e redacted), 2 p.

Other References

Report of the Joint Tribal/BIA/DOI Advisory Task Force on Reorganization of the Bureau of Indian Affairs to the Secretary of the Interior and the Appropriations Committees of the United States Congress. [Washington: The Task Force]. August 1994.

Selected World Wide Web Sites

Information regarding the budget, supporting documents, and related departments, agencies and programs is available at the following web or gopher sites.

House Committee on Appropriations.
http://www.house.gov/appropriations

Senate Committee on Appropriations.
http://www.senate.gov/committee/appropriations.html

CRS Appropriations Products Guide.
http://www.loc.gov/crs/products/apppage.html

Congressional Budget Office.
http://gopher.cbo.gov:7100/

General Accounting Office.
http://www.gao.gov

Office of Management and Budget.
http://www.whitehouse.gov/WH/EOP/OMB/html/ombhome.html

Title I: Department of the Interior

Department of the Interior (DOI).
http://www.doi.gov/

Department of the Interior's Office of the Budget.
http://www.doi.gov/budget/

Bureau of Land Management (BLM).
http://www.blm.gov/

Bureau of Land Management Budget Information.
http://www.blm.gov/budget/1998/

Bureau of Land Management Media Alert.
http://www.blm.gov/nhp/news/alerts.html

Fish and Wildlife Service (FWS).
http://www.fws.gov/

DOI's Office of the Budget, covers the budget of the Fish and Wildlife Service.
http://www.ios.doi.gov/budget/1998/FWSsum.html

National Park Service (NPS).
http://www.nps.gov/parks.html

DOI's Office of the Budget, covers the budget of the National Park Service.
http://www.ios.doi.gov/budget/1998/NPSsum.html

U.S. Geological Survey (USGS).
http://www.usgs.gov/

DOI's Office of the Budget, covers the budget of the U.S. Geological Survey.
http://www.ios.doi.gov/budget/1998/USGSsum.html

Minerals Management Service (MMS).
http://www.mms.gov/

DOI's Office of the Budget, covers the budget of the Minerals Management Service.
http://www.ios.doi.gov/budget/1998/MMSsum.html

Office of Surface Mining Reclamation and Enforcement (OSM).
http://www.osmre.gov/astart3.htm

DOI's Office of the Budget, covers the budget of the Office of Surface Mining Reclamation and Enforcement.
http://www.ios.doi.gov/budget/1998/MMSsum.html

Bureau of Indian Affairs (BIA).
http://www.doi.gov/bureau-indian-affairs.html

DOI's Office of the Budget, covers the budget of the Bureau of Indian Affairs.
http://www.ios.doi.gov/budget/1998/BIAsum.html

DOI's Office of the Budget, covers the budget of the Departmental Offices.
http://www.ios.doi.gov/budget/1998/DOsum.html

Office of Special Trustee for American Indians.
http://www.ost.doi.gov/

Insular Affairs.
http://www.doi.gov/oia/index.html

Title II: Related Agencies and Programs

Department of Agriculture (USDA).
http://www.usda.gov/

Department of Agriculture: U.S. Forest Service.
http://www.fs.fed.us/

Department of Energy (DOE).
http://www.doe.gov/

Fossil Energy.
http://www.fe.doe.gov/

Strategic Petroleum Reserve.
http://www.fe.doe.gov/spr/spr.html

Naval Petroleum Reserves.
http://www.fe.doe.gov/nposr/nprpage.html

Energy Efficiency.
http://www.eren.doe.gov/

Department of Health and Human Services.
http://www.dhhs.gov

Indian Health Service (IHS).
http://www.tucson.ihs.gov

Smithsonian.
http://www.si.edu/newstart.htm

National Endowment for the Arts.
http://arts.endow.gov/

National Endowment for the Humanities.
http://ns1.neh.fed.us:80/

Institute of Museum Services.
http://ims.fed.us/default.html

Appendix A. Department of the Interior and Related Agencies Appropriations
(in thousands of dollars)

Bureau or Agency	FY1997 Enacted	FY1998 Request	House Bill	Senate Bill	ConferenceRe port
Title I: Department of the Interior					
Bureau of Land Management	1,195,648*	1,121,539	1,128,538	1,138,323	1,135,917
U.S. Fish and Wildlife Service	670,596*	687,923	725,126	728,716	745,387
National Park Service	1,435,858*	1,598,900	1,564,062	1,605,659	1,646,926
U.S. Geological Survey	740,051*	745,388	755,795	758,160	759,160
Minerals Management Service	163,395	164,040	145,739	141,840	143,639
Office of Surface Mining Reclamation and Enforcement	271,757	271,057	275,061	275,061	273,061
Bureau of Indian Affairs	1,618,274*	1,731,779	1,683,918	1,702,427	1,701,991
Departmental Offices	240,020	246,225	239,953	242,677	241,195
Total, Title I	**6,335,599**	**6,566,851**	**6,518,192**	**6,592,863**	**6,647,276**
Title II: Related Agencies					
Forest Service	2,919,564*	2,368,595	2,634,565	2,481,199	2,506,568
Department of Energy	992,097	1,158,133	1,039,944	1,063,351	1,048,151
Clean Coal Technology	-140,000	-286,000	-101,000	-101,000	-101,000
Fossil Energy	364,704	346,408	313,153	363,969	362,403
Alternative Fuels Production	-4,000	-1,500	-1,500	-1,500	-1,500
Naval Petroleum and Oil Shale Reserves	143,786	117,000	115,000	107,000	107,000
Energy Conservation	569,762	707,700	644,766	629,357	611,723
Economic Regulation	2,725	2,725	2,725	2,725	2,725
Strategic Petroleum Reserve (SPR)	-11,000	209,000	0	0	0
(By Transfer)	(220,000)	0	(209,000)	(207,500)	
Energy Information Administration	66,120	62,800	66,800	62,800	66,800
Indian Health	2,054,000	2,122,000	2,086,318	2,126,736	2,098,612
Indian Education	61,000	0***	0***	0***	0***
Office of Navajo and Hopi Indian Relocation	19,345	19,345	18,345	15,000	15,000
Institute of American Indian and Alaska Native Culture and Arts Development	5,500	5,500	3,000	5,500	4,250
Smithsonian	371,342*	428,407	388,407	402,558	402,258
National Gallery of Art	60,223*	59,841	62,279	61,779	62,029
John F. Kennedy Center for the Performing Arts	24,875*	20,375	20,375	20,375	20,375
Woodrow Wilson International Center for Scholars	5,840	5,840	1,000	5,840	5,840
National Endowment for the Arts	99,494	136,000	0	100,060	98,000
National Endowment for the Humanities	110,000	136,000	110,000	110,700	110,700
Institute of Museum Services	22,000	26,000	23,390	22,290	23,280

Bureau or Agency	FY1997 Enacted	FY1998 Request	House Bill	Senate Bill	ConferenceReport
Commission of Fine Arts	867	867	907	907	907
National Capital Arts and Cultural Affairs	6,000	6,000	6,000	7,000	7,000
Advisory Council on Historic Preservation	2,500	2,745	2,700	2,745	2,745
National Capital Planning Commission	5,390	5,740	5,700	5,740	5,740
Franklin Delano Roosevelt Memorial Commission	500	0	0	0	0
Holocaust Memorial Council	31,707*	31,707	31,707	31,707	31,707
Total, Title II: Related Agencies	**6,792,244**	**6,533,095**	**6,434,637**	**6,463,487**	**6,443,162**
Title III: Emergency Appropriations					
Emergency Appropriations (P.L. 105-18)**	386,592	0	0	0	0
Title V: Priority Land Acquisitions and Exchanges					
Priority Land Acquisitions and Exchanges	0	700,000	0	700,000	699,000
Grand Total, All Titles	**13,514,435**	**13,799,946**	**12,952,829**	**13,756,350**	**13,789,438**

* Figures include FY1997 Emergency Appropriations ($715 million).

** Figures include FY1997 Emergency Disaster Funds ($386 million).

*** No longer funded in the Interior Appropriations bill. Beginning in FY1998, Indian Education will be funded in the Labor, Health and Human Services, and Education Appropriations.

Source: House Appropriations Committee.

Appendix B. Congressional Budget Recap of the Department of the Interior and Related Agencies
(in thousands of dollars)

Bureau or Agency	FY1997 Enacted	FY1998 Estimates	FY1998 compared with FY1997
Scorekeeping adjustments			
Energy Conservation	- 20,000	--	+ 20,000
Clean coal (advance appropriations)	287,879	--	- 287,879
FY1995 Emergency Supplemental (P.L. 104-6)	- 150,000	--	+ 150,000
MMS spending from offsetting collections	13,000	--	- 13,000
Emergency appropriations in this bill	- 715,251	--	+ 715,251
Total, adjustments	**- 584,372**	**--**	**+ 584,372**
Total (including adjustments)	**12,561,471**	**13,099,946**	**+ 538,475**
Amounts in this bill	(13,145,843)	(13,099,946)	(- 45,897)
Scorekeeping adjustments	(- 584,372)	--	(+ 584,372)
Total mandatory and discretionary	**12,561,471**	**13,099,946**	**+ 538,475**
Mandatory	(57,938)	(54,835)	(- 3,103)
Discretionary	(12,503,533)	(13,045,111)	(+ 541,578)

Appendix C. Department of the Interior and Related Agencies Appropriations Historical Data from FY1992 to FY1997
(in thousands of dollars)

Agency or Bureau	FY1992	FY1993	FY1994	FY1995[a]	FY1996	FY1997 Enacted
Department of the Interior						
Bureau of Land Management	1,010,046	1,028,261	1,069,388	1,099,005	1,105,955	1,195,648
U.S. Fish and Wildlife Service	748,179	750,288	679,712	671,038	645,831	670,596
National Biological Survey	--	--	167,209	162,041	--	--
National Park Service	1,387,168	1,385,963	1,416,632	1,387,329	1,367,667	1,425,858
U.S. Geological Survey	562,619	578,187	584,585	571,462	732,163	740,051
Minerals Management Service	204,461	200,670	198,526	194,621	188,995	163,395
Bureau of Mines	174,464	174,235	169,436	152,427	64	--
Office of Surface Mining/Rec	298,984	300,836	301,849	293,407	269,857	271,757
Bureau of Indian Affairs	1,529,954	1,569,967	1,777,653	1,730,970	1,588,412	1,618,274
Territorial and Int'l Affairs	141,629	124,622	127,847	124,679	--	--
Departmental Offices	126,758	122,300	132,147	124,022	236,242	240,020
Total for Department	**6,204,262**	**6,235,369**	**6,625,086**	**6,507,897**	**6,199,122**	**6,325,599**
Related Agencies						
U.S. Forest Service	2,370,639	2,345,207	2,372,770	2,803,602	2,363,173	2,919,564
Department of Energy	1,330,952	808,318	1,471,261	1,265,887	1,179,156	1,020,097
Indian Health	1,705,954	1,858,419	1,942,859	1,963,062	1,986,800	2,054
Indian Education[b]	76,570	80,583	83,500	81,341	52,500	61
Office of Navajo and Hopi	25,842	24,698	26,936	24,888	20,345	19,345
Inst. of Amer. Indian and Alaska	6,512	9,312	12,563	11,213	5,500	5,500
Smithsonian	331,837	344,273	342,149	362,706	376,092	371,342
National Gallery of Art	52,127	54,719	54,739	56,918	58,286	60,223
JFK Center for Performing Arts	22,656	20,629	20,629	19,306	19,306	24,875
W. Wilson Center for Scholars	5,744	6,252	6,352	8,878	5,840	5,840
National Endowment for the Arts	175,955	174,460	170,228	162,358	99,494	99,494
National Endowment Humanities	175,955	177,413	177,491	172,044	110	110
Institute of Museum Services	26,999	28,454	28,777	28,715	21	22
Commission of Fine Arts	722	791	805	834	834	867
Nat. Cap. Arts and Cultural Aff.	7	7	7,500	7,500	6	6
Advisory Council on Hist. Preserv.	2,623	2,757	2,959	2,947	2,500	2,500
Nat. Cap. Planning Commission	4,775	5,750	5,868	5,655	5,090	5,390
FDR Memorial Commission	33	535	49	48	147	500
Penn Ave Development Corp.	7,933,300	14,078	14,220	6,822	--	--
Holocaust Memorial Council	10,866	21,268	21,679	26,609	28,707	31,707
Total for Related Agencies	**6,319,138**	**5,964,587**	**6,763,354**	**7,011,333**	**6,340,770**	**6,820,244**
Grand Total for All Agencies[c]	**12,523,400**	**12,199,956**	**13,388,440**	**13,519,230**	**12,539,892**	**13,145,843**

[a] Incorporates reductions included in the FY1995 Rescissions Bill, H.R. 1944 (P.L. 104-19).
[b] Beginning in FY1998, Indian Education will be funded in the Labor, Health and Human Services, and Education Appropriations.
[c] The FY1997 enacted amount totals $13,514,435 with funding of $386,592 included in the Emergency Supplemental Appropriations bill (P.L. 105-18).