Order Code RL30206

CRS Report for Congress

Received through the CRS Web

Appropriations for FY2000: Interior and Related Agencies

Updated July 27, 1999

Coordinated by Alfred R. Greenwood
Senior Analyst in Natural Resources Policy
Resources, Science, and Industry Division

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.

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 Appropriations 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.

This report is updated as soon as possible after major legislative developments, especially following legislative action in the committees and on the floor of the House and Senate.

NOTE: A Web version of this document with active links is available to congressional staff at [http://www.loc.gov/crs/products/apppage.html]

Appropriations for FY2000: 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. The bill includes funding for the Interior Department except the Bureau of Reclamation, but only segments of the funding of the other three departments, Agriculture, Energy, and Health and Human Services.

On February 1, 1999, the President submitted his FY2000 budget to Congress. The FY2000 request for Interior and Related Agencies totals $15.27 billion compared to the $14.21 billion enacted by Congress for FY1999 (P.L. 105-277), an increase of $1.06 billion. Significant increases above the FY1999 enacted level include: the National Park Service (+ $294.7 million), the Indian Health Service (+ $170.1 million), the Forest Service (+ $160.8 million), the Bureau of Indian Affairs (+ $155.6 million), the United States Fish and Wildlife Service (+ $122.8 million),the Bureau of Land Management (+ $78 million), the National Endowment for the Arts (+ $52 million), the United States Geological Survey (+ $39.6 million), the National Endowment for the Humanities (+ $39.3 million), and the Smithsonian Institution (+ $35.1 million). The only significant decreases include: the Department of Energy (- $146.7 million) and the Minerals Management Service (- $7.8 million). The Clinton Administration has also proposed $579 million for the Department of Interior agencies as part of the $1 billion Lands Legacy Initiative.

The Senate Appropriations Committee reported the FY2000 Interior Appropriations bill (S. 1292, S.Rept. 106-99) on June 28, 1999, and the House Appropriations Committee reported their version of the bill (H.R. 2466, H.Rept. 106-222) on July 1, 1999. The approved levels (to include both mandatory and discretionary funding) were $14.058 billion in the Senate and $14.105 billion in the House, a difference of $46.7 million. Both bills provided funding levels below the FY1999 enacted level. On July 15, 1999, the House passed H.R. 2466 by a vote of 377-47, providing $13.94 billion in FY2000 funding including $57.4 million of mandatory funding. More than 30 amendments were proposed during floor debate on July 13 and 14. Of the amendments adopted, several had significant funding impacts. For example, a manager's amendment by House Appropriations Committee Chairman Bill Young reduced the bill funding by $140 million by imposing an across-the-board cut of 0.48% while increasing the clean coal technology deferral by $66 million and reducing Bureau of Land Management Land Acquisition by $5 million. Weatherization assistance was also increased by $13 million and the Strategic Petroleum Reserve decreased by $13 million. In addition, Payments in Lieu of Taxes was increased by $20 million and Fossil Energy Research and Development was reduced by $50 million. **It should be noted that the agency funding levels reflected in this report do not include the across-the-board cut of 0.48%. The total cut of $69 million is included separately in Title III of the bill (Sec. 333).**

The Senate is expected to take up S. 1292 sometime in the next two weeks.

Key Policy Staff

Area of Expertise	Name	CRS Division	Telephone
Arts, Humanities, Cultural Affairs	Susan Boren	DSP	7-6899
Bureau of Land Management	Carol Hardy-Vincent	RSI	7-8651
Energy Conservation	Fred Sissine	RSI	7-7039
Fish and Wildlife Service	M. Lynne Corn	RSI	7-7267
Forest Service	Ross. W. Gorte	RSI	7-7266
Fossil Energy	Marc Humphries	RSI	7-7264
Indian Affairs	Roger Walke	DSP	7-8641
Indian Health Service	Cecilia Echeverria	DSP	7-1962
Insular Affairs	Keith Bea	G&F	7-8672
Interior Budget Data/Coordinator	Alfred R. Greenwood	RSI	7-7236
Minerals Management Service	Marc Humphries	RSI	7-7264
National Park Service	David Whiteman	RSI	7-7786
Naval/Strategic Petroleum Reserve	Robert Bamberger	RSI	7-7240
Surface Mining and Reclamation	Robert Bamberger	RSI	7-7240
U.S. Geological Survey	James Mielke	RSI	7-7007
Report Preparation and Support	Carol Canada	RSI	7-7619

Division abbreviations: DSP = Domestic Social Policy; G&F = Government and Finance; RSI = Resources, Science, and Industry.

Contents

List of Tables

Appropriations for FY2000: Interior and Related Agencies

Most Recent Developments

On June 28, 1999, the Senate Appropriations Committee reported S. 1292 (S.Rept. 106-99) providing $14.058 billion in funding for the FY2000 Interior Appropriations bill. On July 1, 1999, the House Appropriations Committee approved $14.105 billion and reported H.R. 2466 (H.Rept. 106-222). The House passed H.R. 2466 on July 15, 1999 by a vote of 377-47, providing $13.94 billion including $57.4 million of mandatory funding. Senate floor action is expected in the next two weeks.

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 bill includes funding for the Interior Department except the Bureau of Reclamation, but only segments of the funding of the other three departments, Agriculture, Energy, and Health and Human Services. The President's FY2000 budget request for Interior and Related Agencies totals $15.27 billion compared to the $14.21 billion enacted by Congress for FY1999. 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. Status of Department of the Interior and Related Agencies Appropriations, FY2000

Subcommittee Markup		House Report	House Passage	Senate Report	Senate Passage	Conference Report	Conference Report Approval		Public Law
House	Senate						House	Senate	
6/29/99	6/22/99	H.Rept. 106-222 7/2/99	7/15/99 (377-47)	S.Rept. 106-99 6/28/99	—	—	—	—	—

On February 1, 1999, the President submitted his FY2000 budget to Congress. The FY2000 request for Interior and Related Agencies totals $15.27 billion compared to the $14.21 billion enacted by Congress for FY1999 (P.L. 105-277), an increase of $1.06 billion.

Significant increases above the FY1999 enacted level include: the National Park Service (+ $294.7 million), the Indian Health Service (+ $170.1 million), the Forest Service (+ $160.8 million), the Bureau of Indian Affairs (+ $155.6 million), the United States Fish and Wildlife Service (+ $122.8 million),the Bureau of Land Management (+ $78 million), the National Endowment for the Arts (+ $52 million), the United States Geological Survey (+ $39.6 million), the National Endowment for the Humanities (+ $39.3 million), and the Smithsonian Institution (+ $35.1 million). The only significant decreases include: the Department of Energy (- $146.7 million) and the Minerals Management Service (- $7.8 million).

The Clinton Administration has proposed a $1 billion Lands Legacy Initiative in the FY2000 budget. The Department of the Interior agencies would receive more than half the total under this request, $579 million, and all but $14 million of the total would come through the LWCF. Most of these funds, $413 million, would be spent on land acquisition. The U.S. Forest Service would receive $198 million, including $118 million for land acquisition. On February 8, 1999, Representative Ralph Regula, Chairman of the Interior Appropriations Subcommittee, expressed great concern about the President's Lands Legacy Initiative since he noted that it conflicted with the Subcommittee's number one priority of addressing the critical backlog maintenance problems and operational shortfalls in national parks, wildlife refuges, national forests, and other public lands totaling more than $12 billion.

The Senate Appropriations Committee reported the FY2000 Interior Appropriations bill (S. 1292, S.Rept. 106-99) on June 28, 1999, and the House Appropriations Committee reported its version of the bill (H.R. 2466, H.Rept. 106-222) on July 1, 1999. The approved funding levels were $14.058 billion in the Senate and $14.105 billion in the House, a difference of $46.7 million. Both bills provided funding levels below the FY1999 enacted level.

Significant Senate increases above the House bill are included in parenthesis: Bureau of Indian Affairs $1.811 billion (+ $23 million), Forest Service $2.672 billion (+ $68.3 million), and Fossil Energy, Research, and Development $366.9 million (+$31.7 million). It should be noted that the National Endowment for the Arts and the National Endowment for the Humanities were funded at $99 million and $111.7 million respectively in the Senate bill, which represents a nominal $1 million increase for both agencies above the House level.

Significant House increases above the Senate bill are included in parenthesis: U.S. Fish and Wildlife Service $840.2 million (+ $11.3 million), the Office of Surface Mining $292.4 million (+ $10.6 million), Departmental Offices at the Interior Department $31.3 million (+ 16 million), Energy Conservation $693.8 million (+ $36 million), and Indian Health Service $2.398 billion (+ $73.1 million).

In a July 1, 1999 memorandum to the Chairman of the House Appropriations Committee, the Office of Management and Budget raised concerns about certain aspects of the Interior Appropriations bill as reported by the Interior Subcommittee. Included in the concerns were the need for increased funding for the President's Lands Legacy Initiative, language in the bill concerning Everglades restoration, funding above the President's request for timber sales management, lack of funding for the Millennium Initiative to Save America's treasures, funding levels for the National Endowment for the Arts and National Endowment for the Humanities, failure to fund the Bureau of Indian Affairs School Construction bonding initiative, and cuts to the Department of Energy's Weatherization program.

On July 15, 1999, the House passed H.R. 2466 by a vote of 377-47, providing $13.94 billion in FY2000 funding including $57.4 million of mandatory funding. More than 30 amendments were proposed during floor debate on July 13 and 14. Of the amendments adopted, several had significant funding impacts. For example, a manager's amendment by House Appropriations Committee Chairman Bill Young reduced the bill funding by $140 million by imposing an across-the-board cut of 0.48% while increasing the clean coal technology deferral by $66 million and reducing Bureau of Land Management Land Acquisition by $5 million. Weatherization assistance was also increased by $13 million and the Strategic Petroleum Reserve decreased by $13 million. In addition, Payments in Lieu of Taxes was increased by $20 million and Fossil Energy Research and Development was reduced by $50 million. **It should be noted that the agency funding levels reflected in this report do not include the across-the-board cut of 0.48%. The total cut of $69 million is included separately in Title III of the bill (Sec. 333).**

The Senate is expected to take up S. 1292 sometime in the next two weeks.

Table 2. Interior and Related Agencies Appropriations, FY1995 to FY1999

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

FY1995	FY1996	FY1997	FY1998	FY1999
$13.5	$12.5	$13.1	$13.8	$14.2

[a] These figures 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. FY1997 funding increased to $13.1 billion, FY1998 to $13.8 billion, and FY1999 to $14.2 billion. (See **Table 3** for a comparison of FY1999 enacted and the FY2000 budget request for Interior Appropriations, and see **Table 5** for a budgetary history of each agency, bureau, and program from FY1994 to FY1999.)

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]

For information on the Government Performance and Results Act for the DOI or any of its bureaus, see *DOI's Strategic Plan Overview FY1998-FY2002* World Wide Web site at [http://www.doi.gov/fyst.html]

Bureau of Land Management. The Bureau of Land Management (BLM) manages approximately 264 million acres of public land, primarily in the West. The agency manages an additional 300 million acres of minerals underlying federal and private lands throughout the country, and handles wildfire management and suppression on 388 million acres.

Senate Committee Report. For FY2000, the Senate Committee on Appropriations reported an appropriation of $1.217 billion, $52 million (4%) less than requested by the Administration ($1.269 billion) but $33 million (3%) more than appropriated for FY1999 ($1.184 billion). The total amount is divided among ten activities. About half the reported amount—$634 -- million is for management of lands and resources. This activity funds BLM land programs including protection, use, improvement, development, disposal, cadastral survey, classification, acquisition of easements and other interests, as well as other activities such as maintenance of facilities, the assessment of the mineral potential of public lands, and the general administration of the agency. The figure represents a significant increase ($21 million, 4%) over the amount appropriated for FY1999 ($613 million), although it is still less than ($7 million, 1%) the amount requested ($641 million). Part of the increase would be directed towards "Health of the Land" programs.

Nearly another quarter of the Senate Committee recommendation for BLM —$287 million—is for wildland fire management. This activity supports Interior's fire activities including preparedness, suppression, emergency rehabilitation, and hazardous fuels reduction. The figure is nearly the same as the amount appropriated for last year, but represents a substantial decrease ($19 million, 6 %) from the amount requested ($306 million). The Administration had sought the increase partly for rehabilitation of DOI fire facilities and for BLM's fuels management program, which involves using both prescribed fire and mechanical fuels treatments to remove vegetative fuels buildup that can cause fires.

Senate Appropriations reported $130 million for the PILT program, which compensates local governments for most federal land within their jurisdictions because the federal government does not pay taxes on land it owns. PILT money may be used for a variety of local government purposes, including schools, firefighting, and maintenance of roads. The amount is $5 million (4%) greater than the amount requested for FY2000 and also appropriated for FY1999 ($125 million). (For more information on PILT appropriations issues, see CRS Report 98-574, *PILT (Payments in Lieu of Taxes): Somewhat Simplified*.)

The Appropriations Committee included $17 million for land acquisition, and its report on the bill identifies the areas proposed to be acquired. This amount is significantly larger ($3 million, 19%) than the amount appropriated last year, but the Administration had sought to more than triple last year's appropriation (requesting $49 million). Generally, the Administration had sought the increase as part of its Lands Legacy Initiative, a billion dollar, multi-agency effort to preserve, restore, and acquire lands. The majority of the requested increase for BLM was for purchasing private inholdings in the California Desert. (See Lands Legacy Initiative, p.40). Funding recommended by Senate Appropriations for other BLM activities is discussed in the section below.

House passed and Senate Reported Funding Compared. The House passed a slightly higher total level of funding for BLM ($1.230 billion) than was reported by the Senate Appropriations Committee ($1.217 billion). For five of the ten main BLM functions, the funding levels were identical. Funding for the Oregon and California grant lands, which include highly productive timber lands, was $99 million. This activity funds programs related to the revested Oregon and California Railroad grant lands and related areas, including for land improvements and the management, protection, and development of resources on these lands. The funding levels in the other identical areas are $10 million for the central hazardous materials fund; $10 million for range improvements; $9 million for service charges, deposits, and forfeitures; and $8 million for miscellaneous trust funds;

Differences in funding levels exist in five other areas. For management of land and resources, the House passed $631 million, while the Senate Committee recommended $634 million. For wildland fire management, the House agreed to $292 million, which is closer to the President's request ($306 million) than is the Senate Committee level ($287 million). For the PILT program, the House recommended $145 million, which is more than the Senate Committee's recommendation ($130 million) as well as the FY1999 enacted level and the President's FY2000 request ($125 million). For land acquisition, the House agreed to $15 million, about the same as enacted in FY1999. This figure is somewhat less than the Senate Committee reported level ($17 million) and only 31% of the amount requested by the Administration ($49 million). For construction, the House passed $11 million compared to the Senate Committee's $12 million. Both figures are a sizeable increase over the President's request ($8 million) but are at, or only slightly higher than, the amount appropriated for FY1999 ($11 million). The House and Senate reports contain different projects to which the increases would be directed.

House Floor Amendments. The House considered several amendments pertaining to BLM. It agreed to an amendment (213-202) increasing funding for the Land and Water Conservation Fund, which is the principal source of funds for acquiring recreation lands. The BLM, the other three major land management agencies, and state agencies receive money from the fund. The amendment provided $30 million to the state-side grant program, which has not been funded since FY1995. To offset the increase, the amendment provided for a decrease of $1 million in BLM management of land and resources, and $29 million in DOE fossil energy research and development. Last year the House rejected similar amendments to increase LWCF funding for the state-side grant program.

The House also agreed to an amendment (248-169) to increase the funding for PILT by $20 million to a total of $145 million. In part to offset this increase, the amendment provided for a $50 million reduction in DOE fossil energy research and development. The House agreed to a similar amendment last year. The PILT program has been controversial since its establishment in 1976, and in recent years the levels of appropriations have been substantially less than the authorized amounts.

A manager's amendment that reduced discretionary funding throughout the bill by 0.48% was agreed to (by voice vote). The amendment also reduced BLM land acquisition from $20 million, as reported by the House Appropriations Committee, to $15 million. The reduction was intended to preclude the acquisition of inholdings within the Upper Missouri National Wild and Scenic River corridor in Montana.

As is typical, the House rejected (187-239) the motion to recommit the bill to the Appropriations Committee with instructions to report back forthwith (immediately). Among other increases, the instructions would have increased BLM land acquisition by $28 million.

Mining. One of the most controversial issues related to hardrock mining, with the full House and the Senate Appropriations Committees adopting opposing amendments on the subject. The House agreed to an amendment (273-151) to *support*, and the Senate Appropriations Committee agreed to an amendment to *overturn*, a November 1997 legal opinion of the Solicitor of the Department of the Interior that each mining claim can use no more than 5 acres for activities associated with mining ("millsites"). The decision affected modern mining operations, such as heap-leach mines for gold and other hardrock minerals, which typically require large acreages of land beyond that of the mining claim for mining-related purposes including disposal of waste rock.

Critics of the decision charged that it constituted a new interpretation of the relevant provisions of the 1872 Mining Law (30 U.S.C. 42), was inconsistent with the practice of the Department of the Interior in granting operating plans for mining without regard to acreage limitations or the ratio of millsite locations to mining claims, and was an indirect way of reforming the Mining Law. The Department of the Interior refuted these criticisms in Senate testimony, asserting that its opinion was based both in law and practice.

The House passed language bars funds *"appropriated by this act"* from being used to process applications for approvals of patents, plans of operations, or amendments to plans that conflict with the opinion of the Solicitor. By contrast, the Senate Appropriations Committee language prohibits the Departments of the Interior and Agriculture, *in any fiscal year*, from limiting the number or acreage of millsites based on the ratio between the number or acreage of millsites and the number or acreage of mining claims. In taking this action, which appears to apply to all mining claims and millsites, the Appropriations Committee went further than its Interior Subcommittee. The Subcommittee earlier had adopted an amendment making the Solicitor's opinion inapplicable to existing mining operations being conducted under approved operating plans.

The current debate arises on the heels of a recent battle in the long war over the 1872 Mining Law governing mining on federal lands, which has evolved into a stalemate between the law's critics and supporters. Earlier this year, the Interior Department's decision on millsite acreage led to the Administration's denial (March, 1999) of an operating plan for the Crown Jewel Mine in Washington on the grounds that the plan exceeded the lode-claim to millsite ratio. Opponents of the mine also feared that the site would leach chemicals. Congress subsequently enacted a law (the 1999 Emergency Supplemental Appropriations Act, P.L. 106-31) to direct that millsites and acreage for the Crown Jewel mining operation not be limited, that its plan of operation be approved, and that other patent applications and plans of operation for milling submitted prior to the law be given permits. The new Senate Appropriations Committee language apparently would reverse the Solicitor's opinion permanently and comprehensively as well as prospectively.

Both the House passed and Senate Committee bills include other mining language that essentially retains the mining patent moratorium contained in previous appropriations laws. The identical bill language continues the prohibition on accepting and processing applications for patents for mining or mill site claims on federal lands. However, applications meeting certain requirements that were filed on or before September 30, 1994, are grandfathered, and third-party contractors are authorized to process grandfathered applications.

Grazing. Both the House passed and Senate Committee reported bills also would extend certain grazing permits until the BLM completes the permit renewal process, including environmental assessments. The Senate Committee bill would extend grazing permits and leases which expire or are transferred in any fiscal year, whereas the House passed bill extends grazing permits expiring during FY2000 for the balance of that fiscal year. The House passed bill specifies that after the renewal process, the terms and conditions of permits may be modified and permits may be reissued for up to 10 years. The Senate Committee report states that the government's inability to complete permit renewals should not prevent or interrupt grazing. Many environmental groups oppose the permit extension language as allowing BLM to delay required environmental analyses, thereby continuing permits with possibly detrimental conditions or terms.

Wildlife Population Surveys. Some environmentalists also oppose language in the Senate Committee bill allowing the BLM and FS to decide whether to gather information on wildlife populations before undertaking activities such as amending land management plans and issuing leases. The bill grants the agencies such discretion on the grounds that some wildlife surveys would be costly and time consuming and that species knowledge and research methodologies are in some cases insufficient for conducting wildlife surveys.

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 Administration recommends $950.0 million for FWS—an increase of $122.8 million (14.8%) over FY1999. The full House and the Senate Committee recommended $840.2 million and $828.9 million, respectively. Much of the Administration's proposed increase would fall in Resource Management (which includes the endangered species program, fisheries, and refuge management, among other things) which would go from $661.1 million to $724.0 million, an increase of $62.9 million. The full House and the Senate Committee recommended $710.7 million and $683.5 million, respectively.

The Administration requested that the Endangered Species program (including the Cooperative Endangered Species Fund) go from $124.8 million to $194.9 million. (See Table 3.) The Senate Committee proposes to drop funding to $123.2 million, and the full House to $119.9 million. The decrease for recovery shown in the Table is more apparent than real: in FY1999, recovery included an earmarked $20 million for salmon recovery in Washington state. The Administration proposal assumes that the earmark was for one year only, but the Senate Committee earmarked $4 million of recovery funds for the salmon in Washington state.

Table 3. Funding for Endangered Species Programs, FY1999-FY2000
(x$1,000)

	FY1999 Enacted	FY2000 Request	Senate Committee	House
Candidate Cons.	6,753	8,316	7,516	7,316
Listing	5,756	7,532	5,932	6,532
Consultation	27,231	37,365	30,905	32,365
Recovery	66,077	56,725	52,375	52,225
Landowner Incentive	5,000	5,000	5,000	6,500
Subtotal	110,817	114,938	101,728	104,938
Coop. End. Spp. Cons. Fund	14,000	80,000	21,480	15,000
Total	**124,817**	**194,938**	**123,208**	**119,938**

The Administration proposes to continue a strict limit on the listing function (which includes designation of critical habitat) and includes its specific cap at the proposed of $7.5 million in the bill itself. The language limits the discretion of the agency to transfer funds for additional listings, *e.g.*, if lawsuits mandate agency action on listing certain species. De-listing and down-listing are not covered by the cap. With the cap, a court order to carry forward a listing decision on particular species makes listing into a zero sum game, at least at a fiscal level: the listing of some species or designation of their critical habitats would preclude the listing of others. FWS supported this change as a protection of other programs whose budgets it wishes to protect. The Senate and House Committees again accepted this limitation. The Administration also proposes a new restriction within the listing function. Under the proposed restriction, at most $1 million of the proposed $7.5 million could be spent on critical habitat designation. FWS has traditionally de-emphasized designation of critical habitat, feeling it an inefficient use of resources. The full House and the Senate Committee included no such further limitation.

In the Cooperative Endangered Species Conservation Fund, the Administration's $66 million increase is to come from the Land and Water Conservation Fund. Of this increase, $43 million would be spent to augment the program of grants to states, and $20 million to be used for land acquisition associated with Habitat Conservation Plans. The full House and the Senate Committee recommended $15.0 million and $21.5 million, respectively.

The Administration proposes $10.0 million (-7.2%) 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. Congress appropriated $10.779 million for FY1999. The full House recommended $10. 779 million, but the Senate Committee accepted the President's proposed 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 calls for 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 House passage of an increase in payments under PILT (see BLM, above) would benefit some counties with land in the National Wildlife Refuge System. However, those lands that are acquired rather than reserved from the public domain are not eligible for PILT payments. (Western refuge lands are primarily reserved from the public domain; eastern refuges are primarily acquired lands.)

Land acquisition for the National Wildlife Refuge System would increase from $48.0 million to $73.6 million or 53.3% under the President's proposal. (See Lands Legacy Initiative p.40) Since much of the increase in the Cooperative Endangered Species Conservation Fund is to be used for state grants in habitat acquisition for Habitat Conservation Plans (*i.e.*, not purchases that will necessarily become part of the National Wildlife Refuge System), these two programs together would represent a significant increase in acquisition for wildlife conservation purposes. The full House and the Senate Committee recommended $42.0 million and $55.7 million, respectively.

Finally, the Multinational Species Conservation Fund, which benefits Asian and African elephants, tigers, and the six species of rhinoceroses, would increase from $2 million to $3.0 million (+50%). The full House and the Senate Committee recommended $2.00 million and $2.4 million, respectively.

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) currently manages the 378 units that comprise the National Park System, including 54 "full or actual" National Parks, the premier units of the System. In addition to the National Parks, the diverse Park System includes national preserves, recreation areas, reserves, monuments, battlefields, seashores and a number of other categories. The System has grown to more than 83 million acres, in 49 states and the District of Columbia and several U.S. territories. In recent years park visits annually have totaled more than 285 million. The NPS has the often contradictory mission of facilitating access and serving Park System visitors while protecting and preserving the natural and cultural resources entrusted to it.

For several decades the Park Service has operated with tight budgets. During this period, Congress restricted appropriations to operate and maintain the Park System while expanding management responsibilities and continuing to add new units to the System. Combined with increased visitation, this funding stretched personnel, impaired operations, and generated a multibillion dollar backlog of deferred maintenance. However, spending for the NPS now appears to have a higher priority. Temporary closure of NPS units (part of a federal government-wide shutdown during the budget debates of late 1995 and early 1996) helped galvanize public support for expanding NPS funding, which has increased annually since FY1996. In late May the White House warned that the stringent spending caps set by the House Appropriations panel would lead to cuts to the NPS that threatened to force reduced services and hours of operation at all park units and probable closure of smaller units and back-country areas of larger parks. The possibility of a repeat of politically unpopular park closure likely helped the allocation of additional monies in the House panel's bill.

The Administration's FY2000 request totals $2.059 billion, an increase of $294 million over the FY1999 enacted level of $1.764 billion. The largest component of the NPS budget is Operations, which under the budget proposal, would increase by $104 million from $1.286 billion in FY1999 to $1.390 in FY2000. The budget request asks for an allocation of $131 million for Everglades Ecosystem Restoration out of the department's total of $152 million. The budget request also calls for a $172 million land acquisition program, an increase of $24 million above the FY1999 enacted level. (See Lands Legacy Initiative p.40) The Senate appropriations panel approved funding for the NPS at $1.72 billion or $40 million less than FY1999. The Senate bill includes $1.36 billion for operations, which exceeds current funding of $1.29 billion by $70 million, but is less than the Administration's request of $1.39 billion. The bill provides an extra $27 million in operational funding to be spread among 100 park units and national historic trails with . . . "critical health and safety deficiencies" . . . and other special needs. The Administration had requested $25 million for 91 parks.

The House Appropriations Committee recommended a total of $1.72 billion or $338 million less than the Administration's request. The House panel recommends $1.39 billion for park operations, a $99 million increase over FY1999 enacted. The House bill provides a total of $114 million for Everglades restoration. The NPS share would be $94.4 million and $20 million from other Interior Department bureaus. The House passed bill would boost total NPS funding to $1.755 billion, keeping park operations at $1.39 billion, the same as requested and recommended by the House Committee.

Deferred Maintenance. The Park System has a formidable maintenance burden, with thousands of permanent structures, roads, bridges, tunnels, employee housing units, water and waste systems, *etc*. The NPS has valued these assets at over $35 billion, but they would deteriorate without adequate care and maintenance. Mounting concerns about the build-up of unmet maintenance needs has prompted Congress to seek new funding sources. Congress and the Administration have generally agreed to address problems and more adequately fund the operation of the park system and to aggressively attack the maintenance backlog. In response to goading by Congressional appropriation leaders the budget proposal highlights an Interior Department-wide campaign to prioritize maintenance over a five year period. The Park Service will increase maintenance spending by $29 million from $412 million in FY1999 to $441 million in FY2000.

Recreation Fee Demonstration Program. The recreation fee program being tested by the NPS and three other federal land management agencies, began in FY1996 to allow higher entrance and recreation user fees, with the added fees being retained by the unit where the money is collected. It was hoped that the additional fees would be incentives to agency managers to be more aggressive in pursuing "self-financing" for operating and maintaining their units. The NPS collected more than $136 million under this program in FY1999. The FY1999 Omnibus Appropriations bill extended the fee demonstration program for two additional years. The House panel's bill would continue the program and anticipates revenues of more than $400 million over the life of the program, which is authorized through fiscal 2001.

Urban Park and Recreation Fund. In FY1999, the conference agreement denied a House approved amendment to fund the Urban Park and Recreation Recovery (UPARR) program at $2 million (the Administration's request). Although the cost-sharing Park Service managed program was last funded in FY1994, previous appropriations were about $5 million annually, with communities competing for many more grants than there was money available for. The locally popular matching grant program (70% federal/30% local match) had helped economically distressed urban governments rehabilitate playgrounds, recreation centers, ball courts, playing fields and swimming pools in urban areas. In FY2000, the budget request proposes a $4 million appropriation to fund UPARR. Neither the House nor the Senate Appropriations Committee bills recommended the requested $4 million nor any lesser amount. The House Committee report (106-222) recommended that all NPS funding increases be focused upon reducing operational shortfalls and serious maintenance backlogs. An amendment to restore the requested $4 million for the UPARR program was agreed to by voice vote during House floor action on H.R. 2466.

Related Legislation. Congress approved legislation (P.L. 105-391, the National Parks Omnibus Management Act of 1998) under expedited procedures at the end of 105th Congress. The Act provides for long anticipated park criteria and management reforms and an overhaul of the Park Service's concessions policy to allow revenue generated from concession contracts to be returned to appropriate National Park units without annual appropriations. In another "collateral initiative," National Park roads, considered an important maintenance priority, received a substantial boost ($31 million in FY1998 and $81 million annually for the next 5 fiscal years, nearly double previous funding) under the surface transportation law (TEA-21, P.L. 105-178).

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, certified local governments, and outlying areas (territories and the Federated States of Micronesia) for activities specified in the National Historic Preservation Act. Preservation grants are normally funded on a 60% federal- 40% state matching share basis. Preservation grants-in-aid are also provided to Historically Black Colleges and Universities (HBCUs) and to Indian Tribes. The Administration's FY2000 budget request would provide $80.5 million for the Historic Preservation Fund, $50.5 million for the Historic Preservation Fund grants-in-aid program (compared to $42.4 million total for the Fund's grants-in-aid program in FY1999); and $30 million to continue the Administration's initiative, **"Save America's Treasures,"** to provide assistance for "commemorating the Millennium by addressing the Nation's most urgent preservation priorities." Save America's Treasures (funded in FY 1999 at $30 million) grants are given to preserve "nationally significant intellectual and cultural artifacts and historic structures" including monuments, historic sites, artifacts, collections, artwork, documents, manuscripts, photographs, maps, journals, still and moving images, and sound recordings. As part of the FY 1999 appropriation for "Save America's Treasures," funds were transferred ($3 million) to the Smithsonian to restore the Star Spangled Banner, $500,000 for the Sewall-Belmont House, the historic headquarters of the National Women's Party, and "sufficient funds" for restoration of the Declaration of Independence and the U.S. Constitution located in the National Archives. The remaining $26.5 million (from the $30 million in FY 1999 for "Save America's Treasures") has been appropriated for Federal agencies' historic preservation priority Millennium projects (individual projects may not exceed $3 million) for those agencies with a direct link to historic preservation.

The Administration's budget for FY 2000 for the Historic preservation fund also includes $15 million (as specified under P.L. 104-333, the Omnibus Parks and Public Lands Management Act of 1996) for Historically Black Colleges and Universities (HBCUs) for the preservation and restoration of historic buildings and structures on their campuses. Funds in Section 507 of P.L. 104-333 are earmarked for preservation projects for the following universities: Fisk University and Knoxville College in Tennessee; Miles College, Talladega College, Selma University, Stillman College, Concordia College in Alabama; Allen University, Claflin College, Voorhees College in South Carolina; Rust College and Tougaloo University in Mississippi. From the total for the Historic Preservation Fund for FY1999, $7 million was to remain available until expended for Section 507 (of P.L. 104-333), the Historically Black Colleges and Universities Historic Building Restoration and Preservation program.

The Senate Appropriations Committee reported the FY2000 Interior Appropriations bill (S. 1292, S.Rept. 106-99), providing $42.412 million for the Historic Preservation Fund; including $8.422 million for the restoration of historic buildings on campuses of historically black colleges and universities. The reported Senate bill would eliminate funding for "Save America's Treasures," due to "fiscal constraints" and lack of "geographic diversity" in the grants awarded. The House Appropriations Committee reported (H. Rept. 106-222) the FY2000 Interior Appropriations bill, providing $46.712 million for the Historic Preservation Fund, including $11.722 million for building restoration for historically black colleges and universities. Like the Senate bill, the House bill would eliminate funding for "Save America's Treasures" millennium projects. On July 15, 1999, the House passed H.R.2466, the FY2000 Interior bill, providing the same appropriation for historic preservation as reported in the House.

National Trust. 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 has in the past received federal funding through the authority of the National Historic Preservation Act, Historic Preservation Fund. Federal assistance has enabled the National Trust to support historic preservation work in local communities. The Administration's FY2000 budget estimate does not specify funding for the National Trust, in keeping with Congress' plan to replace federal funds with private funding and to make the Trust self-supporting. The National Trust last received Federal funding in FY 1998 ($3.5

million), in keeping with the plan to privatize funding, within a period of transition, to be completed by 1999. There is no mention of the National Trust in either House or Senate report language for the FY2000 Interior appropriation.

U.S. Geological Survey. The U. S. Geological Survey (USGS) is the Nation's primary science agency in providing earth and biological science information related to natural hazards; certain aspects of the environment; and energy, mineral, water, and biological sciences. In addition, it is the Federal Government's principal civilian mapping agency and a primary source of data on the quality and quantity of the Nation's water resources. In further definition of its scientific role, the USGS budget for FY 2000 has been restructured to contain a new Integrated Science budget activity for science support for the Department's land management bureaus as well as specific place-based studies. Research conducted with this funding would be identified through a collaborative effort with the land and wildlife management bureaus to address their most pressing needs and will initially provide support to the Bureau of Land Management, U.S. Fish and Wildlife Service, and National Park Service.

The budget has also been restructured to consolidate all facilities costs into an overall Facilities budget, and administrative costs into a Science Support category. This may have the appearance that programs throughout the bureau are decreasing, but that is because facilities and administration costs were previously part of program budgets. Separating out facilities and administration will allow a clearer view of the money budgeted directly for science.

The Administration has requested $839.134 million for the U.S. Geological Survey in FY 2000. This is an increase of $38.501 million over the 1999 enacted level. Essentially all of the budget ($838.485 million)for the U.S. Geological Survey is in the appropriation category of Surveys, Investigations, and Research, which are carried out in four major program areas and in the new category of Integrated Science. The four major program areas are the National Mapping Program; Geologic Hazards, Resource, and Processes; Water Resources Investigations; and Biological Research. With the exception of Integrated Science, all of these appear to show an apparent decrease with the difference being the separate breakout of Facilities and Science Support. However, not all the apparent decreases are real.

For the National Mapping Program the Administration has requested $135.434 million, which is $2.881 million less than FY 1999 enacted. However, decreases for budget restructuring total $19.462 million, indicating an overall increase of $16.581 million for FY 2000. In the Geologic Hazards, Resource, and Processes Program the budget request is $198.617 million. This is $40.533 million less than enacted. The reduction for restructuring is $40.267 million indicating a small net decrease in program funding. Most of this reduction in funding is in the subprogram area of Geologic Resource Assessments.

For Water Resources Investigations, decreases given for technical adjustments related to budget restructuring are greater than program decreases, thus, indicating gains in funding for the science aspects of the Program. The FY 2000 request is for $172.506 million is this area. For Biological Research the Administration requests $124.964 million in FY 2000. This is $37.497 million less than enacted for FY 1999.

The reduction for budget restructuring is $36.864 million indicating a net reduction in the Program. Most of the reduction is in the subprogram category of Biological Research and Monitoring.

Integrated Science shows an initial budget request of $47.686 million of which $30.286 million can be attributed to technical adjustments related to budget restructuring. This leaves $17.4 million in new funding in this category, with $15 million to focus science resources on the highest priorities of land managers and $2.4 million to begin new place-based studies of ecosystems of concern; specifically the Great Lakes, Platte River, Greater Yellowstone, and Mojave. The total FTE for the USGS remains level at 9,737.

The Senate Appropriations Committee recommended $140.596 million for the National Mapping Program, an increase of $5.162 million over the budget request. For geologic hazards, resource and processes, the Committee recommended $245.734 million, an increase of $47.117 over the request. Water resources investigations were increased $43.727 million over the request to $216.233 million, and biological research was increased $35.284 million to $160.248 million. Funding for integrated science was zeroed out and science support and facilities were considerably reduced from the request. Total funding recommended for the USGS was $813.243 million or $25.242 million less than requested. The Committee did not approve the budget restructuring of the Geological Survey at this time, and felt that the Survey needed to seek broader involvement from within in restructuring its programs. However, the Committee is supportive of restructuring in general to improve program efficiency, particularly when tied to strategic plans.

The House passed H.R. 2466 with an appropriation totaling $820.444 million for the U.S. Geological Survey, a decrease of $18.041 million from the budget estimate. Of this, $127.610 million would be for the National Mapping Program (a decrease of $7.824 million from the request); $210.081 million for Geologic Hazards, Resource, and Processes (an increase of $11.464 million); $185.301 million for water resources (an increase of $12.795 million); and $137.674 million for biological research (an increase of $12.710 million from the request). The budget request of $47.686 million for a new “Integrated Science” activity (place-based and DOI science) was not approved, but science support and facilities were each recommended for funding at or slightly above the request. The House also noted that the Survey’s budget submissions have emphasized a number of new activities outside the traditional mission of the Survey, and to the detriment of some of the long-standing core mission areas. Consequently, the House directed the Survey to provide a statement of the Survey’s vision of its future role with emphasis on the major topical areas that are central to the Survey’s mission and the type of activities that are needed to fulfill that mission.

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 anticipates collecting about $4.0 billion in revenues in FY2000. 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 FY2000 request of $240.2 million would provide $234.1 million for Royalty and Offshore Management program and $6.1 million for oil spill research. This request is $16.2 million more than the FY1999 appropriation when including offsetting receipts. Direct appropriations, however, would fall by $7.8 million while the offsets would increase by $24 million. The offsets ($124 million) would come from Outer Continental Shelf (OCS) revenues. The net amount of the administration's request is $116.2 million for FY 2000. Revenues from the OCS were not as high in FY98 as they were in the previous two years but activity in the Gulf of Mexico region remains high. According to MMS the increases in offsets are needed to effectively manage the rising workforce and projects in the region.

The Senate mark supports funding Royalty and Offshore programs at $234.7 million and oil spill research at $6.1 million. The Committee supports funding for the Center for Marine Resources and Environmental Technology at $600,000. Offsets from OCS are supported at the same level as the administration at $124 million. The net amount of funding for MMS would be $116.8 million.

The House-passed version provides Royalty and Offshore Minerals Management with $234.2 million and Oil Spill research with $6.1 million, using $124 million in offsets from OCS revenues. The net amount supported by the House for MMS is $116.2 million, the same as the administrations request.

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 106th Congress continues to be reported discrepancies between posted prices and fair market value prices that are the basis for royalty valuation. The Administration argues that the U.S. Treasury is being underpaid. MMS has proposed a rule change for crude oil valuation that would rely less on posted prices and more on an index price to better reflect fair market value. Oil industry officials have criticized using index prices as a benchmark and have offered a number of other options for benchmarks. The MMS extended its comment period on the valuation rule twice in the 105th Congress (7/9 - 7/24 and 7/24 - 7/31) to allow for additional industry and congressional input. Industry representatives believe that the extension was necessary to make further improvements to the proposal while critics of the extension argue that enough has been said on the proposed rulemaking and that no extension is necessary. Details on the oil valuation rule were provided to House and Senate Committees on August 31, 1998. Language in the Senate appropriations report (S. Rept. 105-227) for FY1999 postpones the rules release until October 1, 1999. 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. However, as part of the FY1999 Omnibus Budget Bill, Congress and the Administration reached a compromise which postpones the new oil valuation rule eight months (June 1, 1999) instead of one year. House and Senate negotiators believe that the delay will allow for a rule that is fair to industry and the U.S. Government. However, critics argue that the delay will continue to cost taxpayers millions of dollars in underpaid royalties. In the FY 2000 Interior bill (S. 1292) the Senate Committee approved an amendment to further postpone the release of the oil valuation rule until June 30, 2001.

An RIK Feasibility Study concluded that RIK could be workable and generate positive revenue for the U.S. Treasury. The MMS has begun to conduct a second pilot study on a RIK process that includes natural gas production in the Gulf of Mexico, oil production in Wyoming and Texas offshore natural gas. This pilot began in 1998 with oil lease bids offered in Wyoming. The entire pilot is expected to be set up later in 1999. The RIK pilot will take several years to complete.

On a separate issue, legislation was enacted (P.L. 104-185) in the 104th Congress, which authorized interested states that demonstrate competence, to collect royalties from federal oil and gas leases. 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 but was extended in several areas. The extension was continued through FY1999 and is supported by the House and the Senate Appropriation Committees for FY2000. 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 in 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. The moratoria apply only to environmentally sensitive areas. With the exception of the California OCS, little hydrocarbon production has occurred in these regions.

Lease Sales in the Gulf of Mexico. Leasing continues in the Central and Western Gulf of Mexico, where recent lease sales (FY1996-FY97) 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. FY1996 and FY1997 included four record breaking sales which produced over $2.4 billion in bonuses. The OCS Leasing Plan for the FY1997 to FY2002 period included a Western Gulf auction that took place in August, 1997. This record breaking August sale ($680 million) was 33 percent larger than the Western Gulf sale held a year earlier. Two additional sales in the Gulf of Mexico were also record breakers. 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 nation's oil imports rise to half of total consumption. Plans for oil and gas exploration have increased over the past two years but actual activity on current leases in the OCS has decreased in FY1998 because of lower oil and gas prices.

The development of deep water wells is expanding rapidly, as several new deep water discoveries have been made over the past couple of years. MMS is proposing to increase its effort in technological needs and potential environmental issues associated with deep water drilling. Currently the Gulf of Mexico accounts for over half of the worlds drilling rigs operating in deepwater.

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) 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 pose 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. OSM is required to maintain oversight of state regulatory programs.

The Administration request for FY2000 — at $305.8 million — was $27.1 million above the FY1999 appropriation. Most of the increase was targeted to accelerating the pace of abandoned mine land reclamation by boosting the appropriation from the AML fund in 2000. Of total spending, $94.7 million is for Regulation and Technology programs — an increase of $1.3 million from adjusted FY1999 levels that would restore some of the reduction made in FY1999 from FY1998 levels. Senate Appropriations added $1.3 million to cover fixed cost increases, and an additional $1.5 million for state regulatory program grants, bringing the level recommended to the full Senate to nearly $96.2 million. House Appropriations has recommended $95.7 million

The Administration's AML request for FY2000 was $211.2 million, an increase of $25.7 million over adjusted FY1999 levels. The Appalachian Clean Streams Initiative, boosted from $5 to $7 million from FY1998 to FY1999, was proposed to increase by another $3 million in FY2000.

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 each of 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-FY1998. The Administration budget proposed to restore the minimum funding level to $2 million in FY2000. This, and the significant boost in the proposed appropriation from the AML fund, were apparently to address the dissatisfactions expressed in recent years by states and tribes that are recipients of reclamation grants.

Senate Appropriations, however, rejected the boost, recommending a level of $185.7 million, $25 million less than the Administration. The Committee also recommended continuing to fund minimum program states at $1.5 million, but did agree with boosting the Appalachian Clean Streams Initiative (ACSI) to $7 million. In the House, the Committee nearly split the difference, recommending $196.5 million, but increasing ACSI to $8 million.

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

Bureau of Indian Affairs. The Bureau of Indian Affairs (BIA) provides a wide variety of services to federally recognized American Indian and Alaska Native tribes and their members, and has historically been the lead agency in federal dealings with tribes. Programs provided or funded through the BIA include government operations, courts, law enforcement, fire protection, social programs, education, roads, natural resource and real estate management, economic development, employment assistance, housing repair, dams, Indian rights protection, implementation of land and water settlements, and partial gaming oversight, among others.

The key issues for the BIA are the equitable distribution of BIA funding among tribes, the movement toward greater tribal influence on BIA programs and expenditures, especially the role of contract support costs, and BIA reorganization and downsizing. Additional significant issues raised by proposed provisions of previous Interior appropriations bills include taxation of certain Indian businesses 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), in which tribes have more influence in BIA budget planning and within which each tribe has authority to reprogram all its TPA funds. In FY1998 TPA accounts for 49.5% of the BIA's operation of Indian programs (including most of the BIA funding for tribal governments' operations, human services, courts and law enforcement, natural resources, and community development) and for 44.5% of total BIA direct appropriations.

The BIA has been under pressure from tribes, the administration, and Congress to reorganize, but proposals from the three sources have not always been in agreement. Under the Clinton Administration's National Performance Review Reinventing Government initiative, the BIA had planned to pursue restructuring and downsizing through the "tribal shares" process (in which tribes and the BIA determine, first, which BIA functions are inherently federal and which are available for tribal management, and, second, what each tribe's share of funds is for the latter functions), but the BIA has indicated that the Interior solicitor has advised against such a procedure. Appropriations Committee reports for FY1997 and FY1998 directed the BIA to develop a reorganization plan and consolidate central, area, and agency offices. Consequently, the BIA indicated it is developing reorganization plans and consolidation options.

The issue of the equitable distribution of BIA funding—often referred to as "means-testing"—has two aspects, one relating to how funds are distributed, the other relating to whether a tribe's other financial resources are taken into account. First, much if not most BIA funding, even while serving tribal needs, is not required to be distributed on a national per capita or other formula basis. Second, tribes' own non-BIA resources, especially business revenues, are not always required to be taken into account. For both the FY1998 and FY1999 Interior appropriations bills, the Senate Appropriations Committee proposed (1) requiring the BIA to develop several alternate formulas for distributing TPA funds on the basis of need, taking into account tribal business revenues including gaming, and (2) requiring tribes to submit tribal business revenue information to BIA, and in the FY1999 bill proposed implementing the new distribution formula in FY2000. In addition the Senate Committee's FY1999 bill proposed reallocating half of TPA funds from tribes (outside Alaska) in the top 10% of per-capita tribal business revenues to tribes in the bottom 20% of per-capita tribal business revenues. The House Appropriations Committee provided $250,000 in FY1999 to continue the FY1998 TPA-allocation work group (see below) to develop needs-measurement methods, directed the BIA to develop TPA allocation criteria that address equity in TPA funding, and included an administrative provision assuring tribes who return funds to the BIA that the federal trust responsibility to them, and the federal government-to-government relationship with the tribes, will not be diminished.

Supporters of the Senate Committee's proposals 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, that only 30 percent of TPA funding is based on formulas, and that a GAO study shows some rich tribes got more TPA funds in FY1998 than tribes with no outside revenues. Opponents respond that almost all tribes are in poverty, that BIA funding is insufficient to meet tribal needs, and that means-testing TPA funding would penalize tribes who still have severe needs, would violate the federal trust responsibility to tribes, has not been fully analyzed, and would be unfair since it is not required of state or local governments receiving federal assistance.

In considering similar proposals in the FY1998 appropriations bill, Congress had dropped the requirements for a formula and tribal income data, and instead had distributed some FY1998 TPA funds so that each tribe might receive the minimum funding recommended by the 1994 report of the Joint Tribal/BIA/DOI Task Force on BIA Reorganization ($160,000 per tribe, except $200,000 per tribe in Alaska), with allocation of any remaining TPA funds based on recommendation of a tribal/federal task force. In addition, several Senators had requested the GAO to report on TPA distribution issues. The tribal/federal TPA task force made its distribution recommendations on January 29, 1998, and also recommended creating a long-term work group on TPA funding allocation, a recommendation the BIA supported. The GAO presented its TPA distribution study in April and July, 1998. Among the GAO findings were that two-thirds of FY1998 TPA funds were distributed based on historical levels and one-third was distributed based on formulas, that TPA distribution per capita varied widely across BIA areas, and that tribal governments' reporting of revenues were inconsistent in including or excluding non-federal revenues. The GAO results were used by the Senate Appropriations Committee in developing the FY1999 proposals described above.

Congress, in the Interior appropriations portion of the FY1999 Omnibus Appropriations Act, dropped the Senate Appropriations Committee's proposed reallocation scheme and dropped the requirement that tribes submit revenue data, but retained the requirement that the BIA develop proposals for alternative TPA funding methods. Congress also retained the House provision of $250,000 for the TPA work group and the language concerning tribes returning funds to the BIA.

For FY2000, the Senate Appropriations Committee proposes authorizing the Secretary of the Interior to redistribute TPA funds to alleviate tribal funding inequities to meet identified unmet needs. The House Appropriations Committee has no similar proposal. Both Committees note that the BIA's report on alternative TPA funding distribution methods has not been completed.

During congressional debates over FY1997 and FY1998 Interior appropriations, Congress considered but did not approve several additional controversial provisions. One proposal, considered in the House, would have prohibited the Interior 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. (This proposal was also introduced in the 105th Congress in H.R. 1168, on which hearings were held June 24, 1998.) The other provision, proposed by the Senate Appropriations Committee, would have waived tribal governments' sovereign immunity to civil suit in federal court if a tribe accepted TPA funding. The tribal immunity waiver provision was withdrawn on the Senate floor. The Senate Indian Affairs Committee held several hearings last year on a bill (S. 1691, introduced February 27, 1998) restricting tribal sovereign immunity. One of the issues raised at the hearings was the degree to which tribes are insured against torts and other liability claims. At the Committee's mark-up of S. 1691, consideration was postponed on the motion of the bill's sponsor, who later introduced five new, more specific bills. Neither of these proposals was offered during consideration of FY1999 Interior appropriations. In the Interior portion of the FY1999 Omnibus Appropriations Act, however, Congress required the Interior Secretary to study tribal liability insurance coverage and make a report with legislative recommendations by April 1, 1999. The Joint BIA/Tribal Workgroup on Tribal Needs Assessment, formed in January 1998, is preparing the report.

In considering the FY1999 and FY2000 bills, both the House and Senate Appropriations Committees took note of several further issues. In the FY1999 Omnibus Appropriations Act, Congress placed BIA-funded law enforcement under centralized line authority and made BIA law-enforcement funds unavailable for reprogramming; no changes are suggested for FY2000. Concerning support costs for self-determination contracts and self-governance compacts, Congress for FY1999 forbade use of FY1999 funds to pay for unpaid contract support costs from earlier years, in spite of court decisions confirming federal responsibility for such costs. The House and the Senate Appropriations Committee recommended the same provisions for FY2000. For FY1999 Congress also approved a one-year moratorium on self-determination contracts and self-governance compacts, so that the BIA and tribes could address the contract support costs problem and the GAO could conduct a study of the issue. The GAO's report, published in June 1999 (*Indian Self-Determination Act: Shortfalls in Indian Contract Support Costs Need to be Addressed*, GAO/RCED-99-150), offered four alternative methods for funding contract support costs and recommended that BIA and IHS be directed to develop a standard policy on funding contract support costs. For FY2000, the Senate Appropriations Committee recommended an extension of the moratorium on self-determination contracts and compacts, but the House bill contains no provision for a moratorium.

In addition, Congress for FY1999 included bill language restricting the "Huron Cemetery" in Kansas to use as a cemetery (an Oklahoma tribe has at times proposed using it for gaming). The Senate Appropriations Committee recommends the same provision for FY2000. The Senate Committee for FY2000 would also prohibit taking lands into trust in Clark County, Washington, for the Shoalwater Bay Tribe. The Senate during debate on the FY1999 Interior appropriations bill approved an amendment prohibiting the Interior Secretary from approving class III Indian gaming compacts without state approval and from promulgating during FY1999 proposed regulations for approving gaming compacts in situations where a state invokes its immunity from suit over compact negotiations. Congress chose only to prohibit promulgation of the regulations, and that only for the first half of FY1999. The regulations were promulgated by the Secretary of the Interior on April 12, 1999 (64 FR 17535) and immediately challenged in federal court by Florida and Alabama, who argued the Secretary has no authority for such regulations under IGRA. The Secretary has stated that he would not approve any compacts under the regulations until the courts decided whether he had such authority. For FY2000, neither appropriations committee reported any gaming-compact provisions, and the House did not accept a proposed amendment to prohibit funding for any gaming compacts not agreed to by both a state and a tribe. Finally, in the FY1999 Omnibus Appropriations Act, Congress amended the Tribal Self-Governance Act of 1994 (P.L. 103-413) to extend to self-governance compacts the same requirements for repaying misused funds that already cover self-determination contracts.

BIA's FY1999 direct appropriations enacted to date are $1.746 billion. For FY2000 the Administration proposes $1.9 billion, an increase of 8.9% over FY1999. Included in the proposal are increases of 2.4% in TPA (to $716.1 million, including $121.3 million for self-determination contract support costs, a 5.6% increase), 5.8% in BIA school operations (to $503.6 million), 22.7% in aid under the Tribally Controlled College or University Assistance Act (to $38.4 million), and 41.2% in total BIA construction (to $174.3 million, including $108.4 million in education construction, a 79% increase over FY1999). Among the new proposals in the FY2000 BIA budget is a school construction bond initiative, where the administration estimates an appropriation of $30 million will help tribes issue $400 million in bonds over two years to help meet the large backlog in school construction. The administration also proposes an increase of $20 million (to a total of $137.8 million including internal transfers) for the second year of the Indian country law enforcement initiative, jointly funded in BIA and Department of Justice (DOJ) appropriations, to reduce the high rate of violent crime in Indian country. Proposed FY2000 DOJ spending on the initiative, including Indian-country jail construction, totals $124.2 million.

The amount recommended for BIA FY2000 appropriations by the House Appropriations Committee is $1.79 billion (an increase of 2.4% over FY1999) and by the Senate Appropriations Committee is $1.81 billion (3.7% over FY1999). For TPA, the House Committee recommends $698.4 million and the Senate Committee recommends $693.1 million (while below the FY1999 amount of $699 million, both House and Senate figures include an internal transfer of $19.19 million for law enforcement from TPA to another BIA budget category). Recommended for BIA school operations is $488.7 million by the House Committee and $490.7 million by the Senate Committee, both higher than the FY1999 amount of $476.1 million. For tribally controlled colleges and universities, the Senate Committee recommends $31.3 million, the same as FY1999, while the House Committee recommends $32.3 million. For BIA construction, the Senate Committee recommends $146.9 million (including $82.4 million for education construction) and the House Committee recommends $126 million (including $60.5 million for education). Neither Committee accepted the proposed school construction bond initiative; the House Appropriations Committee stated that authority for tax credits for such tribal school bonds needs to be enacted first. The House approved its Appropriations Committee's BIA funding recommendations.

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.

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 "Class III" gaming (casinos, racing, etc.). The NIGC may receive federal appropriations but its budget authority has consisted chiefly of fee assessments on tribes' Class II operations. The FY1998 Interior Appropriations Act amended the Indian Gaming Regulatory Act to increase the amount of assessment fees the NIGC may collect (to $8 million), to make Class III as well as Class II operations subject to fees, and to increase the authorization of NIGC appropriations from $1 million to $2 million.

Beginning in FY1999, all NIGC activities are being funded from fees. No direct appropriations were made for the NIGC in FY1999, and the administration proposed no FY2000 appropriations for the NIGC. Neither the Senate Appropriations Committee nor the House proposed any appropriations for NIGC.

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 general oversight of Interior Department management of Indian trust assets, the direct management of Indian trust funds, establishment of an adequate trust fund management system, and support of department claims settlement activities related to the trust funds. Indian trust 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. Indian trust funds comprise two sets of funds: (1) tribal funds owned by about 315 tribes in approximately 1,600 accounts, with a total asset value of about $2.5 billion; and (2) individual Indians' funds, known as Individual Indian Money (IIM) accounts, in 341,645 accounts with a total asset value of $433.3 million. (Figures are from the OST FY2000 budget justifications.) The funds include monies received both from claims awards, land or water rights settlements, and other one-time payments, and from income from physical trust assets (e.g., land, timber, minerals), as well as investment income. In 1996, at Congress' direction, the Secretary of the Interior transferred trust fund management from the BIA to the OST.

While a congressionally-required outside audit has been made of non-investment transactions—deposits and withdrawals—in *tribal* trust fund accounts (for the 20-year period 1973-1992), Congress did not require that the outside auditors examine transactions in the *IIM* accounts, so their reconciliation status has been in doubt. On June 11, 1996, a class-action suit was filed in federal court against the federal government on behalf of all IIM account owners. The suit sought an accounting of the IIM funds, establishment of adequate management systems, and full restitution of any money lost from the IIM accounts. The case was certified as a class action in February 1997. Because the BIA and the departments of the Interior and Treasury were unable to produce the trust records for five named plaintiffs in the case, as had been ordered by the federal court as part of trial preparation, the secretaries of the Interior and Treasury and the assistant secretary--Indian affairs were held in contempt of court on Feb. 22, 1999. The federal departments apologized and promised to meet the judge's concerns. The part of the IIM suit dealing with the failures of the trust-fund system went to trial in June 1999 in the U.S. District Court for the District of Columbia.

In April 1997 the OST submitted its Strategic Plan for improving the management of Indian trust funds and trust 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. While considering FY1998 Interior appropriations, Congress noted departmental and some tribal opposition to the Strategic Plan, especially to the proposed new agency. Congress directed the OST not to implement the proposed new agency but to pursue trust funds systems improvements and OST responsibilities relating to the settlement of financial claims made by tribal and individual beneficiaries, before Congress and in court, because of BIA trust-funds mismanagement. In August 1997 the Secretary of the Interior agreed to implement aspects of the Strategic Plan dealing with trust management systems, data cleanup, and trust asset processing backlogs, and in July 1998 he issued a "High-Level Implementation Plan" for this Trust Management Improvement Project. On Jan. 5, 1999, the Secretary ordered a reorganization of the OST, creating a principal deputy special trustee who would carry out policy and budget execution, budget formulation, and day-to-day operations, and to whom would report the trust funds management office and the new office for trust litigation support and trust records management created by the same order. The Special Trustee, Paul Homan, resigned effective Jan. 7, 1999. The emergency supplemental appropriations bill reported by the Senate Appropriations Committee (S. 544, 106th Cong.) contained a provision prohibiting the implementation of the Secretary's reorganization of the OST; the bill enacted into law (P.L. 106-31) did not include that provision, but the conference committee report (H.Rept. 106-143) expressed concern about the Secretary's order and the department's implementation of the trust fund reform act and the High Level Implementation Plan.

FY1999 funding for the Office of Special Trustee is set at $39.5 million. The President proposed a FY2000 budget of $100.025 million, an increase of 153% over FY1999 appropriations. Included in the FY2000 request are $90.025 million for federal trust programs — $65.3 million for trust systems improvements (an increase of 277% from the FY1999 appropriation), $5.2 million for settlement and litigation support (up 61%), and $15.4 million for trust funds management (up 1%) — and $10 million for the Indian land consolidation pilot project. The purpose of the land consolidation project, currently funded under the BIA at $5 million for FY1999, is to purchase and consolidate fractionated ownerships of allotted Indian trust lands, thereby reducing the costs of managing millions of acres broken up into tiny fractional interests. The House and Senate Appropriations Committees both recommend $5 million for the land consolidation project. For OST's federal trust programs, however, the House Committee recommends $90.025 million (the same as the President's proposal) while the Senate Committee recommends $73.836 million. The House approved its Appropriations Committee's funding recommendations for OST.

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. Funding for the Office of Insular Affairs (OIA) consists of two portions that total roughly $300 million. The largest of the two shares for FY2000 ($201 million, approximately 70% of funding) derives from previously enacted permanent and indefinite appropriations that do not require action by the 106th Congress or the Administration. Two territories, Guam and the U.S. Virgin Islands, will automatically receive $77 million from tax revenues. (The Administration has proposed an additional $12 million in permanent appropriations for the Virgin Islands through legislation that would increase the share of rum excise taxes to be provided to the Islands. For information on the alcohol excise tax see CRS Report 96-132, *Federal Excise Taxes on Alcohol Products.*) Three freely associated states—Republic of Palau, Republic of the Marshall Islands, and the Federated States of Micronesia (FSM)—will automatically receive $124 million as set forth in the Compact of Free Association. The other two territories, the Commonwealth of the Northern Mariana Islands (CNMI) and American Samoa, do not receive permanent and indefinite appropriations.

Discretionary and current mandatory funds constitute the other 30% of the federal assistance provided to the insular areas and are subject to appropriations. The Administration requested $88.6 million for FY2000 for discretionary and current mandatory funding for OIA, a 2% increase over the $87.1 million appropriated for FY1999. The Senate Appropriations Committee approved a slightly lower figure, $87.9 million. The House Appropriations committee recommended less, $86.9 million, and the full House agreed to a further reduction of $4 million (funds to be transferred to the DOI Urban Parks program), lowering the recommended appropriations level to $82.9 million. The remainder of this section summarizes the more significant issues and differences among the request and the Senate and House funding levels.

(1) The request would increase funding for brown tree snake control by $500,000 over the $2.1 million appropriated for FY1999. For more information on this issue, see CRS Report 97-507, *Non-Indigenous Species: Government Responses*

to the Brown Tree Snake and Issues for Congress. The Senate Committee recommended an increase of $250,000, half of the requested increase. The House Committee recommended no change from FY1999.

(2) The Administration requested $1.0 million for implementation of new coral reef management programs for the insular areas. The Senate Committee recommends funding at half that level and the House Committee provides no funds and seeks additional information on the proposal. While no funds were appropriated in FY1999 specifically for coral reef management, DOI used $200,000 in technical assistance funding to initiate a study of the problem.

(3) The Administration proposed the reallocation of mandatory funds from the CNMI to Guam to mitigate the effects of high immigration levels from the three freely associated states. The phrase "Compact impact" has been used to describe the problems associated with the number of immigrants from the FSM relocating to Guam. Advocates contend that assistance is needed to provide social services on Guam and to meet resultant demands on infrastructure. The FY2000 request seeks an amendment to existing law to reallocate $5.4 million in capital improvement grants from the CNMI to Guam and to extend mandatory funding to Guam at a $10 million level indefinitely. The $5.4 million reallocation would supplement the $4.6 million currently authorized to be reallocated to Guam each year (FY1996-2001) from CNMI development projects as directed in statute (see 48 U.S.C. 1804(c)(1)). While the House Committee supported the request but would have reallocated $5 million to Guam, the full House sustained a point of order against the amendment, resulting in deletion of the reallocation proposal. The Senate Committee rejected the Administration proposal, expects the funding issue to be addressed in renegotiation of the Compact, and recommended deferral of some construction funding for the CNMI until FY2003 and the reallocation of these construction funds to the U.S. Virgin Islands in FY2000.

Other issues raised in the request, committee reports, and floor amendments include the following:

- the Administration requested, and the Senate Committee recommends, increased funding for the Office of Insular Affairs for renegotiation of Compact financial assistance,
- the House and Senate Committees noted concern with regard to the fiscal condition of the territories and freely associated states, with the full House agreeing to a loan of $18.6 million to be provided to American Samoa, with funds to be repaid from the territory's share of the tobacco settlement,
- delinquency of debt payments by the Chuuk state of the FSM, and
- Senate concern over the lack of impact aid payments to Hawaii due to increased migration of citizens from the freely associated states.

In addition, some Members of Congress have expressed concern with labor conditions and immigration laws in the CNMI as well as support for the extension of the federal minimum wage laws to the territory. (For references to congressional activity on the minimum wage issue see CRS Report RL30235, *Minimum Wage in the Territories and Possessions of the United States: Application of the Fair Labor Standards Act*).

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. For the Forest Service for FY2000, the Administration requested $2.913 billion, $155.2 million (5.6%) more than was appropriated in FY1999. (This includes adjustments of +$75.7 million in National Forest System and of -$76.1 million in Reconstruction and Maintenance for discrepancies between the agency's budget request and the President's budget as approved by OMB.) State and Private Forestry would be increased the most, by $81.7 million (48%), while land acquisition would remain at $118 million, both in conjunction with the President's announced Lands Legacy Initiative. (See p. 40.) Research would be raised by $37.2 million (19%). Infrastructure maintenance would be shifted to a new Public Asset Management and Protection line, and increased by $27.6 million (16%), while construction and reconstruction of roads, facilities, and trails would be decreased by $24.5 million (12%). The National Forest System, adjusting for the shift of maintenance, would be increased by $58.6 million (4%), with increases in wildlife and fish, soil/water/air, planning and monitoring, and recreation and range management, and decreases in timber and minerals.

The Senate Appropriations Committee recommended an appropriation of $2.672 billion, $85.3 million less than the FY1999 appropriation and $240.4 million less than requested. The major differences from the request include decreases in research ($47.2 million) and in land acquisition ($40.8 million, net of $40 million appropriated but not spent in FY1999), a much smaller increase (by $61.6 million) in State and Private Forestry, and more money ($31.5 million) for timber sales.

The House passed an appropriation of $2.604 billion, $153.6 million less than the FY1999 appropriation, $308.7 million less than the Administration's request, and $68.3 million less than the Senate Appropriations Committee recommendation. Major differences from the request include smaller increases for research (by $20.3 million) and State and Private Forestry (by $71.0 million) and a decrease for National Forest System ($102.7 million less than requested) but with a smaller decrease for timber sales (by $23.1 million). The House Committee also rejected the proposed decrease in trail maintenance and the $90 million contingency appropriations for wildfire management (while recommending a shift from fire operations to preparedness), and proposed only $1 million for land acquisition (net of the $40 million appropriated but not spent in FY1999).

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

For information on the Government Performance and Results Act for the U.S. Forest Service, see the *USDA Strategic Plan* World Wide Web site at [http://www.usda.gov/ocfo/strat/index.htm]

Timber Sales and Forest Health. Timber sales, especially salvage timber, and forest health are likely to continue to be significant in debates over Forest Service budget and authorizing legislation. The FY2000 budget request proposes declines both in salvage sales (from 1.112 billion board feet, or BBF, to 1.001 BBF) and in new green sales (from 2.511 BBF to 2.251 BBF); the proposed sale program of 3.25 BBF would be the lowest level since FY1950. The House passed and Senate Committee recommended more timber sale funds and FY2000 sales at the FY1999 level.

Several related provisions were included in the FY1999 Omnibus Consolidated Appropriations Act. The 10% Roads and Trails Fund was altered to allow its use "to improve forest health conditions and repair or reconstruct roads, bridges and trails …," emphasizing the wildland-urban interface and areas with abnormally high risk from potential wildfires. The FY2000 budget proposes $10 million (39%) of this fund for trail maintenance to offset a proposed decline in appropriations. The House and Senate bills both include the FY1999 provision for FY2000 (in §324 and §325, respectively); the House enacted stable trail maintenance appropriations, while the Senate Committee recommended a decline in appropriations for trail maintenance, similar to the Administration's proposal.

The FY1999 Act also authorized 28 "Stewardship End Result Contracting Demonstration Projects" through FY2002; contracts of up to 10 years can be used to "achieve land management goals … that meet local and rural community needs," with the value of the timber removed offsetting the costs of other services. The Senate Committee recommended authorizing an additional 9 projects in §334.

Land Management Planning. Management of the federal lands has been controversial for decades. Increasing conflicts among users in the 1960s and early 1970s led Congress to enact the National Forest Management Act of 1976 (NFMA) and the Federal Land Policy and Management Act of 1976 (FLPMA) to establish and guide land and resource management planning for the national forests and BLM lands. Despite lofty goals, the public participatory planning processes have not led to harmonious land management. Bills to improve planning, some emphasizing forest health, have been introduced in both Houses in several Congresses, but none have been enacted.

The FY2000 Forest Service appropriations bills include sections affecting land management planning. One (§319 of H.R. 2466 and §320 of S. 1292) would direct the Forest Service to continue management under existing plans until the plans are revised under new regulations which are again anticipated to be released in draft soon. (This provision was included in the FY1999 Appropriations Act.) The other section, included only in the Senate bill (§321), would prohibit the agency from spending to complete the RPA Program; report language indicates that the RPA Program is to become part of the agency's strategic planning under GPRA. (This provision was also included in the FY1999 Appropriations Act.)

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 House and Senate Committees recommended modest increases from FY1999 appropriations for road construction ($1.9 million and $1.5 million, respectively), while the Administration had proposed a modest decrease ($1.5 million). An amendment proposed by Hon. George Miller, to prohibit funding for timber access road construction, was agreed to by voice vote; this enacted language that had been included in the House report and is consistent with the Administration's budget proposal.

Fiscal Management. Increasing Forest Service fiscal accountability was the focus of much debate in the 105th Congress. Modest changes in Forest Service budget structure were included in FY1999, but further changes have been delayed, pending the completion of a requested study by the National Academy of Public Administration.

The House Committee report discusses problems of agency accountability, and includes a separate section on Forest Service trust fund accountability and performance. The report contains several recommendations governing the use of these funds, including their use for "indirect support activities" and requiring additional information from the Forest Service. The Senate Committee report acknowledges the concerns, but did not address the issue directly.

Finally, the Forest Service has also proposed "de-linking" its revenue-sharing payments from its revenues. Under the Act of May 23, 1908, the Forest Service is required to return 25% of its gross revenues to the states for use on roads and schools in the counties where the national forests are located. Concerns have arisen over the substantial decline in timber revenues (and thus in the payments) and in the linkage between the payments and revenue-producing activities such as timber sales that had allegedly led the counties to advocate timber sales and other revenue-generating programs, regardless of the environmental consequences of those programs. Some have opposed this de-linking, sometimes to retain this county advocacy, sometimes because of concerns over the source of funds for the de-linked payments, and sometimes because of concerns that using other funds might allow the Forest Service to retain more of its timber revenues in permanently appropriated accounts for reforestation, salvage sale preparation, and other activities. Legislation on this issue has been introduced, but neither House nor Senate Appropriations Committees have addressed this issue.

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

For information on the Government Performance and Results Act for the DOE or any of its departments, see *DOE's Strategic Plan* World Wide Web site at [http://www.doe.gov/policy/doeplan.html]

Fossil Energy Research, Development, and Demonstration. The Clinton Administration's FY2000 budget request for fossil fuel research and development (R&D) continues to reflect its energy and environmental priorities. Fossil fuel R&D efforts will focus on environmental issues associated with electric power, particularly global climate change concerns.

Overall, the Administration's FY2000 request for fossil energy is $364 million, a 5.2% decline from the FY1999 appropriation of $384 million. Funding for coal R&D projects would decrease slightly but remain about one-third of the fossil fuel R&D budget. Petroleum R&D would increase by 3.2% and natural gas R&D would decrease 8.6%. The Administration is requesting a deferral of $256 million in funding for the Clean Coal Technology Program because of scheduling delays.

The Senate mark includes Clean Coal Technology deferrals of $156 million while the House approved deferrals of $256 as requested but greater than the $190 million supported by the full Committee. Overall, for Fossil Energy R&D, the Senate Committee recommended $391 million, $7 million greater than FY1999 and $27 million greater than the administration's request. The House reported out much less than the Senate at $335.3 million. The House Committee recommends transferring funds from biomass energy development to the energy conservation account as an offset and consolidating $41 million of the advanced turbine program under the energy conservation accounts, a practice the House also recommended in FY1999. The full House reduced fossil fuel R&D funding to $256.3 million for FY2000.

For FY2000, the Administration's efforts are focused on new technology that would take advantage of natural gas as a clean fuel and would reduce or eliminate many environmental problems associated with coal. 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. They question whether the Administration is 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?

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

Strategic Petroleum Reserve. After funding the Strategic Petroleum Reserve program from sales of SPR oil in FY1997 and FY1998, the 105th Congress approved a conventional appropriation of $160.1 million for the program in FY1999. This followed the cancellation of another authorized sale. With oil prices declining sharply amid a projected budget surplus, the congressional consensus was that a further sale was inadvisable. In all, roughly 28 million barrels of SPR oil were previously sold to finance maintenance and upgrade of SPR facilities. Purchase of oil for the Reserve ended in 1994.

Based on recent developments, it appears that Congress does not believe further sales of SPR oil are appropriate or necessary at this time. Instead, attention has turned to finding ways to replenish the SPR. While some have urged or proposed that this be accomplished through direct appropriations, other ideas have also been advanced, partly in the context of concerns about domestic producers who have been hurt by the steep decline in crude oil prices. One idea advanced in late 1998 was to have royalties on oil production from Federal leases paid "in kind" -- that is, paid in actual barrels of oil -- and deposited in the SPR. On February 11, 1999, it was announced that transfers to the SPR would begin in April of nearly 100,000 barrels/day (b/d) of oil produced from leases on the outer continental shelf in the Gulf of Mexico. The intention initially is to replace the 28 million barrels that were sold.

The plan has been well-received by the petroleum industry, which is welcoming a demonstration of the viability of a royalty-in-kind program.

The Administration has requested $164 million for FY2000, a slight increase over FY1999. It includes $5 million to augment the account that supports a drawdown, if ordered. The balance of the request will support operations, maintenance and security. The Senate Appropriations Committee agreed with a level of $159 million for operations. However, in lieu of a $5 million appropriation to the SPR Petroleum Account, Senate Appropriations included language authorizing the Secretary of Energy to make any necessary transfers to the account during a drawdown and sale, repaying the amount as soon as possible from sales of SPR oil. The recommendation to the House was the same.

During debate on the bill on the House floor, however, $13 million was cut from the SPR and restored to the weatherization program. The vote was 243-180 and reduced the House funding level to $146 million. A subsequent motion to recommit the bill with instructions to restore the cut to the SPR failed by a vote of 187-239 just before the House passed the amended bill, 377-47.

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 2 year timetable for completion of the sale. On Feb. 5, 1998, Occidental Petroleum Corporation took title to the site and wired $3.65 billion to the U.S. Treasury. In anticipation of operating Elk Hills for only part of 1998, the Administration had requested $117 million for FY1998 and Congress approved $107 million. P.L. 104-106 also transferred most of two Naval Oil Shale Reserves to the Department of the Interior (DOI); the balance of one of these will be transferred to DOI in the spring of 1999. This will leave in the program two small oil fields in California and Wyoming, and one oil shale reserve. DOE expects to spend $21.2 million during FY2000 from prior year funds and seeks no new appropriation. The Committee agreed.

In settlement of a long-standing dispute between California and the federal government over the state's claim to Elk Hills as "school lands," the California Teachers' Retirement Fund is to receive 9 % of the sale proceeds after the costs of sale have been deducted. The agreement between DOE and California provided for five annual payments of $36 million beginning in FY1999, with the balance due to be paid in equal installments in FY2004 and FY2005. The FY2000 installment of $36 million will be paid from $298 million DOE has deposited in a contingent fund. However, Senate Appropriations, citing "fiscal constraints," has recommended no appropriations to the school lands fund. House Appropriations, however, has provided for the second $36 million installment.

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

Energy Conservation. The Clinton Administration sees energy efficiency (and renewable energy) as a key technology for curbing air pollution and global climate change, while contributing to the nation's economic strength and technology competitiveness. The President's State of the Union address reaffirmed the global climate concern and proposed "tax incentives and investment to spur clean energy technologies"... to help reduce air pollution and greenhouse gas emissions. This proposal is reflected in the Administration's FY2000 budget request, which employs the Climate Change Technology Initiative (CCTI) as a vehicle for increased spending on the Energy Efficiency Program at the Department of Energy (DOE).

The FY2000 request for DOE's Energy Efficiency Program is $812.5 million (excluding $25 million in prior year balances from the Biomass account), which is $120.8 million, or 17%, more than the FY1999 mark. This includes $646.5 million for R&D programs, a $120.8 million, or 23%, increase; and $191 million for grant programs, a $25 million, or 15%, increase. Buildings programs would get a boost of $73.7 million, the largest share of the total increase. Under Buildings, the largest increases are: $21 million more for Weatherization Assistance (a grant program), $17.8 million more for Equipment, and $16.6 million more for Community Partnerships. Transportation programs would get a boost of $50 million, including $18.1 million more for Advanced Combustion Engines, $7.9 million more for Fuel Cells, and $6.8 million more for Hybrid Systems. Industry programs would increase by $5.1 million, including a $9.1 million boost for Forest & Paper programs and a $19.7 million cut for Distributed Generation.

However, for FY2000, the Senate Appropriations Committee recommends $657.8 million (excluding $25 million in prior year balances from the Biomass account), which is $33.9 million, or 5%, less than the FY1999 appropriation, in current dollar terms. Also, the Committee recommendation is $154.6 million, or 18%, less than the Administration request. It includes $527.9 million for R&D programs, which is $118.6 million, or 18%, less than the request; and $166 million for grant programs, which is $25 million, or 13%, less. Relative to the request, the Committee recommends $44.9 million less for transportation R&D programs, including $13.8 million less for advanced combustion engines, $8.9 million less for hybrid systems, and $6.9 million less for fuel cells. Further, the Committee's $21.1 million decrease for buildings R&D includes a cut of $11.7 million for equipment and materials. Also, the Committee's $19.6 million decrease for industrial R&D, includes a $10.9 million reduction for enabling technologies and $3 million decrease for the aluminum industry.

The House approved amendment #258, adding $13 million more for weatherization grants to the House Appropriations Committee recommendation of $693.8 million, yielding a House-passed total of $706.8 million (excluding $25 million in prior year balances from the Biomass account). This is $15.1 million more than the FY1999 appropriation, and it is $105.7 million, or 13%, less than the Administration request. Compared to the Senate Appropriation Committee recommendation, it includes a net of $37.9 million more for R&D programs, including $46.1 million more for crosscutting programs under industries for the future. A July 1, 1999 letter from the Office of Management and Budget to the Committee stated concern that the lower-than-requested figure will hamper progress on several programs, including weatherization and the partnership for a new generation of vehicles.

For FY1999, P.L. 105-277 appropriated $691.7 million (including $64.0 million from oil overcharge funds) for DOE's Energy Efficiency Program.

For further information on *Energy Conservation*, 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 1.46 million American Indians and Alaska Natives who belong to more than 557 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. The IHS program is funded through a combination of federal appropriations and through collections of reimbursements from Medicare, Medicaid, and private insurance for services to eligible patients who have such insurance coverage.

The IHS Appropriation for FY1999 was $2.242 billion ($1.950 billion for the Indian Health Services and $292 million for Indian Health Facilities). The Administration's FY2000 budget requests $2.412 billion for IHS ($2.095 billion for Services and $317 million for Health Facilities). The Senate Appropriations Committee proposes $2.325 billion ($2.136 billion for the IHS and $189 million for Health Facilities). The Interior and Related Agencies Appropriations bill passed by the House contains $2.398 billion ($2.085 billion for the IHS and $312 million for Health Facilities).

The population served by the IHS has 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 in the 1980's, dropping since that time. According to the IHS, per capita health spending for IHS was $1,397 in FY1997, compared to the U.S. per capita expenditure of about $3,900. The population eligible for IHS services is increasing at a rate of approximately 2.0% per year. According to the IHS, the increases in program funding over the past decade have failed to keep pace with inflation.

Many IHS health care 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 FY1999 Omnibus Appropriations Act allocated $292 million for facility construction, repair, maintenance, improvement and equipment of health and related auxiliary facilities, such as domestic and community sanitation facilities for Indians. The FY2000 budget request seeks $317 million for facilities. The Senate Appropriations Committee proposes $189 million while the House passed Interior and Related Agencies Appropriations bill contains $312 million for facilities. The Senate's proposal seeks to shift the facilities and environmental support activity to the IHS account. This proposed transfer of funds, combined with the Senate's proposed funding for facilities, amount to a total of $304 million for current Indian health facility activities.

The FY1999 Omnibus Appropriations Act conference agreement did not include statutory language mandating a pro-rata distribution of contract support costs across all IHS self-determination contracts and self-governance compacts. Contract support costs are the costs awarded a tribe for the administration and management of a program — operation costs are awarded separately. This language had been included in both the House and Senate bills but was dropped due to objections raised by tribal organizations and individual tribes already receiving support. Under a pro-rata distribution their support would decline as new tribes entered into contracts and compacts. The FY1999 Omnibus Appropriations Act instituted a one-year moratorium on new contracts and compacts.

The FY2000 budget request proposes $238.8 million for contract support costs, an increase of $35 million above the FY1999 appropriated amount of $203.8 million. The FY2000 budget request for contract support costs would provide funding for new costs and would be directed to those tribes with the lowest percentages of funded contract support costs. For contract support costs in FY2000, the Senate Appropriations Committee recommends $203.8 million, and the House passed bill includes $238.8 million. While the amounts proposed by the Administration and the language passed by the House are the same, they embody different methods of allocation. The House language had originally included $30 million of new funding for existing contracts and an additional $5 million for new and expanded contracts contingent on a pro-rata distribution of funds across *all* self-determination contracts and self-governance compacts. However, based on point of order arguments, language on the pro-rata distribution of funds for support costs for new contracts and for self-determination contracts was removed prior to the passage of the Interior and Related Agencies Appropriations bill. In FY1999, the IHS was able to fund approximately 80% of the total contract support costs associated with IHS contracts and compacts.[1] It is estimated that $250 million would be required to meet current unmet need for contract support costs.[2]

On June 30, 1999, the General Accounting Office (GAO) released *Indian Self-Determination Act: Shortfalls in Indian Contract Support Costs Need to be Addressed.* This report contains recommendations on the distribution of contract support costs and describes alternative methods for funding contract support costs.

---

[1]Statement of Michel E. Lincoln, Deputy Director of the Indian Health Service. Before the House Committee on Resources. February 24, 1999.

[2]Briefing paper on Contract Support Costs within the Indian Health Service Budget. House Committee on Resources.

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/]

For information on the GAO report on Contract Support Costs, see its World Wide Web site at [http://www.gao.gov/]

For information on the Government Performance and Results Act for the IHS, see *The Department of Health and Human Services Government Performance & Results Act* World Wide Web site at [http://www.hhs.gov/progorg/fin/gpraindx.html]

Office of Navajo and Hopi Indian Relocation. The Office of Navajo and Hopi Indian Relocation (ONHIR) was reauthorized for FY1995-2000 by P.L. 104-301. 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. Members of one tribe who ended up on the other tribe's land were to be relocated. ONHIR classifies families as relocated when they occupy their replacement home. Most relocatees are Navajo. A large majority of the estimated 3,497 Navajo families formerly on the land partitioned to the Hopi have already relocated under the Act, but the House Appropriations Committee in 1999 estimates that 455 families (almost all Navajo) have yet to complete relocation, including about 72 Navajo families still on Hopi partitioned land (some of whom refuse to relocate). The remaining 383 families were not on Hopi partitioned land but were in various stages of acquiring replacement housing.

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. The United States and the Hopi Tribe reached a proposed settlement agreement on December 14, 1995. 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-FY1999 Interior appropriations acts, the FY2000 Interior appropriations bill proposed by the President 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 in the past 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, 1996, and 1997 called on ONHIR to explore termination of the relocation program, and the Senate in the 104th Congress considered a bill phasing out ONHIR. Similar language is not included by the House or Senate Committees for FY2000.

For FY1999, ONHIR received appropriations of $13 million. For FY2000 the administration proposed $14 million, while the House Appropriations Committee recommends $13.4 million. The House approved the committee's recommendation. The Senate Appropriations Committee, citing an ONHIR unobligated balance carryover of $12 million, recommends a reduction to $8 million for FY2000 and directs ONHIR to reduce the unobligated balance.

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, and counted over 30 million visitors in 1998 (The National Air and Space Museum alone had 8.8 million visitors in 1998). 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 memberships for Smithsonian Associates, sales stores, and magazine.

The FY2000 Clinton Administration budget would provide $447.4 million to the Smithsonian, (an increase of $35.147 million above the FY 1999 appropriation) and $380.5 million of that amount would be for salaries and expenses. Of the total for the Smithsonian, $19 million is requested for completion of construction of the National Museum of the American Indian (NMAI) on the Mall. The NMAI has been controversial; opponents of the new museum argued that the current Smithsonian museums need renovation and repair, and maintenance of the collection with an estimated 141 million items, more than the public needs another museum on the Mall. Proponents felt that there had 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 focusing on individuals, foundations, and corporations totaled $36.7 million, representing one-third of the total cost, and the amount required to meet the non-appropriated portion of project funding. Of this amount, an estimated $15 million came from the Indian community directly. Congress asked that there be an attempt to "scale down" the plans and cost of the museum. However, the total cost of the American Indian museum still remains at an estimated $110 million;

The final FY1999 Interior appropriations provided $16 million for the construction of the American Indian Museum.

The FY2000 budget would include $47.9 million for repair, restoration and alteration for Smithsonian buildings. Four of the Smithsonian's buildings account for approximately 30% of the SI's public space: the National Museum of Natural History (built in 1910), the American Art and Portrait Gallery (built between 1836 and 1860), the Castle building (built 1846), and the Arts and Industries building (1849). The Smithsonian contends that funding for repair and renewal of SI's facilities has not kept pace with need, resulting in increased deterioration of the physical plant. In fact, the report of the *Commission on the Future of the Smithsonian* concluded that a total of $50 million each year for the next decade would be necessary to "assure that present facilities are restored to the point of being safe for people and collections;" and considering the national zoo separately, it would need $10 million a year for the next five years. The FY2000 budget request includes $17 million to become available October 1, 2000 to complete the renovation of the American Art and Portrait Gallery, and $6 million for the National Zoo repair and restoration.

The Senate Appropriations Committee reported the FY2000 Interior Appropriations bill providing $423 million for the Smithsonian, including $364.6 million for salaries and expenses, $35 million for repair and restoration of buildings, and $4.4 million for zoo improvements. The House Appropriations Committee's reported FY2000 Interior Appropriations bill (H. Rept. 106-222) would provide $438.4 million for the Smithsonian, including $371.5 million for salaries and expenses, and $47.9 million for restoration of buildings. Both the House and Senate reported bills would provide $19 million to complete construction of the National Museum of the American Indian on the Mall. The House-passed bill, H.R.2466 would provide the same appropriation level for the Smithsonian as reported by the House.

The Smithsonian indicated that it has a 5-year strategic plan in accordance with provisions of the Government Performance and Results Act of 1993 and in keeping with the Smithsonian's mission. A report published in October 1997, *Toward a Shared Vision: U.S. Latinos and the Smithsonian* Institution, questioned the Smithsonian's mission with regard to Latinos. The report indicated that although there is a significant change in commitment by top management at the Smithsonian toward including Latinos in all aspects of the Smithsonian some of the implementation of the plan has lagged. In a positive response to these findings, a new Latino studies fellowship program grant was established in 1998 for pre- and postdoctoral research in Latino history, art, and culture using Smithsonian resources.

The Smithsonian has had its share of controversial exhibits, including the Enola Gay exhibit and *"Between a Rock and a Hard Place: A Dialogue on American Sweatshops, 1820 to the present."* In spite of objections that the sweatshops exhibit portrayed the clothing industry in a negative light, the exhibit was presented basically without change.

The Smithsonian marked its 150th anniversary in 1996 and generated public programs including "America's Smithsonian," a traveling exhibit. The Smithsonian indicated that to offset the high cost of the traveling exhibit, the SI might require admission charges for other special exhibits in the Smithsonian buildings on the Mall.

However, so far the SI has not charged admission. In view of the trend toward diminished federal support, the Smithsonian has used bond issues for some construction projects including the renovation of the Dulles National Air and Space Museum extension and of the National Museum of Natural History. The $20 million West court construction project for the Natural History Museum will be completed soon (under renovation since March 1997.)

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 the Institute of Museum Services (IMS, now a newly constituted Institute of Museum and Library Services (IMLS) with an Office of Museum Services (OMS)). 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 and expired in FY1993. Authority has been carried through appropriations language since that time. The 104th Congress established the Institute of Museum and Library Services (IMLS) 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. Some opponents to arts support argue that NEA and NEH should be abolished altogether, contending that the federal government should not be in the business of supporting arts and humanities. Other opponents 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 as early as 1817, with congressional appropriations for works of art to adorn the U.S. Capitol. 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 NEA and NEH will curtail or eliminate the programs that have national purposes (such as touring theater and dance companies, radio and television shows, traveling museum exhibitions,etc.)

The Administration's FY2000 budget would provide $150 million each for NEA and NEH and $34 million for OMS within the Institute of Museum and Library Services. For the NEA this would include $50 million for a new program **Challenge America** including "arts education, youth-at-risk programs, cultural heritage preservation, community arts partnerships, and access to the arts." State arts agencies would receive 40 percent of the funds, and at least 1,000 communities nationwide, particularly those from under-represented areas, would benefit. For the NEH, $150 million would provide a 40 percent increase in number of humanities seminars, a funding increase for the 56 state humanities councils ($110.8 million for grant programs), a special grant competition, *American Legacy Editions,* in support of editions of the writings of U.S. presidents and major historical figures, and a special grant competition to expand the number of regional humanities centers. For the IMLS, OMS would receive $15.6 million for General Operating Support (GOS) to help museums improve the quality of their services to the public—they are already popular, serving over 600 million visitors annually. OMS is helping to develop *Museums Online*, an Internet package that will bring the educational and cultural significance of museums to communities and schools, with the potential to reach an estimated 22 million people. OMS support of Museum/school partnerships last year helped to reach 228 schools, and 82 museums, and 82,000 students.

In the 105th Congress, elimination of the NEA was once again on a list of priorities for some House members. Among the House Republican leadership, a small group was formed called the "values action team," to coordinate legislative action with conservative groups (e.g., Christian Coalition, Focus on the Family and the Family Research Council). In contrast, the Congressional Member Organization for the Arts (CMO) testified in favor of full support for the arts. The President's Committee on the Arts 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.

The controversy involving charges of obscenity concerning a small number of NEA individual grants still lingers in spite of attempts to resolve these problems through statutory provisions. To date, no NEA projects have been judged obscene by the courts. On November 5, 1996, a federal appeals court upheld an earlier decision, *NEA v. Finley*, ruling that applying the "general standards of decency" clause to NEA grants was "unconstitutional." However, in anticipation of congressional reaction to NEA's individual grants, NEA eliminated grants to individuals by arts discipline, except to maintain Literature fellowships, Jazz masters and National Heritage fellowships in the Folk and Traditional Arts. On June 25, 1998, the Supreme Court reversed the federal appeals court decision for *NEA v. Finley* by a vote of 8 to 1, stating that the NEA can consider "general standards of decency" when judging grants for artistic merit, and that the decency provision does not "inherently interfere with First amendment rights nor violate constitutional vagueness principles."

In the 105th Congress, the FY1998 Interior Appropriations Act (P.L. 105-83) included NEA reform measures; among them was an increase in the funding allocation from 35% to 40% to states for basic state arts grants and for grants to underserved populations. In addition, language emphasizing arts education was included. The legislation placed a 15% cap on NEA funds allocated to each state, exempting only those grants with a national impact. Three members of the House and three members of the Senate were added to the National Council on the Arts, but the size of the National Council was reduced from 26 to 20. Both NEA and NEH were given specific authority to solicit funding and to invest those funds.

Also in the 105th Congress, in June, 1998 the House Interior Appropriations Subcommittee marked up the FY1999 Interior Appropriations bill recommending "termination of $98 million for the National Endowment for the Arts." NEA funding was tossed back and forth. The House Appropriations Committee restored $98 million for NEA (an amendment to restore funding was adopted by a vote of 31-27). The full House, on a point of order, removed $98 million for NEA, stating that there was no program authorization. However, on July 21, 1998, the House voted (253-173) to approve an amendment to restore $98 million for the NEA in FY1999. The FY1999 Omnibus Appropriations Act provided $98 million for the NEA, $110.7 million for NEH, and $23.405 million for the OMS.

The Senate Appropriations Committee has reported the FY2000 Interior Appropriations bill (S. 1292, S.Rept. 106-99), providing $99 million for NEA and $111.7 million for NEH, an additional $ 1 million above the FY 1999 appropriations level for each of the Endowments. A Committee amendment introduced by Senator Cochran to increase NEH by an additional $10 million was withdrawn. The Institute of Museum and Library Services' Office of Museum Services would receive $23.9 million, a slight increase ($500,000) from the FY1999 appropriation. The House Appropriations Committee's reported bill (H. Rept.106-222) would provide $98 million for NEA and $110.7 million for NEH, the same as the FY 1999 enacted appropriation, and $24.4 million for the Office of Museum Services, an increase of $995,000 over the FY1999 appropriation. On July 15, 1999, the House passed the FY2000 Interior appropriations bill (H.R.2466) allowing the same appropriation for NEA, NEH, and OMS as reported by the House. An amendment by Rep. Slaughter to increase funding for NEA and NEH by $10 million each and to decrease Strategic Petroleum Reserve funding by $20 million was rejected (207 ayes to 217 noes, roll no. 286). An amendment by Rep. Stearns to reduce funding for NEA by $2 million was rejected (300 noes, 124 ayes, roll no. 287). An additional amendment by Rep. Stearns was withdrawn that would have placed in a block grant to states 95% of NEA funds, with allocations based on population.

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://www.imls.fed.us/]

Cross-cutting Issue

The Lands Legacy Initiative. On January 12, 1999, the Clinton Administration announced an initiative that addresses many resource protection issues. This initiative was included in the FY2000 budget proposal, and many of its components have been incorporated in legislation introduced by Senator Boxer (S. 446), Representative Miller (H.R. 798), and others. One component addressed entirely in Interior Appropriations is increasing federal land acquisition funding using the Land and Water Conservation Fund (LWCF). Other components, portions of which would fall under the jurisdiction of Interior Appropriations, include: (1) providing grants to states and localities to acquire land and plan for open space; (2) expanding funding for other resource protection efforts including protection of farm land, forest land and range land, and land and resource restoration; (3) funding smart growth partnerships; and (4) expanding funding for ocean and coastal protection.

The Administration has estimated that these proposals would require just over $1 billion to fully implement, and projects that most of the funding, $900 million, would come from fully funding the LWCF at its currently authorized maximum level of $900 million. Almost half of these funds, $413 million, would be spent by federal agencies on land acquisition, as shown in Table 4.

Table 4. Land and Water Conservation Fund
(in millions of dollars)

Agency	**FY1999 (Enacted)**	**FY2000 (Proposed)**	**Senate Funding: FY2000**	**House Funding: FY2000**
National Park Service	148	172	84.5	101.5
U.S. Fish and Wildlife Service	48	74	55.2	42.0
Bureau of Land Management	15	49	17.4	20.0
U.S. Forest Service	118	118	37.2	1.0
Total	**329**	**413**	**194.3**	**165.0**

Areas identified for acquisitions in the Lands Legacy Initiative.

1. Mojave Desert (Acquire 450,000 acres in Mojave & Joshua Tree NP)
2. N.E. Forests (within National Forests and refuges in ME, VT, NH, and NY)
3. Everglades—lands critical to restoration
4. Lewis and Clark Trail (along Missouri River)
5. Civil War Battlefields, including Gettysburg and Antietam

Neither the House nor the Senate has supported this overall request for FY2000. The House Appropriations Committee listed several "troubling" aspects of the proposal in the Committee report, including that most of the funds would not go to federal agencies, that there is a large maintenance backlog that would not be addressed, and that some funds would be spent on purposes that have little to do with the activities of the federal agencies. This should not be a surprise, as earlier, on February 8, 1999, Representative Ralph Regula, Chairman of the Interior Appropriations Subcommittee, expressed great concern about the President's Lands Legacy Initiative noting that it conflicted with the Subcommittee's number one priority of addressing the critical backlog maintenance problems and operational shortfalls in national parks, wildlife refuges, national forests, and other public lands totaling more than $15 billion. The House provided $165 million and earmarked most funds to specified acquisitions. The Administration listed several objections to this lower funding level in a July 1 letter to Appropriations Committee Chairman William Young. However, during floor consideration, the House passed Amdt. 257, sponsored by Representative McGovern, which would provide $30 million to the state-side grant program in FY2000 (Recorded vote 281). A similar proposal had been rejected on the House floor last year for the FY1999 appropriations.

The Senate Appropriations Committee also rejected the Administration proposal and in its report commented that the proposals would change the purposes of the LWCF in many ways if funded. The Committee stated that a minority of the $900 million would be spent for purposes currently funded through the LWCF and called for authorizing these changes before funds are appropriated. The report does state that the Committee supports many existing programs that the Administration proposes increased funding for, but not at the proposed levels. The Committee provided $194 million for the LWCF, $219 million less than the Administration's request.

For Additional Reading

CRS Products

CRS Report 98-206 ENR. *Appropriations for FY1999: Interior and Related Agencies,* by Alfred R. Greenwood, 45 p.

CRS Report 97-206 ENR. *Appropriations for FY1998: Interior and Related Agencies* , by Alfred R. Greenwood, 45 p.

CRS Report 97-904 GOV. *Fiscal Year 1998 Continuing Resolution*, by Sandy Streeter, 6 p.

Title I: Department of the Interior.

CRS Report RL30171. *Department of the Interior Budget Request for FY2000: An Overview*, by Alfred R. Greenwood, 51 p.

CRS Report 98-479 ENR. *Department of the Interior Budget Request for FY1999: An Overview*, by Alfred R. Greenwood, 53 p.

CRS Report 97-332 ENR. *Department of the Interior Budget Request for FY1998,* by Alfred R. Greenwood, 34 p.

CRS Report 96-514 ENR. *Department of the Interior Budget Request for FY1997,* by Alfred R. Greenwood, 31 p.

CRS Issue Brief 10009. *Endangered Species: Continuing Controversy*, by M. Lynne Corn. (Updated regularly)

CRS Report 97-851 A. *Federal Indian Law: Background and Current Issues*, by M. Maureen Murphy, 29 p.

CRS Report RS20002. *Federal Land and Resource Management: A Primer*, by Ross W. Gorte, 6 p.

CRS Report 98-991 ENR. *Federal Land Management Agencies: Background on Land and Resources Management*, by Betsy A. Cody, M. Lynne Corn, Ross W. Gorte, Sandra L. Johnson, Carol Hardy-Vincent, David Whiteman, and Pamela Baldwin, 66 p.

CRS Report RL30126. *Federal Land Ownership: Constitutional Authority; the History of Acquisition, Disposal, and Retention; and Current Acquisition and Disposal Authorities,* by Ross W. Gorte and Pamela Baldwin, 19 p.

CRS Report 98-794 ENR. *Federal Recreational Fees: Demonstration Program,* by Rosemary Mazaika, 6 p.

CRS Report 90-192 ENR. *Fish and Wildlife Service: Compensation to Local Governments*, by M. Lynne Corn, 37 p.

CRS Report RS20158. *Forest Service Receipt-Sharing Payments: Proposals for Change*, by Ross W. Gorte, 6 p.

CRS Report 96-450 ENR. *Grazing Fees: An Overview*, by Betsy A. Cody, 6 p. (Updated Regularly)

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

CRS Report 93-793 A. *Indian Gaming Regulatory Act: Judicial and Administrative Interpretations*, by M. Maureen Murphy, 28 p.

CRS General Distribution Memorandum. *Indian Issues in the 105th Congress*, by Roger Walke, 5 p.

CRS Report 97-792 ENR. *Land and Water Conservation Fund: Current Status and Issues*, by Jeffrey Zinn, 6 p.

CRS Report 94-438 ENR. *Mining Law Reform: the Impact of a Royalty*, by Marc Humphries, 14 p.

CRS Report RL30069. *Natural Resource Issues in the 106th Congress*, by the Natural Resources and Earth Sciences Section, 41 p.

CRS Report 98-574 ENR. *PILT (Payments in Lieu of Taxes): Somewhat Simplified*, by M. Lynne Corn, 10 p.

CRS Report RL30133. *Resource Protection and Recreation: A Comparison of Bills to Increase Funding*, by Jeffrey Zinn, 27 p.

CRS Report RS20150. *Roadless Area Entry: The Administration's Moratorium*, by Ross W. Gorte, 6 p.

CRS Report 98-293 STM. *U.S. Geological Survey: Its Mission, Funding, and Future under GPRA*, 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 Susan Boren, 15 p.

CRS Report 95-15 ENR. *Below-Cost Timber Sales: Overview*, by Ross W. Gorte, 20 p.

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

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

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

CRS Report 98-233 ENR. *Federal Timber Harvests: Implications for U.S. Timber Supply*, by Ross W. Gorte, 6 p.

CRS Report 95-548 ENR. *Forest Health: Overview*, by Ross W. Gorte, 5 p.

CRS Report 97-706 ENR. *Forest Roads: Construction and Financing*, by Ross W. Gorte, 6 p.

CRS Report 97-14 ENR. *The Forest Service Budget: Trust Funds and Special Accounts*, by Ross W. Gorte and M. Lynne Corn, 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 Fred Sissine, 24 p.

CRS Report 95-364 ENR. *Salvage Sales and Forest Health*, by Ross W. Gorte, 5 p.

CRS Report 96-569 ENR. *The Salvage Timber Sale Rider: Overview and Policy Issues*, by Ross W. Gorte, 6 p.

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

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://www.cbo.gov/]

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/]

Department of the Interior's Strategic Plan Overview FY1998-FY2002.
[http://www.doi.gov/fyst.html]

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

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

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

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

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

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

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

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

USDA Strategic Plan.
[http://www.usda.gov/ocfo/strat/index.htm]

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

DOE Strategic Plan.
[http://www.doe.gov/policy/doeplan.html]

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]

Department of Health and Human Services Government Performance & Results Act.
[http://www.hhs.gov/progorg/fin/gpraindx.html]

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://www.imls.fed.us/]

Table 5. Department of the Interior and Related Agencies Appropriations
(in thousands of dollars)

Bureau or Agency	FY1999 Enacted	FY2000 Request	FY2000 compared with FY1999	House Bill	Senate Bill
Title I: Department of the Interior					
Bureau of Land Management	1,183,895	1,268,700	+ 84,805	1,230,292	1,217,169
U.S. Fish and Wildlife Service	839,804	950,001	+ 110,197	840,212	828,877
National Park Service	1,764,224	2,058,943	+ 294,719	1,755,324	1,723,157
U.S. Geological Survey	798,896	838,485	+ 39,589	820,444	813,243
Minerals Management Service	124,020	116,200	- 7,820	116,200	116,800
Office of Surface Mining Reclamation and Enforcement	278,769	305,824	+ 27,055	292,426	281,824
Bureau of Indian Affairs	1,746,428	1,902,054	+ 155,626	1,787,982	1,811,015
Departmental Offices	394,199	328,723	- 65,476	309,024	296,928
Total, Title I	**7,130,235**	**7,768,930**	**+ 638,695**	**7,151,904**	**7,089,013**
Title II: Related Agencies					
Forest Service	2,757,464	2,912,645	+ 155,181	2,603,898	2,672,204
Department of Energy	1,316,878	1,170,159	- 146,719	962,758	1,099,292
Clean Coal Technology	- 40,000	-256,000	- 216,000	-256,000	-156,000
Fossil Energy	384,056	340,000	- 44,056	256,292	366,975
Alternative Fuels Production	-1,300	-1,000	+ 300	-1,000	-1,000
Naval Petroleum and Oil Shale Reserves	14,000	—	- 14,000	—	—
Elk Hills School Lands Fund	36,000	36,000	—	36,000	—
Energy Conservation	691,701	812,515	+ 120,814	706,822	657,817
Economic Regulation	1,801	2,000	+ 199	2,000	2,000
Strategic Petroleum Reserve (SPR)	160,120	159,000	- 1,120	146,000	159,000
(By Transfer)	—	5,000	+ 5,000	—	—
Energy Information Administration	70,500	72,644	+ 2,144	72,644	70,500
Indian Health	2,242,287	2,412,387	+ 170,100	2,397,885	2,324,813
Indian Education[a]	—	—	—	—	—
Office of Navajo and Hopi Indian Relocation	13,000	14,000	+ 1,000	13,400	8,000
Institute of American Indian and Alaska Native Culture and Arts Development	4,250	4,250	—	—	4,250
Smithsonian	412,254	447,401	+ 35,147	438,401	422,962
National Gallery of Art	64,350	67,749	+ 3,399	67,849	67,749

Bureau or Agency	FY1999 Enacted	FY2000 Request	FY2000 compared with FY1999	House Bill	Senate Bill
John F. Kennedy Center for the Performing Arts	32,187	34,000	+ 1,813	32,441	34,000
Woodrow Wilson International Center for Scholars	5,840	6,040	+ 200	7,040	6,040
National Endowment for the Arts	98,000	150,000	+ 52,000	98,000	99,000
National Endowment for the Humanities	110,700	150,000	+ 39,300	110,700	111,700
Institute of Museum Services	23,405	34,000	+ 10,595	24,400	23,905
Commission of Fine Arts	898	1,078	+ 180	935	1,078
National Capital Arts and Cultural Affairs	7,000	6,000	- 1,000	7,000	7,000
Advisory Council on Historic Preservation	2,800	3,000	+ 200	3,000	2,906
National Capital Planning Commission	6,335	6,312	- 23	6,312	6,312
Holocaust Memorial Council	35,007	33,786	- 1,221	33,286	33,286
Presidio Trust	34,913	44,400	+ 9,487	44,400	44,400
Total, Title II: Related Agencies	**7,167,568**	**7,497,207**	**+ 329,639**	**6,851,705**	**6,968,897**
Title III: Across-the-board-cut in House Floor Action					
Across-the-board-cut in House Floor Action	—	—	—	-69,000	—
Grand Total (Amounts in Bill)	**14,297,803**	**15,266,137**	**+ 968,334**	**13,934,609**	**14,057,910**
Scorekeeping Adjustments	**(- 297,652)**	**(- 161,000)**	**(+ 136,652)**	**(10,000)**	**(- 78,000)**
Total Mandatory and Discretionary	**14,000,151**	**15,105,137**	**+ 1,104,986**	**13,944,609**	**13,979,910**
Mandatory	(58,520)	(57,420)	(- 1,100)	(57,420)	(57,420)
Total Discretionary	(13,941,631)	(15,047,717)	(+1,106,086)	(13,887,189)	(13,922,490)

Source: House Appropriations Committee.

[a] No longer funded in the Interior Appropriations bill. Beginning in FY1998, Indian Education was funded in the Labor, Health and Human Services, and Education Appropriations.

Table 6. Congressional Budget Recap

(in thousands of dollars)

Bureau or Agency	FY1999 Enacted	FY2000 Estimates	FY2000 compared with FY1999	House	Senate
Scorekeeping adjustments					
Clean coal (advance appropriation)	—	10,000	+ 10,000	10,000	10,000
National Forest System recovery of direct costs	—	- 20,000	- 20,000	—	—
Forest Service Admin. Provisions — indirect costs	—	- 55,000	- 55,000	—	—
Forest Service Admin. Provisions — hazardous fuels	—	4,000	+ 4,000	—	—
Proposed Sec. 118 — repeal of Sec. 503	—	- 1,000	- 1,000	—	—
Proposed salvage timber fee	—	- 9,000	- 9,000	—	—
Naval Petroleum Reserve outlay adjustment	—	—	—	—	—
Sec. 333 revision to sec. 3001 of P.L. 106-31	—	—	—	—	—
Sec. 332 Timber of special forest products	—	—	—	—	- 9,000
Sec. 342 Valuation of crude oil	—	—	—	—	11,000
PODRA escrow fund transfer	- 64,000	—	+ 64,000	—	—
King Cove (Sec. 126)	35,000	—	- 35,000	—	—
Sec. 336 — Stewardship End Result Contracting	1,000	—	- 1,000	—	—
Sec. xxx — Gherini ranch settlement	4,000	—	- 4,000	—	—
Emergency appropriations (P.L. 105-277)	- 144,000	- 90,000	+ 54,000	—	- 90,000
Emergency appropriations (P.L. 106-31)	-46,223	—	—	—	—
Use of oil shale revolving fund	3,000	—	- 3,000	—	—
Y2K conversion (emergency appropriations)	- 86,429	—	+ 57,832	—	—
Budget Committee discretionary reduction (1.14%)	—	—	—	—	—
Total, adjustments	**- 297,652**	**- 161,000**	**+ 61,832**	**10,000**	**-78,000**
Total (including adjustments)	**14,000,151**	**15,105,137**	**+ 1,119,986**	**13,944,609**	**13,979,910**
Amounts in this bill	(14,297,803)	(15,266,137)	(+ 968,334)	13,934,609	14,057,910
Scorekeeping adjustments	(- 297,652)	(- 161,000)	(+ 136,652)	(10,000)	(- 78,000)
Prior year outlays (including supplementals)	—	—	—	—	—
Total mandatory and discretionary	**14,000,151**	**15,105,137**	**+ 1,104,986**	13,944,609	13,979,910
Mandatory	(58,520)	(57,420)	(- 1,100)	(57,420)	(57,420)
Discretionary	(13,941,631)	(15,047,717)	(+1,106,086)	(13,887,189)	(13,922,490)

Source: House Appropriations Committee.

Table 7. Historical Appropriations Data from FY1994 to FY1999

(in thousands of dollars)

Agency or Bureau	FY1994	FY1995[a]	FY1996	FY1997	FY1998	FY1999 Enacted
Department of the Interior						
Bureau of Land Management	1,069,388	1,099,005	1,105,955	1,195,648	1,137,852	1,190,695
U.S. Fish and Wildlife Service	679,712	671,038	645,831	670,596	745,387	827,192
National Biological Survey	167,209	162,041	—	—	—	—
National Park Service	1,416,632	1,387,329	1,367,667	1,425,858	1,646,926	1,764,224
U.S. Geological Survey	584,585	571,462	732,163	740,051	759,160	798,896
Minerals Management Service	198,526	194,621	188,995	163,395	143,639	124,020
Bureau of Mines	169,436	152,427	64,000	—	—	—
Office of Surface Mining/Rec	301,849	293,407	269,857	271,757	273,061	278,769
Bureau of Indian Affairs	1,777,653	1,730,970	1,588,412	1,618,274	1,701,991	1,746,428
Territorial and Int'l Affairs[b]	127,847	124,679	—	—	—	—
Departmental Offices	132,147	124,022	236,242	240,020	241,195	318,183
Total for Department	**6,625,086**	**6,507,897**	**6,199,122**	**6,325,599**	**6,649,211**	**7,048,407**
Related Agencies						
U.S. Forest Service	2,372,770	2,803,602	2,363,173	2,919,564	2,506,568	2,751,853
Department of Energy	1,471,261	1,265,887	1,179,156	1,020,097	1,048,151	1,316,878
Indian Health	1,942,859	1,963,062	1,986,800	2,054,000	2,098,612	2,242,287
Indian Education[c]	83,500	81,341	52,500	61,000	—	—
Office of Navajo and Hopi	26,936	24,888	20,345	19,345	15,000	13,000
Inst. of Amer. Indian and Alaska	12,563	11,213	5,500	5,500	4,250	4,250
Smithsonian	342,149	362,706	376,092	371,342	402,258	412,254
National Gallery of Art	54,739	56,918	58,286	60,223	62,029	64,350
JFK Center for Performing Arts	20,629	19,306	19,306	24,875	20,375	32,187
W. Wilson Center for Scholars	6,352	8,878	5,840	5,840	5,840	5,840
National Endowment for the Arts	170,228	162,358	99,494	99,494	98,000	98,000
National Endowment Humanities	177,491	172,044	110,000	110,000	110,700	110,700
Institute of Museum Services	28,777	28,715	21,000	22,000	23,280	23,405
Commission of Fine Arts	805	834	834	867	907	898
Nat. Cap. Arts and Cultural Aff.	7,500	7,500	6,000	6,000	7,000	7,000
Advisory Council on Hist. Preserv.	2,959	2,947	2,500	2,500	2,745	2,800
Nat. Cap. Planning Commission	5,868	5,655	5,090	5,390	5,740	5,954
FDR Memorial Commission	49	48	147	500	—	—
Penn Ave Development Corp.	14,220	6,822	—	—	—	—
Holocaust Memorial Council	21,679	26,609	28,707	31,707	31,707	33,007
Total for Related Agencies	**6,763,354**	**7,011,333**	**6,340,770**	**6,820,244**	**6,443,162**	**7,159,576**
Grand Total for All Agencies[d]	**13,388,440**	**13,519,230**	**12,539,892**	**13,145,843**	**13,791,373**	**14,207,983**

[a] Incorporates reductions included in the FY1995 Rescissions Bill, H.R. 1944 (P.L. 104-19).

[b] Beginning in FY1996, appropriations for the territories and other insular areas were consolidated within the Departmental Offices account.

[c] Beginning in FY1998, Indian Education will be funded in the Labor, Health and Human Services, and Education Appropriations.

[d] The FY1997 enacted amount totals $13,514,435 with funding of $386,592 included in the Emergency Supplemental Appropriations bill, (P.L. 105-18).