

***In the Senate of the United States,***

*August 9 (legislative day, July 10), 1995.*

*Resolved*, That the bill from the House of Representatives (H.R. 1977) entitled “An Act making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1996, and for other purposes”, do pass with the following

**AMENDMENTS:**

1   **(1)**Page 2, line 16, strike out **[\$570,017,000]** and in-  
2   sert: *\$563,936,000*

3   **(2)**Page 2, line 17, strike out all after “expended” down  
4   to and including “Management” in line 22

5   **(3)**Page 3, line 9, strike out **[\$570,017,000]** and insert:  
6   *\$563,936,000*

7   **(4)**Page 3, line 21, strike out **[\$235,924,000]** and in-  
8   sert: *\$240,159,000*

1 **(5)**Page 5, line 9, strike out **【\$2,515,000】** and insert:

2 *\$2,615,000*

3 **(6)**Page 5, line 14, strike out **【\$111,409,000】** and in-

4 sert: *\$100,000,000*

5 **(7)**Page 5, line 20, strike out **【\$8,500,000】** and insert:

6 *\$10,550,000*

7 **(8)**Page 6, line 6, strike out **【\$91,387,000】** and insert:

8 *\$95,364,000*

9 **(9)**Page 9, line 24, strike out all after “93–408,” down

10 to and including “1997,” in line 25 and insert:

11 *\$501,478,000, to remain available for obligation until Sep-*

12 *tember 30, 1997, of which not less than \$3,800,000 shall*

13 *be made available for prelisting activities, \$18,297,000 shall*

14 *be made available for consultation activities, and*

15 *\$36,500,000 shall be made available for recovery activities,*

16 *and*

17 **(10)**Page 10, line 1, after “be” insert: *available until*

18 *expended*

19 **(11)**Page 10, line 12, after “1997” insert: *: Provided*

20 *further, That no monies appropriated under this Act or any*

21 *other law shall be used to implement subsections (a), (b),*

22 *(c), (e), (g), or (i) of section 4 of the Endangered Species*

23 *Act of 1973, (16 U.S.C. 1533) until such time as legislation*

1 *reauthorizing the Act is enacted or until the end of fiscal*  
2 *year 1996, whichever is earlier, except that monies appro-*  
3 *priated under this Act may be used to delist or reclassify*  
4 *species pursuant to subsections 4(a)(2)(B), 4(c)(2)(B)(i),*  
5 *and 4(c)(2)(B)(ii) of the Act*

6 **(12)**Page 10, line 18, strike out **【\$26,355,000】** and in-  
7 sert: *\$38,775,000*

8 **(13)**Page 11, line 3, strike out **【\$6,019,000】** and insert:  
9 *\$4,000,000*

10 **(14)**Page 11, line 18, strike out **【\$14,100,000】** and in-  
11 sert: *\$32,031,000*

12 **(15)**Page 12, line 14, strike out **【\$4,500,000】** and in-  
13 sert: *\$6,750,000*

14 **(16)**Page 13, line 5, strike out **【\$998,000】** and insert:  
15 *\$800,000*

16 **(17)**Page 13, line 6, strike out all after “pended” down  
17 to and including “Act” in line 8

18 **(18)**Page 13, line 12, strike out **【54 passenger】** and  
19 insert: *113*

20 **(19)**Page 13, line 12, strike out all after “vehicles”  
21 down to and including “use” in line 13

1 **(20)**Page 14, line 12, after “standards” insert: : *Pro-*  
2 *vided further, That the United States Fish and Wildlife*  
3 *Service may accept donated aircraft as replacements for ex-*  
4 *isting aircraft*

5 **(21)**Page 14, line 20, strike out all after “103–551”  
6 over to and including “332” in line 2 on page 15

7 **(22)**Page 15, line 2, after “332” insert: : *Provided fur-*  
8 *ther, That notwithstanding the Emergency Wetlands Re-*  
9 *sources Act of 1986 (16 U.S.C. 3911), amounts collected*  
10 *from the sale of admissions permits and from fees collected*  
11 *at units of the Fish and Wildlife Service for fiscal year 1996*  
12 *shall be available for use by the Fish and Wildlife Service*  
13 *pursuant to paragraph (c)(4) of section 315 of this Act*

14 **(23)**Page 15, line 2, after “332” insert: : *Provided fur-*  
15 *ther, That with respect to lands leased for farming pursuant*  
16 *to Public Law 88–567, none of the funds in this Act may*  
17 *be used to develop, implement, or enforce regulations or*  
18 *policies (including pesticide use proposals) related to the*  
19 *use of chemicals and pest management that are more re-*  
20 *strictive than the requirements of applicable State and Fed-*  
21 *eral laws related to the use of chemicals and pest manage-*  
22 *ment practices on non-Federal lands*

23 **(24)**Page 15, after line 2 insert:

1           *NATURAL RESOURCES SCIENCE AGENCY*  
2           *RESEARCH, INVENTORIES, AND SURVEYS*

3           *For authorized expenses necessary for scientific re-*  
4 *search relating to species biology, population dynamics,*  
5 *and ecosystems; inventory and monitoring activities; tech-*  
6 *nology development and transfer; the operation of Coopera-*  
7 *tive Research Units; for the purchase of not to exceed 61*  
8 *passenger motor vehicles, of which 55 are for replacement*  
9 *only; and for the general administration of the National*  
10 *Resources Science Agency, \$145,965,000, of which*  
11 *\$145,915,000 shall remain available until September 30,*  
12 *1997, and of which \$50,000 shall remain available until*  
13 *expended for construction: Provided, That none of the funds*  
14 *under this head shall be used to conduct new surveys, in-*  
15 *cluding new aerial surveys, on private property unless spe-*  
16 *cifically authorized in writing by the property owner: Pro-*  
17 *vided further, That none of the funds provided herein for*  
18 *resource research may be used to administer a volunteer*  
19 *program when it is made known to the Federal official hav-*  
20 *ing authority to obligate or expend such funds that the vol-*  
21 *unteers are not properly trained or that information gath-*  
22 *ered by the volunteers is not carefully verified: Provided fur-*  
23 *ther, That no later than April 1, 1996, the Assistant Sec-*  
24 *retary for Water and Science shall issue agency guidelines*  
25 *for resource research that ensure that scientific and tech-*

1 *nical peer review is used as fully as possible in selection*  
2 *of projects for funding and ensure the validity and reliabil-*  
3 *ity of research and data collection on Federal lands: Pro-*  
4 *vided further, That no funds available for resource research*  
5 *may be used for any activity that was not authorized prior*  
6 *to the establishment of the National Biological Survey: Pro-*  
7 *vided further, That once every five years the National Acad-*  
8 *emy of Sciences shall review and report on the resource re-*  
9 *search activities of the agency: Provided further, That if*  
10 *specific authorizing legislation is enacted during or before*  
11 *the start of fiscal year 1996, the agency should comply with*  
12 *the provisions of that legislation.*

13 **(25)**Page 15, line 16, strike out **【\$1,088,249,000】** and  
14 insert: *\$1,092,265,000*

15 **(26)**Page 15, line 20, strike out all after “100–203”  
16 down to and including “serve” in line 23

17 **(27)**Page 16, line 3, strike out **【\$35,725,000】** and in-  
18 sert: *\$38,094,000*

19 **(28)**Page 16, line 4, strike out **【\$248,000】** and insert:  
20 *\$236,000*

21 **(29)**Page 16, line 10, strike out **【\$37,934,000】** and in-  
22 sert: *\$38,312,000*

1 **(30)**Page 16, line 16, strike out **【\$114,868,000】** and  
2 insert: *\$116,480,000*

3 **(31)**Page 16, line 18, strike out **【\$6,000,000】** and in-  
4 sert: *\$4,500,000*

5 **(32)**Page 16, line 21, after “1989” insert: *: Provided*  
6 *further, That funds provided under this head, derived from*  
7 *the Historic Preservation Fund, established by the Historic*  
8 *Preservation Act of 1966 (80 Stat. 915), as amended (16*  
9 *U.S.C. 470), may be available until expended to render sites*  
10 *safe for visitors and for building stabilization*

11 **(33)**Page 17, line 7, strike out **【\$14,300,000】** and in-  
12 sert: *\$45,187,000*

13 **(34)**Page 17, line 9, strike out all after “expended”  
14 down to and including “103-219” in line 11

15 **(35)**Page 17, line 12, after “program” insert: *: Pro-*  
16 *vided, That funds appropriated herein for the purpose of*  
17 *acquisition of the Elwha and Glines dams shall be used sole-*  
18 *ly for acquisition, and shall not be expended until the full*  
19 *purchase amount has been appropriated by the Congress*

20 **(36)**Page 17, line 24, after “Island” insert: *until such*  
21 *agreement has been submitted to the Congress and shall not*  
22 *be implemented prior to the expiration of 30 calendar days*  
23 *(not including any day in which either House of Congress*

1 *is not in session because of adjournment of more than three*  
2 *calendar days to a day certain) from the receipt by the*  
3 *Speaker of the House of Representatives and the President*  
4 *of the Senate of a full and comprehensive report on the de-*  
5 *velopment of the southern end of Ellis Island, including the*  
6 *facts and circumstances relied upon in support of the pro-*  
7 *posed project*

8 **(37)**Page 17, after line 24, insert:

9 *None of the funds in this Act may be spent by the Na-*  
10 *tional Park Service for a United Nations Biodiversity Ini-*  
11 *tiative in the United States.*

12 **(38)**Page 17, after line 24, insert:

13 *Notwithstanding other provision of law, the National*  
14 *Park Service's American Battlefield Protection Program*  
15 *may enter into cooperative agreements, grants, contracts,*  
16 *or other generally accepted means of financial assistance*  
17 *with Federal, State, local, and tribal governments; other*  
18 *public entities; educational institutions; and private, non-*  
19 *profit organizations for the purpose of identifying, evaluat-*  
20 *ing, and protecting historic battlefields and associated sites.*

21 **(39)**Page 17, after line 24, insert:

22 *The National Park Service shall, within existing*  
23 *funds, conduct a Feasibility Study for a northern access*  
24 *route into Denali National Park and preserve in Alaska,*



1 *to be completed within one year of the enactment of this*  
2 *Act and submitted to the Senate Committee on Energy and*  
3 *Natural Resources and the House Committee on Resources.*  
4 *The Feasibility Study shall ensure that resource impacts*  
5 *from any plan to create such access route are evaluated with*  
6 *accurate information and according to a process that takes*  
7 *into consideration park values, visitor needs, a full range*  
8 *of alternatives, the viewpoints of all interested parties, in-*  
9 *cluding the tourism industry and the State of Alaska, and*  
10 *potential needs for compliance with the National Environ-*  
11 *mental Policy Act. The Study shall also address the time*  
12 *required for development of alternatives and identify all as-*  
13 *sociated costs.*

14 *This Feasibility Study shall be conducted solely by Na-*  
15 *tional Park Service planning personnel permanently as-*  
16 *signed to National Park Service offices located in the State*  
17 *of Alaska in consultation with the State of Alaska Depart-*  
18 *ment of Transportation.*

19 **(40)**Page 17, after line 24, insert:

20 *Consistent with existing law and policy, the National*  
21 *Park Service shall, within the funds provided by this Act,*  
22 *at the request of the University of Alaska Fairbanks, enter*  
23 *into negotiations regarding a memorandum of understand-*  
24 *ing for the continued use of the Stampede Creek Mine prop-*  
25 *erty consistent with the length and terms of prior memo-*

1 *randa of understanding between the National Park Service*  
2 *and the University of Alaska Fairbanks: Provided, That*  
3 *within the funds provided, the National Park Service shall*  
4 *undertake an assessment of damage and provide the appro-*  
5 *priate committees of the Senate and House of Representa-*  
6 *tives, no later than May 1, 1996, cost estimates for the re-*  
7 *construction of those facilities and equipment which were*  
8 *damaged or destroyed as a result of the incident that oc-*  
9 *curred on April 30, 1987 at Stampede Creek within the*  
10 *boundaries of Denali National Park and Preserve: Provided*  
11 *further, That the National Park Service shall work with the*  
12 *University of Alaska Fairbanks to winterize equipment and*  
13 *materials, located on the Stampede Creek mine property in*  
14 *Denali National Park, exposed to the environment as a re-*  
15 *sult of the April 30, 1987 incident.*

16 **(41)**Page 18, line 13, strike out **【\$686,944,000】** and  
17 insert: *\$577,503,000*

18 **(42)**Page 18, line 15, strike out all after “investiga-  
19 tions” down to and including “1997” in line 18

20 **(43)**Page 18, line 22, strike out all after “municipality”  
21 over to and including “1996” in line 10 on page 20

22 **(44)**Page 21, line 14, strike out **【\$186,556,000】** and  
23 insert: *\$182,169,000*

1 (45)Page 21, line 16, strike out **[\$12,400,000]** and in-  
2 sert: *\$15,400,000*

3 (46)Page 21, line 17, strike out **[of]** and insert: *and*  
4 *Related Activities of the*

5 (47)Page 23, strike out all after line 13 down to and  
6 including “\$87,000,000” in line 15 and insert:

7 *For expenses necessary for conducting inquiries, tech-*  
8 *nological investigations, and research concerning the extrac-*  
9 *tion, processing, use, and disposal of mineral substances*  
10 *without objectionable social and environmental costs; to fos-*  
11 *ter and encourage private enterprise in the development of*  
12 *mineral resources and the prevention of waste in the min-*  
13 *ing, minerals, metal, and mineral reclamation industries;*  
14 *to inquire into the economic conditions affecting those in-*  
15 *dustries; to promote health and safety in mines and the*  
16 *mineral industry through research; and for other related*  
17 *purposes as authorized by law, \$128,007,000, of which*  
18 *\$111,192,000 shall remain available until expended: Pro-*  
19 *vided, That none of the reduction below the fiscal year 1996*  
20 *budget request shall be applied to the health and safety*  
21 *budget activity*

22 (48)Page 24, line 18, strike out **[\$92,751,000]** and in-  
23 sert: *\$95,470,000*

1 (49)Page 25, line 16, strike out **【\$176,327,000】** and  
2 insert: *\$170,441,000*

3 (50)Page 25, line 18, strike out all after “expended”  
4 down to and including “Initiative” in line 22

5 (51)Page 26, line 5, strike out all after “\$11,000,000”  
6 down to and including “entities” in line 12

7 (52)Page 26, line 21, after “debts” insert: *: Provided*  
8 *further, That funds made available to States under title IV*  
9 *of Public Law 95–87 may be used, at their discretion, for*  
10 *any required non-Federal share of the cost of projects funded*  
11 *by the Federal Government for the purpose of environ-*  
12 *mental restoration related to treatment or abatement of acid*  
13 *mine drainage from abandoned mines: Provided further,*  
14 *That such projects must be consistent with the purposes and*  
15 *priorities of the Surface Mining Control and Reclamation*  
16 *Act*

17 (53)Page 27, line 19, strike out **【\$1,508,777,000 (plus**  
18 **\$851,000)】** and insert: *\$1,261,234,000*

19 (54)Page 27, line 19, after “which” insert: *\$962,000*  
20 *shall be used for the continued operation of the Indian Arts*  
21 *and Crafts Board and an amount*

22 (55)Page 27, line 20, strike out **【\$106,126,000】** and  
23 insert: *\$104,626,000*

1 (56)Page 27, line 25, strike out **【\$5,000,000】** and in-  
2 sert: *up to \$5,000,000*

3 (57)Page 28, line 6, strike out **【\$330,711,000】** and in-  
4 sert: *\$330,991,000*

5 (58)Page 28, line 10, strike out **【\$67,138,000】** and in-  
6 sert: *\$69,477,000*

7 (59)Page 28, line 12, strike out **【Johnson O'Malley**  
8 **Act】** and insert: *Act of April 16, 1934 (48 Stat. 596), as*  
9 *amended (25 U.S.C. 452 et seq.),*

10 (60)Page 28, line 14, strike out **【\$74,814,000】** and in-  
11 sert: *\$62,328,000*

12 (61)Page 28, line 15, strike out **【trust funds manage-**  
13 **ment,】**

14 (62)Page 29, line 4, strike out all after “grantee” down  
15 to and including “loss” in line 11

16 (63)Page 31, line 12, after “area” insert: *: Provided fur-*  
17 *ther, That of the funds available only through September*  
18 *30, 1995, not to exceed \$8,000,000 in unobligated and unex-*  
19 *pendent balances in the Operation of Indian Programs ac-*  
20 *count shall be merged with and made a part of the fiscal*  
21 *year 1996 Operation of Indian Programs appropriation,*  
22 *and shall remain available for obligation for employee sev-*

1 *erance, relocation, and related expenses, until March 31,*  
2 *1996*

3 **(64)**Page 31, line 18, strike out **【\$98,033,000】** and in-  
4 sert: *\$107,333,000*

5 **(65)**Page 33, line 9, strike out **【\$75,145,000】** and in-  
6 sert: *\$82,745,000*

7 **(66)**Page 33, line 10, strike out **【\$73,100,000】** and in-  
8 sert: *\$78,600,000*

9 **(67)**Page 33, line 20, strike out **【\$1,000,000】** and in-  
10 sert: *\$3,100,000*

11 **(68)**Page 34, after line 6, insert:

12 *TECHNICAL ASSISTANCE OF INDIAN ENTERPRISES*

13 *For payment of management and technical assistance*  
14 *requests associated with loans and grants approved under*  
15 *the Indian Financing Act of 1974, as amended, \$900,000.*

16 **(69)**Page 34, after line 6, insert:

17 *INDIAN GUARANTEED LOAN PROGRAM ACCOUNT*

18 *For the cost of guaranteed loans \$7,000,000, as author-*  
19 *ized by the Indian Financing Act of 1974, as amended: Pro-*  
20 *vided, That such costs, including the cost of modifying such*  
21 *loans, shall be as defined in section 502 of the Congressional*  
22 *Budget Act of 1974, as amended: Provided further, That*  
23 *these funds are available to subsidize total loan principal,*

1 *any part of which is to be guaranteed, not to exceed*  
2 *\$50,680,000.*

3 *In addition, for administrative expenses necessary to*  
4 *carry out the guaranteed loan program, \$700,000.*

5 **(70)**Page 34, strike out all after line 15 down to and  
6 including “research” in line 17 and insert: *\$68,188,000,*  
7 *of which (1) \$64,661,000 shall be available until expended*  
8 *for technical assistance, including maintenance assistance,*  
9 *disaster assistance, insular management controls, and*  
10 *brown tree snake control and research*

11 **(71)**Page 34, line 26, after “272)” insert: *;* and (2)  
12 *\$3,527,000 shall be available for salaries and expenses of*  
13 *the Office of Insular Affairs*

14 **(72)**Page 35, line 13, after “funding” insert: *: Provided*  
15 *further, That of the amounts provided for technical assist-*  
16 *ance, sufficient funding shall be made available for a grant*  
17 *to the Close Up Foundation: Provided further, That the*  
18 *funds for the program of operations and maintenance im-*  
19 *provement are appropriated to institutionalize routine op-*  
20 *erations and maintenance of capital infrastructure in*  
21 *American Samoa, Guam, the Virgin Islands, the Common-*  
22 *wealth of the Northern Mariana Islands, the Republic of*  
23 *Palau, the Republic of the Marshall Islands, and the Fed-*  
24 *erated States of Micronesia through assessments of long-*

1 *range operations and maintenance needs, improved capa-*  
 2 *bility of local operations and maintenance institutions and*  
 3 *agencies (including management and vocational education*  
 4 *training), and project-specific maintenance (with terri-*  
 5 *torial participation and cost sharing to be determined by*  
 6 *the Secretary based on the individual territory's commit-*  
 7 *ment to timely maintenance of its capital assets): Provided*  
 8 *further, That any appropriation for disaster assistance*  
 9 *under this head in this Act or previous appropriations Acts*  
 10 *may be used as non-Federal matching funds for the purpose*  
 11 *of hazard mitigation grants provided pursuant to section*  
 12 *404 of the Robert T. Stafford Disaster Relief and Emer-*  
 13 *gency Assistance Act (42 U.S.C. 5170c)*

14 **(73)**Page 35, line 23, strike out all after “99-658”  
 15 down to and including “99-239” in line 25

16 **(74)**Page 36, strike out line 8 and insert:

17 *DEPARTMENTAL MANAGEMENT*

18 **(75)**Page 36, line 10, strike out **[of the Office of the**  
 19 **Secretary]** and insert: *for management of the Department*

20 **(76)**Page 36, line 11, strike out **[\$53,919,000]** and in-  
 21 sert: *\$57,796,000*

22 **(77)**Page 36, line 13, after “expenses” insert: *: Pro-*  
 23 *vided, That none of the funds provided herein for official*



1 *reception and representation expenses shall be available*  
 2 *until the Charter for the Advisory Commission referred to*  
 3 *in title 30 of Public Law 102-575 has been filed and the*  
 4 *Members of such Commission appointed*

5 **(78)**Page 36, after line 21, insert:

6 *CONSTRUCTION MANAGEMENT*

7 *SALARIES AND EXPENSES*

8 *For necessary expenses of the Office of Construction*  
 9 *Management, \$500,000.*

10 **(79)**Page 37, line 5, after "\$1,000,000" insert: *: Pro-*  
 11 *vided, That on October 1, 1995, the Chairman shall submit*  
 12 *to the Secretary a report detailing those Indian tribes or*  
 13 *tribal organizations with gaming operations that are in full*  
 14 *compliance, partial compliance, or non-compliance with the*  
 15 *provisions of the Indian Gaming Regulatory Act (25 U.S.C.*  
 16 *2701, et seq.): Provided further, That the information con-*  
 17 *tained in the report shall be updated on a continuing basis*

18 **(80)**Page 37, after line 5, insert:

19 *OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS*

20 *FEDERAL TRUST PROGRAMS*

21 *For operation of trust programs for Indians by direct*  
 22 *expenditure, contracts, cooperative agreements, compacts,*  
 23 *and grants, \$16,338,000, of which \$15,891,000 shall remain*  
 24 *available until expended for trust funds management: Pro-*

1 *vided, That funds made available to tribes and tribal orga-*  
2 *nizations through contracts or grants obligated during fis-*  
3 *cal year 1996, as authorized by the Indian Self-Determina-*  
4 *tion Act of 1975 (88 Stat. 2203; 25 U.S.C. 450 et seq.),*  
5 *shall remain available until expended by the contractor or*  
6 *grantee: Provided further, That notwithstanding any other*  
7 *provision of law, the statute of limitations shall not com-*  
8 *mence to run on any claim, including any claim in litiga-*  
9 *tion pending on the date of this Act, concerning losses to*  
10 *or mismanagement of trust funds, until the affected tribe*  
11 *or individual Indian has been furnished with the account-*  
12 *ing of such funds from which the beneficiary can determine*  
13 *whether there has been a loss: Provided further, That obli-*  
14 *gated and unobligated balances provided for trust funds*  
15 *management within "Operation of Indian programs," Bu-*  
16 *reau of Indian Affairs are hereby transferred to and merged*  
17 *with this appropriation.*

18 **(81)**Page 37, line 16, strike out **[the "Office of the Sec-**  
19 **retary"]** and insert: *"Departmental Management"*

20 **(82)**Page 38, line 10, strike out **[must,]** and insert:  
21 *must*

22 **(83)**Page 41, strike out lines 14 through 23

23 **(84)**Page 41, strike out all after line 23, over to and  
24 including line 3 on page 42

1 ~~(85)~~Page 42, strike out lines 4 and 5

2 ~~(86)~~Page 43, after line 12 insert:

3 *SEC. 115. (a) Of the funds appropriated by this Act*  
4 *or any subsequent Act providing for appropriations in fis-*  
5 *cal years 1996 and 1997, not more than 50 percent of any*  
6 *self-governance funds that would otherwise be allocated to*  
7 *each Indian tribe in the State of Washington shall actually*  
8 *be paid to or on account of such Indian tribe from and*  
9 *after the time at which such tribe shall—*

10 *(1) take unilateral action that adversely impacts*  
11 *the existing rights to and/or customary uses of,*  
12 *nontribal member owners of fee simple land within*  
13 *the exterior boundary of the tribe's reservation to*  
14 *water, electricity, or any other similar utility or ne-*  
15 *cessity for the nontribal members' residential use of*  
16 *such land; or*

17 *(2) restrict or threaten to restrict said owners*  
18 *use of or access to publicly maintained rights of way*  
19 *necessary or desirable in carrying the utilities or ne-*  
20 *cessities described above, or*

21 *(3) fail to reach a mutual agreement that ad-*  
22 *dresses the concerns of affected parties within 90 days*  
23 *after the date of enactment of this Act.*

24 *(b) Such penalty shall not attach to the initiation of*  
25 *any legal actions with respect to such rights or the enforce-*

1 *ment of any final judgments, appeals from which have been*  
2 *exhausted, with respect thereto.*

3 **(87)**Page 43, after line 12 insert:

4 *SEC. 116. Within 30 days after the enactment of this*  
5 *Act, the Department of the Interior shall issue a specific*  
6 *schedule for the completion of the Lake Cushman Land Ex-*  
7 *change Act (Public Law 102-436) and shall complete the*  
8 *exchange not later than September 30, 1996.*

9 **(88)**Page 43, after line 12 insert:

10 *SEC. 117. Notwithstanding Public Law 90-544, as*  
11 *amended, the National Park Service is authorized to expend*  
12 *appropriated funds for maintenance and repair of the Com-*  
13 *pany Creek Road in the Lake Chelan National Recreation*  
14 *Area: Provided, That appropriated funds shall not be ex-*  
15 *pended for the purpose of improving the property of private*  
16 *individuals unless specifically authorized by law.*

17 **(89)**Page 43, after line 12 insert:

18 *SEC. 118. INSULAR DEVELOPMENT.—*

19 *Section 1. Territorial and Freely Associated State*

20 *Infrastructure Assistance*

21 *Section 4(b) of Public Law 94-241 (90 Stat. 263) as*  
22 *added by section 10 of Public Law 99-396 (99 Stat. 837,*  
23 *841) is amended by deleting “until Congress otherwise pro-*  
24 *vides by law.” and inserting in lieu thereof: “except that,*

1 *for fiscal years 1996 and thereafter, payments to the Com-*  
2 *monwealth of the Northern Mariana Islands pursuant to*  
3 *the multi-year funding agreements contemplated under the*  
4 *Covenant shall be limited to the amounts set forth in the*  
5 *Agreement of the Special Representatives on Future Federal*  
6 *Financial Assistance of the Northern Mariana Islands, exe-*  
7 *cuted on December 17, 1992 between the special representa-*  
8 *tive of the President of the United States and special rep-*  
9 *resentatives of the Governor of the Northern Mariana Is-*  
10 *lands and shall be subject to all the requirements of such*  
11 *Agreement with any additional amounts otherwise made*  
12 *available under this section in any fiscal year and not re-*  
13 *quired to meet the schedule of payments set forth in the*  
14 *Agreement to be provided as set forth in subsection (c) until*  
15 *Congress otherwise provides by law.*

16       “(c) *The additional amounts referred to in subsection*  
17 *(b) shall be made available to the Secretary for obligation*  
18 *as follows:*

19               “(1) *for fiscal year 1996, all such amounts shall*  
20 *be provided for capital infrastructure projects in*  
21 *American Samoa; and*

22               “(2) *for fiscal years 1997 and thereafter, all such*  
23 *amounts shall be available solely for capital infra-*  
24 *structure projects in Guam, the Virgin Islands, Amer-*  
25 *ican Samoa, the Commonwealth of the Northern Mar-*

1        *iana Islands, the Republic of Palau, the Federated*  
2        *States of Micronesia and the Republic of the Marshall*  
3        *Islands: Provided, That, in fiscal year 1997,*  
4        *\$3,000,000 of such amounts shall be made available*  
5        *to the College of the Northern Marianas and begin-*  
6        *ning in fiscal year 1997, and in each year thereafter,*  
7        *not to exceed \$3,000,000 may be allocated, as pro-*  
8        *vided in Appropriation Acts, to the Secretary of the*  
9        *Interior for use by Federal agencies or the Common-*  
10       *wealth of the Northern Mariana Islands to address*  
11       *immigration, labor, and law enforcement issues in the*  
12       *Northern Mariana Islands, including, but not limited*  
13       *to detention and corrections needs. The specific*  
14       *projects to be funded shall be set forth in a five-year*  
15       *plan for infrastructure assistance developed by the*  
16       *Secretary of the Interior in consultation with each of*  
17       *the island governments and updated annually and*  
18       *submitted to the Congress concurrent with the budget*  
19       *justifications for the Department of the Interior. In*  
20       *developing and updating the five year plan for cap-*  
21       *ital infrastructure needs, the Secretary shall indicate*  
22       *the highest priority projects, consider the extent to*  
23       *which particular projects are part of an overall mas-*  
24       *ter plan, whether such project has been reviewed by*  
25       *the Corps of Engineers and any recommendations*

1        *made as a result of such review, the extent to which*  
2        *a set-aside for maintenance would enhance the life of*  
3        *the project, the degree to which a local cost-share re-*  
4        *quirement would be consistent with local economic*  
5        *and fiscal capabilities, and may propose an incre-*  
6        *mental set-aside, not to exceed \$2,000,000 per year, to*  
7        *remain available without fiscal year limitation, as an*  
8        *emergency fund in the event of natural or other disas-*  
9        *ters to supplement other assistance in the repair, re-*  
10       *placement, or hardening of essential facilities: Pro-*  
11       *vided further, That the cumulative amount set aside*  
12       *for such emergency fund may not exceed \$10,000,000*  
13       *at any time.*

14       *“(d) Within the amounts allocated for infrastructure*  
15       *pursuant to this section, and subject to the specific alloca-*  
16       *tions made in subsection (c), additional contributions may*  
17       *be made, as set forth in Appropriation Acts, to assist in*  
18       *the resettlement of Rongelap Atoll: Provided, That the total*  
19       *of all contributions from any Federal source after January*  
20       *1, 1996 may not exceed \$32,000,000 and shall be contingent*  
21       *upon an agreement, satisfactory to the President, that such*  
22       *contributions are a full and final settlement of all obliga-*  
23       *tions of the United States to assist in the resettlement of*  
24       *Rongelap Atoll and that such funds will be expended solely*  
25       *on resettlement activities and will be property audited and*

1 *accounted for. In order to provide such contributions in a*  
2 *timely manner, each Federal agency providing assistance*  
3 *or services, or conducting activities, in the Republic of the*  
4 *Marshall Islands, is authorized to make funds available,*  
5 *through the Secretary of the Interior, to assist in the reset-*  
6 *tlement of Rongelap. Nothing in this subsection shall be con-*  
7 *strued to limit the provision of ex gratia assistance pursu-*  
8 *ant to section 105(c)(2) of the Compact of Free Association*  
9 *Act of 1985 (Public Law 99-239, 99 Stat. 1770, 1792) in-*  
10 *cluding for individuals choosing not to resettle at Rongelap,*  
11 *except that no such assistance for such individuals may be*  
12 *provided until the Secretary notifies the Congress that the*  
13 *full amount of all funds necessary for resettlement at*  
14 *Rongelap has been provided.”.*

15 *Sec. 2. Federal Minimum Wage*

16 *Effective thirty days after the date of enactment of this*  
17 *Act, the minimum wage provisions, including, but not lim-*  
18 *ited to, the coverage and exemptions provisions, of section*  
19 *6 of the Fair Labor Standards Act of June 25, 1938 (52*  
20 *Stat. 1062), as amended, shall apply to the Commonwealth*  
21 *of the Northern Mariana Islands, except—*

22 *(a) on the effective date, the minimum wage rate*  
23 *applicable to the Commonwealth of the Northern Mar-*  
24 *iana Islands shall be \$2.75 per hour;*



1           (b) effective January 1, 1996, the minimum  
2 wage rate applicable to the Commonwealth of the  
3 Northern Mariana Islands shall be \$3.05 per hour;

4           (c) effective January 1, 1997 and every January  
5 1 thereafter, the minimum wage rate shall be raised  
6 by thirty cents per hour or the amount necessary to  
7 raise the minimum wage rate to the wage rate set  
8 forth in section 6(a)(1) of the Fair Labor Standards  
9 Act, whichever is less; and

10          (d) once the minimum wage rate is equal to the  
11 wage rate set forth in section 6(a)(1) of the Fair  
12 Labor Standards Act, the minimum wage rate appli-  
13 cable to the Commonwealth of the Northern Mariana  
14 Islands shall thereafter be the wage rate set forth in  
15 section 6(a)(1) of the Fair Labor Standards Act.

16   *Sec. 3. Report*

17           *The Secretary of the Interior, in consultation with the*  
18 *Attorney General and Secretaries of Treasury, Labor, and*  
19 *State, shall report to the Congress by the March 15 follow-*  
20 *ing each fiscal year for which funds are allocated pursuant*  
21 *to section 4(c) of Public Law 94–241 for use by Federal*  
22 *agencies or the Commonwealth to address immigration,*  
23 *labor or law enforcement activities. The report shall include*  
24 *but not be limited to—*

1           (1) *pertinent immigration information provided*  
2 *by the Immigration and Naturalization Service, in-*  
3 *cluding the number of non-United States citizen con-*  
4 *tract workers in the CNMI, based on data the Immi-*  
5 *gration and Naturalization Service may require of*  
6 *the Commonwealth of the Northern Mariana Islands*  
7 *on a semiannual basis, or more often if deemed nec-*  
8 *essary by the Immigration and Naturalization Serv-*  
9 *ice.*

10           (2) *the treatment and conditions of non-United*  
11 *States citizen contract workers, including foreign gov-*  
12 *ernment interference with workers' ability to assert*  
13 *their rights under United States law.*

14           (3) *the effect of laws of the Northern Mariana Is-*  
15 *lands on Federal interests.*

16           (4) *the adequacy of detention facilities in the*  
17 *Northern Mariana Islands.*

18           (5) *the accuracy and reliability of the computer-*  
19 *ized alien identification and tracking system and its*  
20 *compatibility with the system of the Immigration and*  
21 *Naturalization Service, and*

22           (6) *the reasons why Federal agencies are unable*  
23 *or unwilling to fully and effectively enforce Federal*  
24 *laws applicable within the Commonwealth of the*

1        *Northern Mariana Islands unless such activities are*  
2        *funded by the Secretary of the Interior.*

3                    *Sec. 4. Immigration Cooperation*

4        *The Commonwealth of the Northern Mariana Islands*  
5        *and the Immigration and Naturalization Service shall co-*  
6        *operate in the identification and, if necessary, exclusion or*  
7        *deportation from the Commonwealth of the Northern Mari-*  
8        *ana Islands of persons who represent security or law en-*  
9        *forcement risks to the Commonwealth of the Northern Mari-*  
10       *ana Islands or the United States.*

11                  *Sec. 5. Clarification of Local Employment in the*  
12                                  *Marianas*

13        *(a) Section 8103(i) of title 46 of the United States*  
14        *Code is amended by renumbering paragraph (3) as para-*  
15        *graph (4) and by adding a new paragraph (3) as follows:*

16                  *“(3) Notwithstanding any other provision of this sub-*  
17        *section, any alien allowed to be employed under the immi-*  
18        *gration laws of the Commonwealth of the Northern Mariana*  
19        *Islands (CNMI) may serve as an unlicensed seaman on a*  
20        *fishing, fish processing, or fish tender vessel that is operated*  
21        *exclusively from a port within the CNMI and within the*  
22        *navigable waters and exclusive economic zone of the United*  
23        *States surrounding the CNMI. Pursuant to 46 U.S.C. 8704,*  
24        *such persons are deemed to be employed in the United*  
25        *States and are considered to have the permission of the At-*

1 *torney General of the United States to accept such employ-*  
2 *ment: Provided, That paragraph (2) of this subsection shall*  
3 *not apply to persons allowed to be employed under this*  
4 *paragraph.”.*

5 *(b) Section 8103(i)(1) of title 46 of the United States*  
6 *Code is amended by deleting “paragraph (3) of this sub-*  
7 *section” and inserting in lieu thereof “paragraph (4) of this*  
8 *subsection”.*

9 *Sec. 6. Clarification of Ownership of Submerged Lands in*  
10 *the Commonwealth of the Northern Mariana Islands*  
11 *Public Law 93–435 (88 Stat 1210), as amended, is*  
12 *further amended by—*

13 *(a) striking “Guam, the Virgin Islands” in sec-*  
14 *tion 1 and inserting in lieu thereof “Guam, the Com-*  
15 *monwealth of the Northern Mariana Islands, the Vir-*  
16 *gin Islands” each place the words appear;*

17 *(b) striking “Guam, American Samoa” in sec-*  
18 *tion 2 and inserting in lieu thereof “Guam, the Com-*  
19 *monwealth of the Northern Mariana Islands, Amer-*  
20 *ican Samoa”; and*

21 *(c) striking “Guam, the Virgin Islands” in sec-*  
22 *tion 2 and inserting in lieu thereof “Guam, the Com-*  
23 *monwealth of the Northern Mariana Islands, the Vir-*  
24 *gin Islands.”.*

1        *With respect to the Commonwealth of the Northern*  
2 *Mariana Islands, references to “the date of enactment of this*  
3 *Act” or “date of enactment of this subsection” contained*  
4 *in Public Law 93–435, as amended, shall mean the date*  
5 *of enactment of this section.*

6            *Sec. 7. Annual State of the Islands Report*

7        *The Secretary of the Interior shall submit to the Con-*  
8 *gress, annually, a “State of the Islands” report on Amer-*  
9 *ican Samoa, Guam, the United States Virgin Islands, the*  
10 *Commonwealth of the Northern Mariana Islands, the Re-*  
11 *public of Palau, the Republic of the Marshall Islands, and*  
12 *the Federated States of Micronesia that includes basic eco-*  
13 *nomie development information, data on direct and indi-*  
14 *rect Federal assistance, local revenues and expenditures,*  
15 *employment and unemployment, the adequacy of essential*  
16 *infrastructure and maintenance thereof, and an assessment*  
17 *of local financial management and administrative capabili-*  
18 *ties, and Federal efforts to improve those capabilities.*

19            *Sec. 8. Technical correction*

20        *Section 501 of Public Law 95–134 (91 Stat. 1159,*  
21 *1164), as amended, is further amended by deleting “the*  
22 *Trust Territory of the Pacific Islands,” and inserting in*  
23 *lieu thereof “the Republic of Palau, the Republic of the Mar-*  
24 *shall Islands, the Federated States of Micronesia,”.*

1   **(90)**Page 43, line 18, strike out **【\$182,000,000】** and  
2 insert: *\$177,000,000*

3   **(91)**Page 44, line 1, strike out all after “activities,”  
4 down to and including “law” in line 2 and insert:  
5 *\$136,794,000, to remain available until expended, as au-*  
6 *thorized by law, of which not less than \$16,100,000 shall*  
7 *be made available for cooperative lands fire management*  
8 *and not less than \$7,500,000 shall be made available for*  
9 *the stewardship incentive program*

10   **(92)**Page 44, line 12, strike out **【\$1,266,688,000】** and  
11 insert: *\$1,247,543,000*

12   **(93)**Page 45, strike out line 3 and insert:

13                                    *WILDLAND FIRE MANAGEMENT*

14   **(94)**Page 45, line 9, strike out **【\$385,485,000】** and in-  
15 sert: *\$381,485,000*

16   **(95)**Page 45, line 19, strike out **【\$120,000,000】** and  
17 insert: *\$186,888,000*

18   **(96)**Page 46, line 4, after “purchasers” insert: *: Pro-*  
19 *vided further, That \$2,500,000 of the funds appropriated*  
20 *herein shall be available for a grant to the “Non-Profit Citi-*  
21 *zens for the Columbia Gorge Discovery Center” for the con-*  
22 *struction of the Columbia Gorge Discovery Center: Provided*  
23 *further, That the Forest Service is authorized to grant the*

1 *unobligated balance of funds appropriated in fiscal year*  
2 *1995 for the construction of the Columbia Gorge Discovery*  
3 *Center to the “Non-Profit Citizens for the Columbia Gorge*  
4 *Discovery Center” to be used for the same purpose: Provided*  
5 *further, That the Forest Service is authorized to convey the*  
6 *land needed for the construction of the Columbia Gorge Dis-*  
7 *covery Center without cost to the “Non-Profit Citizens for*  
8 *the Columbia Gorge Discovery Center”*

9 **(97)**Page 46, line 4, after “purchasers” insert: *: Pro-*  
10 *vided further, That notwithstanding any other provision of*  
11 *law, funds originally appropriated under this head in Pub-*  
12 *lic Law 101-512 for the Forest Service share of a new re-*  
13 *search facility at the University of Missouri, Columbia,*  
14 *shall be available for a grant to the University of Missouri,*  
15 *as the Federal share in the construction of the new facility:*  
16 *Provided further, That agreed upon lease of space in the*  
17 *new facility shall be provided to the Forest Service without*  
18 *charge for the life of the building*

19 **(98)**Page 46, line 11, strike out **[\$14,600,000]** and in-  
20 sert: *\$41,167,000*

21 **(99)**Page 46, line 13, after “expended” insert: *, of which*  
22 *\$275,000 may be made available from the cash equalization*  
23 *account for the acquisition of Mt. Jumbo in the Lolo Na-*  
24 *tional Forest, Montana*

- 1   **(100)**Page 46, line 13, after “expended” insert: *: Pro-*  
2 *vided, That of the amounts made available for acquisition*  
3 *management, \$1,000,000 may be made available for the*  
4 *purchase of subsurface rights in the Kane Experiment For-*  
5 *est*
- 6   **(101)**Page 48, line 22, after “Agriculture,” insert: *or*  
7 *to implement any reorganization, “reinvention” or other*  
8 *type of organizational restructuring of the Forest Service,*
- 9   **(102)**Page 48, line 24, after “Forestry” insert: *and the*  
10 *Committee on Energy and Natural Resources*
- 11   **(103)**Page 49, line 1, after “Agriculture” insert: *and the*  
12 *Committee on Resources*
- 13   **(104)**Page 49, after line 10, insert:  
14       *The appropriation structure for the Forest Service*  
15 *may not be altered without advance approval of the House*  
16 *and Senate Committee on Appropriations.*
- 17   **(105)**Page 52, strike out all after line 20, over to and  
18 including line 8 on page 53
- 19   **(106)**Page 53, strike out lines 9 through 12
- 20   **(107)**Page 53, after line 12, insert:



1        *None of the funds provided by this Act shall be used*  
2 *to revise or implement a new Tongass Land Management*  
3 *Plan (TLMP).*

4        **(108)**Page 53, after line 12, insert:

5        *None of the funds provided in this or any other appro-*  
6 *priations Act may be used on the Tongass National Forest*  
7 *except in compliance with Alternative P, identified in the*  
8 *Tongass Land Management Plan Revision Supplement to*  
9 *the Draft Environmental Impact Statement dated August*  
10 *1991.*

11       **(109)**Page 53, after line 12, insert:

12       *None of the funds appropriated under this Act for the*  
13 *Forest Service shall be made available for the purpose of*  
14 *applying paint to rocks, or rock colorization: Provided,*  
15 *That notwithstanding any other provision of law, the Forest*  
16 *Service shall not require of any individual or entity, as*  
17 *part of any permitting process under its authority, or as*  
18 *a requirement of compliance with the National Environ-*  
19 *mental Policy Act of 1969 (42 U.S.C. 4231 et seq.), the*  
20 *painting or colorization of rocks.*

21       **(110)**Page 53, line 21, strike out **[\$379,524,000]** and  
22 insert: *\$376,181,000*

23       **(111)**Page 53, line 24, after “gas” insert: *: Provided*  
24 *further, That any new project start funded under this head-*

1 *ing shall be substantially cost-shared with a private entity*  
2 *to the extent determined appropriate by the Secretary of*  
3 *Energy*

4 **(112)**Page 54, line 14, strike out **【\$151,028,000】** and  
5 insert: *\$136,028,000*

6 **(113)**Page 54, line 17, after “1996” insert: *: Provided*  
7 *further, That section 501 of Public Law 101–45 is hereby*  
8 *repealed*

9 **(114)**Page 54, line 20, strike out **【\$556,371,000】** and  
10 insert: *\$576,976,000*

11 **(115)**Page 55, line 2, strike out **【\$148,946,000】** and  
12 insert: *\$168,946,000*

13 **(116)**Page 55, line 9, strike out **【\$110,946,000】** and  
14 insert: *\$137,446,000*

15 **(117)**Page 55, line 10, strike out **【\$26,500,000】** and  
16 insert: *\$31,500,000*

17 **(118)**Page 55, line 15, strike out **【\$6,297,000】** and in-  
18 sert: *\$8,038,000*

19 **(119)**Page 56, line 22, strike out **【\$79,766,000】** and  
20 insert: *\$64,766,000*

1   **(120)**Page 59, line 11, strike out **【\$1,725,792,000】** and  
2 insert: *\$1,815,373,000*

3   **(121)**Page 59, line 25, strike out **【\$351,258,000】** and  
4 insert: *\$350,564,000*

5   **(122)**Page 61, line 23, strike out **【\$236,975,000】** and  
6 insert: *\$151,227,000*

7   **(123)**Page 65, line 8, strike out **【\$52,500,000】** and in-  
8 sert: *\$54,660,000*

9   **(124)**Page 65, line 14, strike out **【\$21,345,000】** and  
10 insert: *\$20,345,000*

11   **(125)**Page 67, line 6, strike out **【\$309,471,000】** and  
12 insert: *\$307,988,000*

13   **(126)**Page 67, line 6, strike out **【\$32,000,000】** and in-  
14 sert: *\$30,472,000*

15   **(127)**Page 67, line 25, strike out **【\$3,000,000】** and in-  
16 sert: *\$3,250,000*

17   **(128)**Page 68, line 7, strike out **【\$24,954,000】** and in-  
18 sert: *\$33,954,000*

19   **(129)**Page 68, line 15, strike out **【\$12,950,000】** and  
20 insert: *\$27,700,000*

1   **(130)**Page 68, line 15, strike out all after “expended”  
2 down to and including “52.232.18” in line 22

3   **(131)**Page 69, line 25, strike out **【\$51,315,000】** and  
4 insert: *\$51,844,000*

5   **(132)**Page 70, line 7, strike out **【\$5,500,000】** and in-  
6 sert: *\$7,385,000*

7   **(133)**Page 70, line 18, strike out **【\$9,800,000】** and in-  
8 sert: *\$10,323,000*

9   **(134)**Page 70, line 18, after “\$9,800,000” insert: *: Pro-*  
10 *vided, That 40 U.S.C. 193n is hereby amended by striking*  
11 *the word “and” after the word “Institution” and inserting*  
12 *in lieu thereof a comma, and by inserting “and the Trustees*  
13 *of the John F. Kennedy Center for the Performing Arts,”*  
14 *after the word “Art,”*

15   **(135)**Page 71, line 7, strike out **【\$5,140,100】** and in-  
16 sert: *\$6,537,000*

17   **(136)**Page 71, line 14, strike out **【\$82,259,000】** and  
18 insert: *\$88,765,000*

19   **(137)**Page 71, line 14, strike out all after  
20 “\$82,259,000” down to and including “tion,” in line 16

21   **(138)**Page 71, line 25, strike out **【\$17,235,000】** and  
22 insert: *\$21,235,000*

1 (139)Page 71, line 25, strike out all after  
2 “\$17,235,000” over to and including “appropriation” in  
3 line 1 on page 72

4 (140)Page 72, line 16, strike out **[\$82,469,000]** and  
5 insert: *\$94,000,000*

6 (141)Page 72, line 24, strike out **[\$17,025,000]** and  
7 insert: *\$16,000,000*

8 (142)Page 72, line 25, strike out **[\$9,180,000]** and in-  
9 sert: *\$10,000,000*

10 (143)Page 74, line 12, strike out **[\$3,063,000]** and in-  
11 sert: *\$2,500,000*

12 (144)Page 75, line 1, strike out **[\$48,000]** and insert:  
13 *\$147,000*

14 (145)Page 75, strike out lines 4 through 7

15 (146)Page 75, after line 7, insert:

16 *PUBLIC DEVELOPMENT*

17 *Funds made available under this heading in prior*  
18 *years shall be available for operating and administrative*  
19 *expenses of the Corporation.*

20 (147)Page 75, line 12, strike out **[\$28,707,000]** and  
21 insert: *\$26,609,000*

1 **(148)**Page 75, line 13, strike out all after “program”  
2 down to and including “program” in line 14

3 **(149)**Page 78, line 23, strike out **[100–413]** and insert:  
4 *103–413*

5 **(150)**Page 79, strike out lines 9 and 10 and insert:

6 *SEC. 312. None of funds appropriated or otherwise*  
7 *made available by this Act may be used for the AmeriCorps*  
8 *program, unless the relevant agencies of the Department of*  
9 *the Interior and/or Agriculture follow appropriate*  
10 *reprogramming guidelines: Provided, That if no funds are*  
11 *provided for the AmeriCorps program by the VA–HUD and*  
12 *Independent Agencies fiscal year 1996 appropriations bill,*  
13 *then none of the funds appropriated or otherwise made*  
14 *available by this Act may be used for the AmeriCorps pro-*  
15 *grams*

16 **(151)**Page 79, strike out all after line 10, over to and  
17 including line 24 on page 86

18 **(152)**Page 87, strike out line 1 and all that follows, over  
19 to and including line 15 on page 89 and insert:

20 *SEC. 314. (a) Except as provided in subsection (b), no*  
21 *part of any appropriation contained in this Act or any*  
22 *other Act shall be obligated or expended for the operation*  
23 *or implementation of the Interior Columbia Basin Eco-*  
24 *system Management Project (hereinafter “Project”).*

1           (b) From the funds appropriated to the Forest Service  
2 and Bureau of Land Management, a sum of \$4,000,000 is  
3 made available for the appropriate line officers assigned to  
4 the Walla Walla office and the Boise office of the Project  
5 to publish by April 30, 1996, an eastside final environ-  
6 mental impact statement, without a record of decision, for  
7 the Federal lands subject to the Project in Oregon and  
8 Washington and an Upper Columbia Basin final environ-  
9 mental impact statement, without a record of decision, for  
10 the Federal lands subject to the Project in Idaho and Mon-  
11 tana and other affected States, respectively. Among other  
12 matters, the final environmental impact statements shall  
13 contain the scientific information collected and analysis  
14 undertaken by the Project on landscape dynamics and forest  
15 health conditions and the implications of such dynamics  
16 and conditions for forest management, including the man-  
17 agement of forest vegetation structure, composition, and  
18 density.

19           (c)(1) From the funds generally appropriated to the  
20 Forest Service and the Bureau of Land Management, the  
21 Secretary of Agriculture or the Secretary of the Interior as  
22 the case may be, shall—

23                   (A) review the resource management plan (here-  
24                   inafter “plan”) for each national forest and unit of  
25                   lands administered by the Bureau of Land Manage-

1        *ment (hereinafter “forest”) within the area encom-*  
2        *passed by the Project, the analysis in the relevant*  
3        *final environmental impact statement prepared pur-*  
4        *suant to subsection (b) which is applicable to such*  
5        *plan, and any policy which is applicable to such plan*  
6        *(whether or not such policy is final or draft, or has*  
7        *been added to such plan by amendment), which is or*  
8        *is intended to be of limited duration, and which the*  
9        *Project addresses; and*

10            *(B) based on such review, determine whether*  
11            *such policy modified to meet the specific conditions of*  
12            *such forest, or an alternative policy which serves the*  
13            *purpose of such policy, should be adopted for such for-*  
14            *est.*

15            *(2) If the Secretary concerned makes a decision that*  
16            *such a modified or alternative policy should be adopted for*  
17            *such forest, the Secretary concerned shall prepare and adopt*  
18            *for the resource management plan for such forest an amend-*  
19            *ment which contains such policy, which is directed solely*  
20            *to and affects only such plan, and which addresses the spe-*  
21            *cific conditions of the forest and the relationship of such*  
22            *policy to such conditions. The Secretary shall consult with*  
23            *the Governor of the State, and the Commissioner of the*  
24            *county or counties, in which the forest is situated prior to*



1 *such decision and, if the decision is to prepare an amend-*  
2 *ment, during the preparation thereof.*

3       (3) *To the maximum extent practicable, any amend-*  
4 *ment prepared pursuant to paragraph (2) shall establish*  
5 *procedures to develop site-specific standards in lieu of im-*  
6 *posing general standards applicable to multiple sites. Any*  
7 *amendment which would result in any change in land allo-*  
8 *cations within the land management plan or reduce the*  
9 *likelihood of achievement of the goals and objectives of the*  
10 *plan (prior to any previous amendment incorporating in*  
11 *the plan any policy referred to in paragraph (1)(A)) shall*  
12 *be deemed a significant plan amendment, or equivalent,*  
13 *pursuant to section 6(f)(4) of the Forest and Rangeland Re-*  
14 *newable Resources Planning Act of 1974 (16 U.S.C.*  
15 *1604(f)(4)) or section 202 of the Federal Land Policy and*  
16 *Management Act of 1976 (43 U.S.C. 1712).*

17       (4)(A) *Any amendment prepared pursuant to para-*  
18 *graph (2) which adopts a policy that is a modification of*  
19 *or alternative to a policy referred to in paragraph (1)(A)*  
20 *upon which consultation or conferencing has occurred pur-*  
21 *suant to section 7 of the Endangered Species Act of 1973*  
22 *(16 U.S.C. 1536) shall not again be subject to the consulta-*  
23 *tion or conferencing provisions of such section 7.*

24       (B) *If required by such section 7, the Secretary con-*  
25 *cerned shall consult or conference separately on each*

1 *amendment prepared pursuant to paragraph (2) which is*  
2 *not subject to subparagraph (A).*

3 *(C) No further consultation other than the consultation*  
4 *specified in subparagraph (B) shall be undertaken on any*  
5 *amendments prepared pursuant to paragraph (2), on any*  
6 *project or activity which is consistent with an applicable*  
7 *amendment, on any policy referred to in paragraph (1)(A),*  
8 *or on any portion of any resource management plan related*  
9 *to such policy or the species to which such policy applies.*

10 *(5) Any amendment prepared pursuant to paragraph*  
11 *(2) shall be adopted on or before July 31, 1996: Provided,*  
12 *That any amendment deemed a significant amendment*  
13 *pursuant to paragraph (3) shall be adopted on or before*  
14 *December 31, 1996.*

15 *(6) No policy referred to in paragraph (1)(A), or any*  
16 *provision of a resource management plan or other planning*  
17 *document incorporating such policy, shall be effective on or*  
18 *after December 31, 1996, or after an amendment is promul-*  
19 *gated subject to the provisions of this section, whichever oc-*  
20 *curs first.*

21 *(7) On the signing of a record of decision or equivalent*  
22 *document making an amendment for the Clearwater Na-*  
23 *tional Forest pursuant to paragraph (2), the requirement*  
24 *for revision referred to in the Stipulation of Dismissal*  
25 *dated September 13, 1993, applicable to the Clearwater Na-*

1 *tional Forest is deemed to be satisfied, and the interim*  
2 *management direction provisions contained in the Stipula-*  
3 *tion of Dismissal shall be of no further effect with respect*  
4 *to the Clearwater National Forest.*

5 *(d) The documents prepared under the authority of*  
6 *this section shall not be applied or used to regulate non-*  
7 *Federal lands in the affected States.*

8 **(153)**Page 89, strike out all after line 15, over to and  
9 including line 2 on page 93 and insert:

10 *SEC. 315. (a) The Secretary of the Interior (acting*  
11 *through the Bureau of Land Management, the National*  
12 *Park Service and the United States Fish and Wildlife Serv-*  
13 *ice) and the Secretary of Agriculture (acting through the*  
14 *Forest Service) shall each implement a fee program to dem-*  
15 *onstrate the feasibility of user-generated cost recovery for*  
16 *the operation and maintenance of recreation areas or sites*  
17 *and habitat enhancement projects on Federal lands.*

18 *(b) In carrying out the pilot program established pur-*  
19 *suant to this section, the appropriate Secretary shall select*  
20 *from areas under the jurisdiction of each of the four agen-*  
21 *cies referred to in subsection (a) no fewer than 10, but as*  
22 *many as 50, areas, sites or projects for fee demonstration.*  
23 *For each such demonstration, the Secretary, notwithstand-*  
24 *ing any other provision of law—*

1           (1) shall charge and collect fees for admission to  
2 the area or for the use of outdoor recreation sites, fa-  
3 cilities, visitor centers, equipment, and services by in-  
4 dividuals and groups, or any combination thereof;

5           (2) shall establish fees under this section based  
6 upon a variety of cost recovery and fair market valu-  
7 ation methods to provide a broad basis for feasibility  
8 testing;

9           (3) may contract, including provisions for rea-  
10 sonable commissions, with any public or private en-  
11 tity to provide visitor services, including reservations  
12 and information, and may accept services of volun-  
13 teers to collect fees charged pursuant to paragraph  
14 (1);

15           (4) may encourage private investment and part-  
16 nerships to enhance the delivery of quality customer  
17 services and resource enhancement, and provide ap-  
18 propriate recognition to such partners or investors;  
19 and

20           (5) may assess a fine of not more than \$100 for  
21 any violation of the authority to collect fees for ad-  
22 mission to the area or for the use of outdoor recre-  
23 ation sites, facilities, visitor centers, equipment, and  
24 services.

1       (c)(1) Amounts collected at each fee demonstration site  
2 shall be distributed as follows:

3           (A) Of the amount in excess of 104 percent of the  
4 amount collected in fiscal year 1995, and thereafter  
5 annually adjusted upward by 4 percent, 80 percent to  
6 a special account in the Treasury for use by the agen-  
7 cy which administers the site, to remain available for  
8 expenditures in accordance with paragraph (3)(A).

9           (B) Of the amount in excess of 104 percent of the  
10 amount collected in fiscal year 1995, and thereafter  
11 annually adjusted upward by 4 percent, 20 percent to  
12 a special account in the Treasury for use by the agen-  
13 cy which administers the site, to remain available for  
14 expenditure in accordance with paragraph (3)(B).

15           (C) For agencies other than the Fish and Wild-  
16 life Service, up to 15 percent of current year collec-  
17 tions at each site, but not greater than fee collection  
18 costs for that fiscal year, to remain available for ex-  
19 penditure in accordance with paragraph (3)(C).

20           (D) For agencies other than the Fish and Wild-  
21 life Service, the balance to the special account estab-  
22 lished pursuant to subparagraph (A) of section 4(i)(1)  
23 of the Land and Water Conservation Act as amended.

24           (E) For the Fish and Wildlife Service, the bal-  
25 ance shall be distributed in accordance with the Fish

1        *and Wildlife Service Administrative Provisions of this*  
2        *Act.*

3        *(2) For purposes of the subsection, “total collections”*  
4        *for each site shall be defined as gross collections before any*  
5        *reduction for amounts attributable to collection costs.*

6        *(3)(A) Expenditures from site specific special funds*  
7        *shall be for further activities of each site, and shall be ac-*  
8        *counted for separately. Expenditures for each site shall be*  
9        *in proportion to total collections from the demonstration*  
10       *sites administered by an agency.*

11       *(B) Expenditures from agency specific special funds*  
12       *shall be for use on an agency-wide basis and shall be ac-*  
13       *counted for separately.*

14       *(C) Expenditures from the fee collection support fund*  
15       *shall be used to cover fee collection costs in accordance with*  
16       *section 4(i)(1)(B) of the Land and Water Conservation Act*  
17       *as amended.*

18       *(4) In order to increase the quality of the visitor expe-*  
19       *rience at public recreational areas and enhance the protec-*  
20       *tion of resources, amounts available for expenditure under*  
21       *paragraph (1) may only be used for the site or project con-*  
22       *cerned, for backlogged repair and maintenance projects (in-*  
23       *cluding projects relating to health and safety) and for inter-*  
24       *pretation, signage, habitat or facility enhancement, resource*  
25       *preservation, annual operation (including fee collection),*

1 *maintenance, and law enforcement relating to public use.*  
2 *The agencywide accounts may be used for the same purposes*  
3 *set forth in the preceding sentence, but for sites or projects*  
4 *selected at the discretion of the respective agency head.*

5 *(d)(1) Amounts collected under this section shall not*  
6 *be taken into account for the purposes of the Act of May*  
7 *23, 1908 and the Act of March 1, 1911 (16 U.S.C. 500),*  
8 *the Act of March 4, 1913 (16 U.S.C. 501), the Act of July*  
9 *22, 1937 (7 U.S.C. 1012), the Act of August 8, 1937 and*  
10 *the Act of May 24, 1939 (43 U.S.C. 1181f et seq.), the Act*  
11 *of June 14, 1926 (43 U.S.C. 869–4), chapter 69 of title 31,*  
12 *United States Code, section 401 of the Act of June 15, 1935*  
13 *(16 U.S.C. 715s), the Land and Water Conservation Fund*  
14 *Act of 1965 (16 U.S.C. 460l), and any other provision of*  
15 *law relating to revenue allocation.*

16 *(2) Fees charged pursuant to this section shall be in*  
17 *lieu of fees charged under any other provision of law.*

18 *(e) The Secretary of the Interior and the Secretary of*  
19 *Agriculture shall carry out this section without promulgat-*  
20 *ing regulations.*

21 *(f) The authority to collect fees under this section shall*  
22 *commence on October 1, 1995, and end on September 30,*  
23 *1998. Funds in accounts established shall remain available*  
24 *through September 30, 2001.*

1       (g)(1) *It is the policy of the Congress that entrance,*  
 2 *tourism, and recreational use fees for the use of Federal*  
 3 *lands and facilities not discriminate against any State or*  
 4 *any region of the country.*

5       (2) *Not later than October 1, 1996, the Secretary of*  
 6 *the Interior, in cooperation with the heads of other affected*  
 7 *agencies shall prepare and submit to the Senate and House*  
 8 *Appropriations Committees a report that—*

9           (A) *identifies all Federal lands and facilities*  
 10 *that provide tourism or recreational use; and*

11           (B) *analyzes by State and region any fees*  
 12 *charged for entrance to or for tourism or recreational*  
 13 *use of Federal lands and facilities in a State or re-*  
 14 *gion, individually and collectively.*

15       (3) *Not later than October 1, 1997, the Secretary of*  
 16 *the Interior, in cooperation with the heads of other affected*  
 17 *agencies, shall prepare and submit to the Senate and House*  
 18 *Appropriations Committees any recommendations that the*  
 19 *Secretary may have for implementing the policy stated in*  
 20 *subsection (1).*

21   **(154)**Page 93, strike out lines 3 through 12

22   **(155)**Page 93, strike out lines 20 through 22

23   **(156)**Page 93, strike out all after line 22, over to and  
 24 including line 6 on page 94



1 **(157)**Page 94, strike out lines 7 through 22 and insert:

2       *SEC. 320. None of the funds made available in this*  
3 *Act shall be used by the Department of Energy in imple-*  
4 *menting the Codes and Standards Program to propose,*  
5 *issue, or prescribe any new or amended standard: Provided,*  
6 *That this section shall expire on September 30, 1996: Pro-*  
7 *vided further, That nothing in this section shall preclude*  
8 *the Federal Government from promulgating rules concern-*  
9 *ing energy efficiency standards for the construction of new*  
10 *federally-owned commercial and residential buildings.*

11 **(158)**Page 95, strike out lines 5 through 10 and insert:

12       *SEC. 322. (a) FAIR MARKET VALUE FOR MINERAL*  
13 *PATENTS.—Except as provided in subsection (c), any pat-*  
14 *ent issued by the United States under the general mining*  
15 *laws after the date of enactment of this Act shall be issued*  
16 *only upon payment by the owner of the claim of the fair*  
17 *market value for the interest in the land owned by the Unit-*  
18 *ed States exclusive of and without regard to the mineral*  
19 *deposits in the land or the use of the land. For the purposes*  
20 *of this section, “general mining laws” means those Acts*  
21 *which generally comprise chapters 2, 11, 12, 12A, 15, and*  
22 *16, and sections 161 and 162, of title 30 of the United*  
23 *States Code, all Acts heretofore enacted which are amend-*  
24 *atory of or supplementary to any of the foregoing Acts, and*

1 *the judicial and administrative decisions interpreting such*  
2 *Acts.*

3 *(b) RIGHT OF REENTRY.—*

4 *(1) IN GENERAL.—Except as provided in sub-*  
5 *section (c), and notwithstanding any other provision*  
6 *of law, a patent issued under subsection (a) shall be*  
7 *subject to a right of reentry by the United States if*  
8 *it is used by the patentee for any purpose other than*  
9 *for conducting mineral activities in good faith and*  
10 *such unauthorized use is not discontinued as provided*  
11 *in subsection (b)(2). For the purpose of this section,*  
12 *the term “mineral activities” means any activity re-*  
13 *lated to, or incidental to, exploration for or develop-*  
14 *ment, mining, production, beneficiation, or processing*  
15 *of any locatable mineral or mineral that would be*  
16 *locatable if it were on Federal land, or reclamation*  
17 *of the impacts of such activities.*

18 *(2) NOTICE BY THE SECRETARY.—If the patented*  
19 *estate is used by the patentee for any purpose other*  
20 *than for conducting mineral activities in good faith,*  
21 *the Secretary of the Interior shall serve on all owners*  
22 *of interests in such patented estate, in the manner*  
23 *prescribed for service of a summons and complaint*  
24 *under the Federal Rules of Civil Procedure, notice*  
25 *specifying such unauthorized use and providing not*

1     *more than 90 days in which such unauthorized use*  
2     *must be terminated. The giving of such notice shall*  
3     *constitute final agency action appealable by any*  
4     *owner of an interest in such patented estate. The Sec-*  
5     *retary may exercise the right of reentry as provided*  
6     *in subsection (b)(3) if such unauthorized use has not*  
7     *been terminated in the time provided in this para-*  
8     *graph, and only after all appeal rights have expired*  
9     *and any appeals of such notice have been finally de-*  
10    *termined.*

11           (3) *RIGHT OF REENTRY.*—*The Secretary may ex-*  
12    *ercise the right of the United States to reenter such*  
13    *patented estate by filing a declaration of reentry in*  
14    *the office of the Bureau of Land Management des-*  
15    *ignated by the Secretary and recording such declara-*  
16    *tion where the notice or certificate of location for the*  
17    *patented claim or site is recorded under State law.*  
18    *Upon the filing and recording of such declaration, all*  
19    *right, title and interest in such patented estate shall*  
20    *revert to the United States. Lands and interests in*  
21    *lands for which the United States exercises its right*  
22    *of reentry under this section shall remain open to the*  
23    *location of mining claims and mill sites, unless with-*  
24    *drawn under other applicable law.*

1           (c) *PATENTS EXCEPTED FROM REQUIREMENTS.*—The  
2 requirements of subsections (a) and (b) of this section shall  
3 not apply to the issuance of those patents whose applica-  
4 tions were excepted under section 113 of Pub. L. No. 103-  
5 322, 108 Stat. 2499, 2519 (1994), from the prohibition on  
6 funding contained in section 112 of that Act. Such patents  
7 shall be issued under the general mining laws in effect prior  
8 to the date of enactment of this Act.

9           (d) *PROCESSING OF PENDING PATENT APPLICA-*  
10 *TIONS.*—

11           (1) *PROCESSING SCHEDULE.*—For those applica-  
12 tions for patent under the general mining laws which  
13 are pending at the date of enactment of this Act, or  
14 any amendments to or resubmittals of such patent ap-  
15 plications, the Secretary of the Interior shall—

16           (A) *Within three months of the enactment of*  
17 *this Act, file with the House and Senate Com-*  
18 *mittees on Appropriations and the Committee on*  
19 *Resources of the House of Representatives and*  
20 *the Committee on Energy and Natural Resources*  
21 *of the United States Senate a plan which details*  
22 *how the Department of the Interior will take*  
23 *final action on all such applications within two*  
24 *years of the enactment of this Act and file re-*  
25 *ports annually thereafter with the same commit-*

1            *tees detailing actions taken by the Department of*  
2            *the Interior to carry out such plan; and*

3                    *(B) Take such actions as may be necessary*  
4            *to carry out such plan.*

5            *(2) MINERAL EXAMINATIONS.—Upon the request*  
6            *of a patent applicant, the Secretary of the Interior*  
7            *shall allow the applicant to fund the retention by the*  
8            *Bureau of Land Management of a qualified third-*  
9            *party contractor to conduct a mineral examination of*  
10           *the mining claims or mill sites contained in a patent*  
11           *application. All such third-party mineral examina-*  
12           *tions shall be conducted in accordance with standard*  
13           *procedures and criteria followed by the Bureau of*  
14           *Land Management, and the retention and compensa-*  
15           *tion of such third-party contractors shall be conducted*  
16           *in accordance with procedures employed by the Bu-*  
17           *reau of Land Management in the retention of third-*  
18           *party contractors for the preparation of environ-*  
19           *mental analyses under the National Environmental*  
20           *Policy Act (42 U.S.C. §§ 4321–4370d) to the maxi-*  
21           *mum extent practicable.*

22    **(159)**Page 95, after line 14, insert:

23            *SEC. 324. No part of any appropriation contained in*  
24            *this Act or any other Act shall be expended or obligated*

1 *to fund the activities of the Office of Forestry and Economic*  
2 *Development after December 31, 1995.*

3 **(160)**Page 95, after line 14, insert:

4 *SEC. 325. No part of any appropriation contained in*  
5 *this Act or any other Act shall be expended or obligated*  
6 *to: (a) redefine the definition of an area in which a marbled*  
7 *murrelet is “known to be nesting”; or (b) to modify the pro-*  
8 *tolcol for surveying for marbled murrelets in effect on July*  
9 *21, 1995.*

10 **(161)**Page 95, after line 14, insert:

11 *SEC. 326. (a) LAND EXCHANGE.—The Secretary of the*  
12 *Interior (hereinafter referred to as the “Secretary”) is au-*  
13 *thorized to convey to the Boise Cascade Corporation (here-*  
14 *inafter referred to as the “Corporation”), a corporation*  
15 *formed under the statutes of the State of Delaware, with*  
16 *its principal place of business at Boise, Idaho, title to ap-*  
17 *proximately seven acres of land, more or less, located in*  
18 *sections 14 and 23, township 36 north, range 37 east, Wil-*  
19 *lamette Meridian, Stevens County, Washington, further*  
20 *identified in the records of the Bureau of Reclamation, De-*  
21 *partment of the Interior, as Tract No. GC-19860, and to*  
22 *accept from the Corporation in exchange therefor, title to*  
23 *approximately one hundred and thirty-six acres of land lo-*  
24 *cated in section 19, township 37 north, range 38 east and*  
25 *section 33, township 38 north, range 37 east, Willamette*

1 *Meridian, Stevens County, Washington, and further identi-*  
2 *fied in the records of the Bureau of Reclamation, Depart-*  
3 *ment of the Interior, as Tract No. GC-19858 and Tract*  
4 *No. GC-19859, respectively.*

5       **(b) APPRAISAL.**—*The properties so exchanged either*  
6 *shall be approximately equal in fair market value or if they*  
7 *are not approximately equal, shall be equalized by the pay-*  
8 *ment of cash to the Corporation or to the Secretary as re-*  
9 *quired or in the event the value of the Corporation's lands*  
10 *is greater, the acreage may be reduced so that the fair mar-*  
11 *ket value is approximately equal: Provided, That the Sec-*  
12 *retary shall order appraisals made of the fair market value*  
13 *of each tract of land included in the exchange without con-*  
14 *sideration for improvements thereon: Provided further, That*  
15 *any cash payment received by the Secretary shall be covered*  
16 *in the Reclamation Fund and credited to the Columbia*  
17 *Basin project.*

18       **(c) ADMINISTRATIVE COSTS.**—*Costs of conducting the*  
19 *necessary land surveys, preparing the legal descriptions of*  
20 *the lands to be conveyed, performing the appraisals, and*  
21 *administrative costs incurred in completing the exchange*  
22 *shall be borne by the Corporation.*

23       **(d) LIABILITY FOR HAZARDOUS SUBSTANCES.**—*(1)*  
24 *The Secretary shall not acquire any lands under this Act*  
25 *if the Secretary determines that such lands, or any portion*

1 *thereof, have become contaminated with hazardous sub-*  
2 *stances (as defined in the Comprehensive Environmental*  
3 *Response, Compensation, and Liability Act (42 U.S.C.*  
4 *9601)).*

5 *(2) Notwithstanding any other provision of law, the*  
6 *United States shall have no responsibility or liability with*  
7 *respect to any hazardous wastes or other substances placed*  
8 *on any of the lands covered by this Act after their transfer*  
9 *to the ownership of any party, but nothing in this Act shall*  
10 *be construed as either diminishing or increasing any re-*  
11 *sponsibility or liability of the United States based on the*  
12 *condition of such lands on the date of their transfer to the*  
13 *ownership of another party. The Corporation shall indem-*  
14 *nify the United States for liabilities arising under the Com-*  
15 *prehensive Environmental Response, Compensation, and*  
16 *Liability Act (42 U.S.C. 9601), and the Resource Conserva-*  
17 *tion Recovery Act (42 U.S.C. 6901 et seq.).*

18 *(e) AUTHORIZATION OF APPROPRIATIONS.—There are*  
19 *authorized to be appropriated such sums as may be nec-*  
20 *essary to carry out the purposes of this Act.*

21 **(162)**Page 95, after line 14, insert:

22 *SEC. 327. TIMBER SALES PIPELINE RESTORATION*  
23 *FUNDS.—(a) The Secretary of Agriculture and the Sec-*  
24 *retary of the Interior shall each establish a Timber Sales*  
25 *Pipeline Restoration Fund (hereinafter “Agriculture Fund”*



1 and “Interior Fund” or “Funds”). Any revenues received  
2 from sales released under section 2001(k) of the Fiscal Year  
3 1995 Supplemental Appropriations for Disaster Assistance  
4 and Rescissions Act, minus the funds necessary to make  
5 payments to States or local governments under other law  
6 concerning the distribution of revenues derived from the af-  
7 fected lands, which are in excess of \$37,500,000 (hereinafter  
8 “excess revenues”) shall be deposited into the Funds. The  
9 distribution of excess revenues between the Agriculture  
10 Fund and Interior Fund shall be calculated by multiplying  
11 the total of excess revenues times a fraction with a denomi-  
12 nator of the total revenues received from all sales released  
13 under such section 2001(k) and numerators of the total reve-  
14 nues received from such sales on lands within the National  
15 Forest System and the total revenues received from such  
16 sales on lands administered by the Bureau of Land Man-  
17 agement, respectively: Provided, That revenues or portions  
18 thereof from sales released under such section 2001(k),  
19 minus the amounts necessary for State and local govern-  
20 ment payments and other necessary deposits, may be depos-  
21 ited into the Funds immediately upon receipt thereof and  
22 subsequently redistributed between the Funds or paid into  
23 the United States Treasury as miscellaneous receipts as  
24 may be required when the calculation of excess revenues is  
25 made.

1       (b)(1) *From the funds deposited into the Agriculture*  
2 *Fund and into the Interior Fund pursuant to subsection*

3 *(a)—*

4           (A) *seventy-five percent shall be available, with-*  
5 *out fiscal year limitation or further appropriation,*  
6 *for preparation of timber sales, other than salvage*  
7 *sales as defined in section 2001(a)(3) of the fiscal*  
8 *year 1995 Supplemental Appropriations for Disaster*  
9 *Assistance and Rescissions Act, which—*

10           (i) *are situated on lands within the Na-*  
11 *tional Forest System and lands administered by*  
12 *the Bureau of Land Management, respectively;*  
13 *and*

14           (ii) *are in addition to timber sales for*  
15 *which funds are otherwise available in this Act*  
16 *or other appropriations acts.*

17           (B) *twenty-five percent shall be available, with-*  
18 *out fiscal year limitation or further appropriation, to*  
19 *expend on the backlog of recreation projects on lands*  
20 *within the National Forest System and lands admin-*  
21 *istered by the Bureau of Land Management, respec-*  
22 *tively.*

23       (2) *Expenditures under this subsection for preparation*  
24 *of timber sales may include expenditures for Forest Service*  
25 *activities within the forest land management budget line*

1 *item and associated timber roads, and Bureau of Land*  
2 *Management activities within the Oregon and California*  
3 *grant lands account and the forestry management area ac-*  
4 *count, as determined by the Secretary concerned.*

5 *(c) Revenues received from any timber sale prepared*  
6 *under subsection (b) or under this subsection, minus the*  
7 *amounts necessary for State and local government pay-*  
8 *ments and other necessary deposits, shall be deposited into*  
9 *the Fund from which funds were expended on such sale.*  
10 *Such deposited revenues shall be available for preparation*  
11 *of additional timber sales and completion of additional*  
12 *recreation projects in accordance with the requirements set*  
13 *forth in subsection (b).*

14 *(d) The Secretary concerned shall terminate all pay-*  
15 *ments into the Agriculture Fund or the Interior Fund, and*  
16 *pay any unobligated funds in the affected Fund into the*  
17 *United States Treasury as miscellaneous receipts, whenever*  
18 *the Secretary concerned makes a finding, published in the*  
19 *Federal Register, that sales sufficient to achieve the total*  
20 *allowable sales quantity of the national forest system for*  
21 *the Forest Service or the allowable sales level for the Oregon*  
22 *and California grant lands for the Bureau of Land Man-*  
23 *agement, respectively, have been prepared.*

24 *(e) Any timber sales prepared and recreation projects*  
25 *completed under this section shall comply with all applica-*

1 *ble environmental and natural resource laws and regula-*  
2 *tions.*

3       *(f) The Secretary concerned shall report annually to*  
4 *the Committees on Appropriations of the U.S. Senate and*  
5 *the House of Representatives on expenditures made from the*  
6 *Fund for timber sales and recreation projects, revenues re-*  
7 *ceived into the Fund from timber sales, and timber sale*  
8 *preparation and recreation project work undertaken during*  
9 *the previous year and projected for the next year under the*  
10 *Fund. Such information shall be provided for each Forest*  
11 *Service region and Bureau of Land Management State of-*  
12 *fice.*

13       *(g) The authority of this section shall terminate upon*  
14 *the termination of both Funds in accordance with the provi-*  
15 *sions of subsection (d).*

16   **(163)**Page 95, after line 14, insert:

17       *SEC. 328. Notwithstanding any other provision of law,*  
18 *none of the funds provided in this or any other act shall*  
19 *be available for travel and training expenses for the Bureau*  
20 *of Indian Affairs or the Office of Indian Education for edu-*  
21 *cation conferences or training activities.*

22   **(164)**Page 95, after line 14, insert:

23       *SEC. 329. Of the funds provided to the National En-*  
24 *dowment for the Arts:*

1           (a) *The Chairperson shall only award a grant to*  
2           *an individual if such grant is awarded to such indi-*  
3           *vidual for a literature fellowship, National Heritage*  
4           *Fellowship, or American Jazz Masters Fellowship.*

5           (b) *The Chairperson shall establish procedures to*  
6           *ensure that no funding provided through a grant, ex-*  
7           *cept a grant made to a State or regional group, may*  
8           *be used to make a grant to any other organization or*  
9           *individual to conduct activity independent of the di-*  
10          *rect grant recipient. Nothing in this subsection shall*  
11          *prohibit payments made in exchange for goods and*  
12          *services.*

13          (c) *No grant shall be used for seasonal support*  
14          *to a group, unless the application is specific to the*  
15          *contents of the season, including identified programs*  
16          *and/or projects.*

17   **(165)**Page 95, after line 14, insert:

18   **SEC. 330. DELAY IN IMPLEMENTATION OF THE ADMINIS-**  
19                           **TRATION'S RANGELAND REFORM PROGRAM.**

20          *None of the funds made available under this or any*  
21          *other Act may be used to implement or enforce the final*  
22          *rule published by the Secretary of the Interior on February*  
23          *22, 1995 (60 Fed. Reg. 9894), making amendments to parts*  
24          *4, 1780, and 4100 of title 43, Code of Federal Regulations,*  
25          *to take effect August 21, 1995, until November 21, 1995.*

1 *None of the funds made available under this or any other*  
2 *Act may be used to publish proposed or enforce final regula-*  
3 *tions governing the management of livestock grazing on*  
4 *lands administered by the Forest Service until November*  
5 *21, 1995.*

6 **(166)**Page 95, after line 14, insert:

7 *SEC. 331. (a)(1) The head of each agency referred to*  
8 *in paragraph (2) shall submit to the President each year,*  
9 *through the head of the department having jurisdiction over*  
10 *the agency, a land acquisition ranking for the agency con-*  
11 *cerned for the fiscal year beginning after the date of the*  
12 *submittal of the report.*

13 *(2) The heads of agencies referred to in paragraph (1)*  
14 *are the following:*

15 *(A) The Director of the National Park Service in*  
16 *the case of the National Park Service.*

17 *(B) The Director of the Fish and Wildlife Service*  
18 *in the case of the Fish and Wildlife Service.*

19 *(C) The Director of the Bureau of Land Manage-*  
20 *ment in the case of the Bureau of Land Management.*

21 *(D) The Chief of the Forest Service in the case*  
22 *of the Forest Service.*

23 *(3) In this section, the term "land acquisition rank-*  
24 *ing", in the case of a Federal agency, means a statement*  
25 *of the order of precedence of the land acquisition proposals*

1 *of the agency, including a statement of the order of prece-*  
2 *dence of such proposals for each organizational unit of the*  
3 *agency.*

4 *(b) The President shall include the land acquisition*  
5 *rankings for a fiscal year that are submitted to the Presi-*  
6 *dent under subsection (a)(1) in the supporting information*  
7 *submitted to Congress with the budget for that fiscal year*  
8 *under section 1105 of title 31, United States Code.*

9 *(c)(1) The head of the agency concerned shall deter-*  
10 *mine the order of precedence of land acquisitions proposals*  
11 *under subsection (a)(1) in accordance with criteria that the*  
12 *Secretary of the Department having jurisdiction over the*  
13 *agency shall prescribe.*

14 *(2) The criteria prescribed under paragraph (1) shall*  
15 *provide for a determination of the order of precedence of*  
16 *land acquisition proposals through consideration of—*

17 *(A) the natural resources located on the land cov-*  
18 *ered by the acquisition proposals;*

19 *(B) the degree to which such resources are threat-*  
20 *ened;*

21 *(C) the length of time required for the acquisi-*  
22 *tion of the land;*

23 *(D) the extent, if any, to which an increase in*  
24 *the cost of the land covered by the proposals makes*  
25 *timely completion of the acquisition advisable;*

1           (E) the extent of public support for the acqui-  
2           tion of the land; and

3           (F) such other matters as the Secretary con-  
4           cerned shall prescribe.

5   **(167)**Page 95, after line 14, insert:

6           SEC. 332. Section 1864 of title 18, United States Code,  
7   is amended—

8           (1) in subsection (b)—

9               (A) in paragraph (2), by striking “twenty”  
10              and inserting “40”;

11              (B) in paragraph (3), by striking “ten” and  
12              inserting “20”;

13              (C) in paragraph (4), by striking “if dam-  
14              age exceeding \$10,000 to the property of any in-  
15              dividual results,” and inserting “if damage to  
16              the property of any individual results or if  
17              avoidance costs have been incurred exceeding  
18              \$10,000, in the aggregate,”; and

19              (D) in paragraph (4), by striking “ten”  
20              and inserting “20”;

21           (2) in subsection (c) by striking “ten” and in-  
22           serting “20”;

23           (3) in subsection (d), by—

24               (A) striking “and” at the end of paragraph  
25              (2);



1           (B) striking the period at the end of para-  
2 graph (3) and inserting “; and”; and

3           (C) adding at the end the following:

4           “(4) the term ‘avoidance costs’ means costs in-  
5 curred by any individual for the purpose of—

6           “(A) detecting a hazardous or injurious de-  
7 vice; or

8           “(B) preventing death, serious bodily in-  
9 jury, bodily injury, or property damage likely to  
10 result from the use of a hazardous or injurious  
11 device in violation of subsection (a).”;

12           (4) by adding at the end thereof the following:

13           “(e) Any person injured as the result of a violation  
14 of subsection (a) may commence a civil action on his own  
15 behalf against any person who is alleged to be in violation  
16 of subsection (a). The district courts shall have jurisdiction,  
17 without regard to the amount in controversy or the citizen-  
18 ship of the parties, in such civil actions. The court may  
19 award, in addition to monetary damages for any injury  
20 resulting from an alleged violation of subsection (a), costs  
21 of litigation, including reasonable attorney and expert wit-  
22 ness fees, to any prevailing or substantially prevailing  
23 party, whenever the court determines such award is appro-  
24 priate.”.

25   **(168)**Page 95, after line 14, insert:

1       *SEC. 333. Notwithstanding any other provision of law,*  
2 *none of the funds authorized to be appropriated pursuant*  
3 *to this Act may be used to promote, disseminate, sponsor*  
4 *or produce materials or performances which denigrate the*  
5 *objects or beliefs of the adherents of a particular religion.*

6       **(169)**Page 95, after line 14, insert:

7       *SEC. 334. Notwithstanding any other provision of law,*  
8 *none of the funds made available to the National Endow-*  
9 *ment for the Arts under this Act may be used to promote,*  
10 *disseminate, sponsor, or produce materials or performances*  
11 *that depict or describe, in a patently offensive way, sexual*  
12 *or excretory activities or organs.*

13       **(170)**Page 95, after line 14, insert:

14 *SEC. 335. Public Law 94-158 is modified to extend the*  
15 *scope of the Arts and Artifacts Indemnity Act to include*  
16 *exhibitions originating in the United States and touring*  
17 *the United States for indemnification subject to the avail-*  
18 *ability of funds.*

19       **(171)**Page 95, after line 14, insert:

20       ***SEC. 336. ENERGY SAVINGS AT FEDERAL FACILITIES.***

21       *(a) REDUCTION IN FACILITIES ENERGY COSTS.—The*  
22 *head of each agency for which funds are made available*  
23 *under this Act shall take all actions necessary to achieve*  
24 *during fiscal year 1996 a 5 percent reduction, from fiscal*

1 *year 1995 levels, in the energy costs of the facilities used*  
2 *by the agency.*

3 *(b) USE OF COST SAVINGS.—An amount equal to the*  
4 *amount of cost savings realized by an agency under sub-*  
5 *section (a) shall remain available for obligation through the*  
6 *end of fiscal year 1997, without further authorization or*  
7 *appropriation, as follows:*

8 *(1) CONSERVATION MEASURES.—Fifty percent of*  
9 *the amount shall remain available for the implemen-*  
10 *tation of additional energy conservation measures*  
11 *and for water conservation measures at such facilities*  
12 *used by the agency as are designated by the head of*  
13 *the agency.*

14 *(2) OTHER PURPOSES.—Fifty percent of the*  
15 *amount shall remain available for use by the agency*  
16 *for such purposes as are designated by the head of the*  
17 *agency, consistent with applicable law.*

18 *(c) REPORT.—*

19 *(1) IN GENERAL.—Not later than December 31,*  
20 *1996, the head of each agency described in subsection*  
21 *(a) shall submit a report to Congress specifying the*  
22 *results of the actions taken under subsection (a) and*  
23 *providing any recommendations concerning how to*  
24 *further reduce energy costs and energy consumption*  
25 *in the future.*

1           (2) *CONTENTS.*—*Each report shall—*

2                   (A) *specify the total energy costs of the fa-*  
3                   *ilities used by the agency;*

4                   (B) *identify the reductions achieved; and*

5                   (C) *specify the actions that resulted in the*  
6                   *reductions.*

7   **(172)**Page 95, after line 14, insert:

8   ***SEC. 337. DISTRIBUTION OF INDIAN HEALTH SERVICE PRO-***  
9                   ***FESSIONALS.***

10           (a) *IN GENERAL.*—*To ensure that the Secretary of*  
11           *Health and Human Services (hereafter in this section re-*  
12           *ferred to as the “Secretary”), acting through the Indian*  
13           *Health Service, is making efforts to meet the health care*  
14           *needs of Indian tribes (as defined in section 4(e) of the In-*  
15           *dian Self-Determination and Education Assistance Act (25*  
16           *U.S.C. 450b(e)) in an equitable manner, the Secretary*  
17           *shall, not later than April 30, 1996, submit to the Congress*  
18           *a report that meets the requirements of subsection (b).*

19           (b) *CONTENTS OF REPORT.*—*The report prepared by*  
20           *the Secretary under this section shall—*

21                   (1) *contain a comparative analysis of the Indian*  
22                   *Health Service staffing that includes comparisons of*  
23                   *health care facilities (including clinics) and service*  
24                   *units (as defined in section 4(j) of the Indian Health*  
25                   *Care Improvement Act (25 U.S.C. 1603(j));*

1           (2) for each health care facility of the Indian  
2           Health Service (as determined by the Secretary), de-  
3           termine, for each health profession (as defined in sec-  
4           tion 4(n) of the Indian Health Care Improvement Act  
5           (25 U.S.C. 1603(n)), the ratio of—

6                   (A) the number of members of that health  
7                   profession that provide health services in that fa-  
8                   cility; to

9                   (B) the number of patients served by the  
10                  members of that health profession in that facil-  
11                  ity;

12          (3) provide a comparative nationwide analysis  
13          of health care facilities of the Indian Health Service  
14          based on the ratios determined under paragraph (2)  
15          in order to ascertain whether each service area (as de-  
16          fined in section 4(m) of the Indian Health Care Im-  
17          provement Act (25 U.S.C. 1603(m)) is providing an  
18          equitable level of health services; and

19          (4) provide an analysis of—

20                   (A) the overall levels of staffing of all types  
21                   of health professions, support staff, and adminis-  
22                   trative staff at facilities referred to in paragraph  
23                   (3); and

24                   (B) the distribution of the staffing referred  
25                   to in subparagraph (A) by service unit.

1   **(173)**Page 95, after line 14, insert:

2   **SEC. 338. HIV-AIDS PREVENTION AND TREATMENT PLAN.**

3       (a) *REPORT.*—Not later than March 1, 1996, the Sec-  
4   retary of Health and Human Services (hereafter in this sec-  
5   tion referred to as the “Secretary”), acting through the In-  
6   dian Health Service and in consultation with Indian tribes  
7   (as defined in section 4(d) of the Indian Health Care Im-  
8   provement Act (25 U.S.C. 1603(d)), shall prepare and sub-  
9   mit to the Congress a report that evaluates—

10           (1) *the incidences of HIV and AIDS among In-*  
11       *dian tribes;*

12           (2) *the services provided under title XXVI of the*  
13       *Public Health Service Act to members of Indian*  
14       *tribes living with HIV and AIDS;*

15           (3) *the unmet needs, including preventive edu-*  
16       *cational needs, of members of Indian tribes living*  
17       *with HIV and AIDS who use the Indian Health Serv-*  
18       *ice for their primary health care;*

19           (4) *the internal capacity of each service unit of*  
20       *the Indian Health Service to meet the existing need;*  
21       *and*

22           (5) *the resources, including education, needed to*  
23       *meet existing and projected need.*

24       (b) *SERVICE PLAN.*—The Secretary, acting through the  
25   Indian Health Service and in consultation with Indian

1 *tribes, shall develop and implement a plan of action for*  
2 *meeting the existing and projected needs, which based on*  
3 *the evaluation conducted pursuant to subsection (a), are de-*  
4 *termined to be unmet.*

Attest:

*Secretary.*

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

**H. R. 1977**

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**AMENDMENTS**



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